

The McAlester City Council met in a Regular session on Tuesday, June 14, 2016, at 6:00 P.M. after proper notice and agenda was posted, June 13, 2016 at 12:26 P.M.

**Call to Order**

Mayor Browne called the meeting to order.

Councilman Robert Karr gave the invocation and led the Pledge of Allegiance.

**Roll Call**

Council Roll Call was as follows:

Present: Weldon Smith, Travis Read, Robert Karr, Jason Barnett & John Browne  
Absent: Buddy Garvin  
Presiding: John Browne, Mayor

Staff Present: Peter J. Stasiak, City Manager; Toni Ervin, CFO; Police Chief, Gary Wansick; Leroy Alsup, Community & Economic Development Director; William J. Ervin, City Attorney and Cora Middleton, City Clerk

**Citizens Comments on Non-Agenda Items**

There were no citizen comments.

**Consent Agenda**

- A. Approval of the Minutes from the May 24, 2016, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for May 18, 2016 through June 7, 2016. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$121,589.93; Nutrition - \$1,117.92; Landfill Res./Sub-Title D - \$3,654.00; Tourism Fund - \$29,296.98; SE Expo Center - \$9,458.17; E-911 - \$7,119.73; Economic Development - \$27,265.09; Grants & Contributions - \$1,278.62; Fleet Maintenance - \$19,586.65 and CIP Fund - \$60,027.42.
- C. Consider and act upon, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service Samsung iDCS Digital and Analog Telephone sets located at City Hall. *(James Stanford, IT Computer Support Specialists)*

- D. Consider and act upon, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service all 1 and 2 line non-system telephones and associated wiring owned by the City of McAlester within various locations of the City of McAlester. (*James Stanford, IT Computer Support Specialists*)
- E. Consider and act upon, authorizing the Mayor to ratify and approve an agreement between the City of McAlester and MegaPath for providing local and long distance calling services. (*James Stanford, IT Computer Support Specialists*)
- F. Consider and act upon, authorizing the Mayor to ratify and approve a Master Agreement between the City of McAlester and AT&T for Internet Services. (*James Stanford, IT Computer Support Specialists*)
- G. Consider and act upon, authorizing the Mayor to ratify and approve an annual Service Maintenance & License Agreement between the City of McAlester and CivicPlus for the City website. (*James Stanford, IT Computer Support Specialists*)
- H. Consider and act upon, authorizing the Mayor to sign an Agreement between Oklahomans for Independent Living and the City of McAlester for funding in the amount of \$24,000. (*Peter J. Stasiak, City Manager*)
- I. Consider and act upon, authorizing the Mayor to sign an Agreement between Old Town and the City of McAlester for funding in the amount of \$12,800. (*Peter J. Stasiak, City Manager*)
- J. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Pittsburg County Emergency Management for Fiscal Year 2016/2017 funding in the amount of \$50,000. (*Peter J. Stasiak, City Manager*)
- K. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Pride-in-McAlester for funding in the amount of \$60,000. (*Peter J. Stasiak, City Manager*)
- L. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and McAlester Main Street for funding in the amount of \$30,000. (*Peter J. Stasiak, City Manager*)
- M. Consider and act upon, receipt of the Permit No. WL000061160310 from the Oklahoma Department of Environmental Quality (ODEQ) for the construction of 1,740 linear feet of six (6) inch PVC potable water line and all appurtenances to serve the City of McAlester Project #1, Short Stonewall and Project #2, East Court Ave. (*Peter J. Stasiak, City Manager*)
- N. Consider and act upon, a request from the Pittsburg County Chapter NAACP to use the Michael J. Hunter Park, 14<sup>th</sup> and Chickasaw, Oklahoma on Saturday, June 18, 2016 from

8:00am until 5:00 p.m. to hold the Juneteenth Celebration. (*Miller Newman, President, Pittsburg County Chapter NAACP*)

- O. Concur with the Mayor's appointment of Peter Stasiak to Director of the Association for Landfill Financial Assurance's Board. (*John Browne, Mayor*)
- P. Consider and act upon, approval and adoption of the Leasing Guidelines and Waiver of Liability Release Form to be implemented for the use of the Fox-Sheehan Memorial Firing Range. (*Gary Wansick, Chief of Police*)
- Q. 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. (*Peter Stasiak, City Manager*)
- R. Consideration and action to approve and to authorize the execution of a Professional Economic Development Consulting Services Agreement with Retail Attractions, LLC for a twelve month term from July 1, 2016 through June 30, 2017. (*Kirk Ridenour/Leroy Alsop, Community & Economic Development*)
- S. Concur with Oklahoma Municipal Assurance Group on the denial of Claim No. 201994-ME. (*Cora Middleton, City Clerk*)

Councilman Read requested that items "I, L and P" be removed for individual consideration.

Manager Stasiak requested that item "B" be removed for individual consideration.

A motion was made by Councilman Smith and seconded by Councilman Read to approve Consent Agenda items "A, C through H, J, K, and M through O and Q through S". There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

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

- B. Approval of Claims for May 18, 2016 through June 7, 2016. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$121,589.93; Nutrition - \$1,117.92; Landfill Res./Sub-Title D - \$3,654.00; Tourism Fund - \$29,296.98; SE Expo Center - \$9,458.17; E-911 - \$7,119.73; Economic Development - \$27,265.09; Grants & Contributions - \$1,278.62; Fleet Maintenance - \$19,586.65 and CIP Fund - \$60,027.42.

Manager Stasiak explained that on page sixteen (16) a payment to Dunn Ford that needed to be removed until after item two (2) is considered.

Attorney Ervin stated that the Council could come back to item two (2) and vote on it in its' entirety.

- I. Consider and act upon, authorizing the Mayor to sign an Agreement between Old Town and the City of McAlester for funding in the amount of \$12,800. (*Peter J. Stasiak, City Manager*)

Councilman Read commented that there was no information in the packet regarding the agreement.

After discussion among the Council, and Brenda Baxter, Chairperson Old Town Association regarding the information on the previous festival expenses and revenue and this years' projected revenue and expenses, the number of days the festival would be held, including the requested information in the agenda packet in the coming years in more detail and the number of attendees at last years' festival, Councilman Read moved to authorize the Mayor to sign an agreement between Old Town and the City of McAlester for funding in the amount of \$12,800.00. The motion was seconded by Vice-Mayor Karr. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

- L. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and McAlester Main Street for funding in the amount of \$30,000. (*Peter J. Stasiak, City Manager*)

Carl Gullick, Chairman McAlester Main Street and Lacey Sudderth, Director McAlester Main Street addressed the Council concerning the fiscal year 2016/2017 agreement.

There was discussion among the Council, Mr. Gullick, Ms. Sudderth and Manager Stasiak regarding the Master Street Scape for the Down Town area, who had furnished information concerning the necessary infrastructure improvements, projected cost of those improvements, how funding would or could be acquired, the number of members and having all of the Main Street businesses as members.

There was no further discussion, Councilman Read moved to authorize the Mayor to sign a contract between the City of McAlester and McAlester Main Street for funding in the amount of \$30,000. The motion was seconded by Vice-Mayor Karr and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

- P. Consider and act upon, approval and adoption of the Leasing Guidelines and Waiver of Liability Release Form to be implemented for the use of the Fox-Sheehan Memorial Firing Range. (*Gary Wansick, Chief of Police*)

Councilman Read inquired about who would determine who could lease the firing range.

Chief Wansick informed the Council that this would be more for concealed carry classes and other similar events.

There was a brief discussion among the Council including Chief Wansick and Attorney Ervin concerning the fees that would be charged, how the facility would be maintained during events and having this leasing agreement similar to the agreements that were used when areas of the Expo were leased. After the discussion, Councilman Read moved to table the item until lease and related documents were complete. The motion was seconded by Councilman Smith and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

A motion was made by Councilman Read and seconded by Vice-Mayor Karr to open a Public Hearing addressing two (2) Ordinances, the final performance report for the FY-14 CDBG Grant and the FY-16 CDBG Grant proposed waterline project. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried, and the Public Hearing was opened at 6:27 P.M.

### **Public Hearing**

**A PUBLIC HEARING ON FY-14 CDBG GRANT #16083 CDBG 14, WATER LINE REPLACEMENT PROJECT; FINAL PERFORMANCE REPORT.**

**A PUBLIC HEARING ON FY-16 CDBG SMALL CITIES GRANT; FOR PROPOSED WATERLINE REPLACEMENTS PROJECT.**

**AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF McALESTER, OKLAHOMA FOR THE FISCAL YEAR 2016-2017.**

**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.**

There were no comments from the audience or the Council. Councilman Read moved to close the Public Hearing. The motion was seconded by Councilman Smith and the vote was taken as follows:

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

Mayor Browne declared the motion carried, and the Public Hearing was closed at 6:28 P.M.

**Scheduled Business**

1. Consider and act upon, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2016-2017; providing for severability clause; and declaring an emergency. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Motion to approve an Ordinance adopting the budget for fiscal year 2016-2017 and declaring an emergency.

CFO Ervin addressed the Council explaining that there was no new information for the fiscal year 2016-2017 budget and it was ready for approval.

**ORDINANCE NO. 2568**

**AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF McALESTER, OKLAHOMA FOR THE FISCAL YEAR 2016-2017.**

There was no discussion, Councilman Smith moved to approve **ORDINANCE NO. 2568**. The motion was seconded by Councilman Read, and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

2. 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.

CFO Ervin addressed the Council explaining that this amendment was to appropriate funds for a new Tourism vehicle.

**ORDINANCE NO. 2569**

**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 Councilman Read and seconded by Councilman Smith to approve **ORDINANCE NO. 2569**. There was no discussion, and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

Councilman Read moved to approve the EMERGENCY CLAUSE. The motion was seconded by Vice-Mayor Karr and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

- B. Approval of Claims for May 18, 2016 through June 7, 2016. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$121,589.93; Nutrition - \$1,117.92; Landfill Res./Sub-Title D - \$3,654.00; Tourism Fund - \$29,296.98; SE Expo Center - \$9,458.17; E-911 - \$7,119.73; Economic Development - \$27,265.09; Grants & Contributions - \$1,278.62; Fleet Maintenance - \$19,586.65 and CIP Fund - \$60,027.42.

A motion was made by Councilman Read and seconded by Councilman Smith to approve claims for May 18, 2016 through June 7, 2016. There was no discussion, and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

3. Consider and take action on final acceptance of 2014 CDBG Waterline Replacement Project and authorizing the Mayor to sign the closeout documents. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to accept 2014 CDBG Waterline Replacement Project as complete and authorize the Mayor to sign the closeout documents.

Millie Vance addressed the Council explaining that the project is completed and all funds have been depleted. She added that the Department of Commerce had been to monitor the project and the project engineer had issued the certificate of completion.

Councilman Read inquired about the blank spaces on the Final Wage Compliance Report. Ms. Vance explained that if the first question was answered no then none of the other questions needed to be answered.

A motion was made by Councilman Smith and seconded by Councilman Read to accept the 2014 CDBG Waterline Replacement Project as complete and authorize the Mayor to sign the closeout documents. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

4. Consider and act upon, accepting the bid for the 2015 CDBG Waterline Replacement Project in the amount of \$111,700.00 from Cook's Consulting, LLC and authorizing the Mayor to sign the Award of Contract. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve the bid of \$111,700.00 from Cook's Consulting, LLC for the 2015 CDBG Waterline Replacement Project and authorizing the Mayor to sign the Award of Contract.

Dale Burke, President Infrastructure Solutions Group, LLC addressed the Council explaining that bids for this project had been opened on May 24, 2016 at 10:00 A.M. and of the six (6) contractors that attended the pre-bid conference only four (4) submitted bids. He informed the Council that Cook's Consulting, LLC had been the low bidder and his firm recommended that the City award the contract to Cook's Consulting, LLC.

Manager Stasiak commented that the bids had come in well under the engineer's estimate.

Mr. Burke stated that the bid had come in below the estimate and the City would need to go out and rebid an additional project for the leftover funds.

A motion was made by Councilman Smith and seconded by Councilman Read to accept the bid for the 2015 CDBG Waterline Replacement Project in the amount of \$111,700.00 from Cook's Consulting, LLC and authorize the Mayor to sign the Award of Contract.

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

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

NAY: None

Mayor Browne declared the motion carried.

5. Consider and act upon, adopting a Resolution to Apply for FY-2016 CDBG Grant. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve adopting the resolution to Apply for the FY-2016 CDBG Grant.

Millie Vance addressed the Council explaining that this was the action to apply for the 2016 CDBG Grant program.

Councilman Smith moved to adopt the resolution applying for the FY-2016 CDBG Grant. The motion was seconded by Councilman Read, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

6. Consider and act upon, adopting a Resolution to Leverage (Matching) funds for FY-2016 CDBG Water Line Replacement Project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve to Leverage (Matching) funds for FY-2016 CDBG Water Line Replacement Project.

Millie Vance addressed the Council explaining that this was a grant that would be funded with a dollar for dollar match from the City.

A motion was made by Councilman Smith and seconded by Councilman Read to adopt RESOLUTION NO. 16-10, to leverage (match) funds for FY-2016 CDBG Water Line Replacement Project. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

7. Consider and act upon, adopting a Residential Anti-Displacement Plan for FY-2016 CDBG Water Line Replacement Project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve a Residential Anti-Displacement Plan for FY-2016 CDBG Water Line Replacement Project.

Millie Vance addressed the Council explaining that no citizens would be displaced by this project and it was necessary to adopt one of these plans with each project and have it on file.

There was no further discussion, Councilman Smith moved to adopt the Residential Anti-Displacement Plan for FY-2016 CDBG Water Line Replacement Project. The motion was seconded by Councilman Read and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

8. Consider and act upon, adopting a Contract with Millie Vance Incorporated to prepare FY-2016 CDBG grant application and administer project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve and authorizing the Mayor to sign a Contract with Millie Vance Incorporated to prepare FY-2016 CDBG grant application and administer project.

Millie Vance addressed the Council explaining that this contract was the same as in the past. She would do the application and administer the grant for a fee of eight percent (8%) of grant funds and if the grant was not awarded there would be no fee.

There was no further discussion, a motion was made by Councilman Read. The motion was seconded by Councilman Smith, and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

9. Consider and act upon, Building Demolition & Site Clearance Contracts with Dill Transport, Inc. in the sum of \$4,500, XL Construction, LLC in the sum of \$8,700, and Moss Trucking DBA as Henry Moss in the sum of \$13,400. (*George Estrada/Leroy Alsup, Community & Economic Development*)

Executive Summary

Motion to award Building Demolition & Site Clearance Contracts to Dill Transport, Inc. in the sum of \$4,500, XL Construction, LLC in the sum of \$8,700, and Moss Trucking DBA as Henry Moss in the sum of \$13,400 and to authorize the Mayor to execute the respective Notice of Awards and Building Demolition & Site Clearance Contracts with Dill Transport Inc., XL Construction, LLC., and Moss Trucking DBA as Henry Moss.

Director Alsup addressed the Council updating them on the status of the ten (10) structures that had been declared dilapidated on April 12, 2016. He informed them that of the ten (10) structures three (3) had been demolished by the owners, one (1) owner had obtained a remodel permit and the remaining six (6) had been bid for demolition on June 6, 2016. He further explained that there were three (3) contractors that would be performing the demolitions.

There was no further discussion, and Councilman Read moved to award Building Demolition & Site Clearance Contracts with Dill Transport, Inc. in the sum of \$4,500, XL Construction, LLC in the sum of \$8,700, and Moss Trucking DBA as Henry Moss in the sum of \$13,400. Councilman Smith seconded by motion and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

10. Consider and act upon, accepting the bid amount of \$449,984.00 from Katcon, Inc. for the Washington Ave. Street Reconstruction Project and authorizing the Mayor to sign the Notice of Award to Katcon, Inc. (*Peter Stasiak, City Manager*)

Executive Summary

The recommendation is to enter into an agreement with Katcon, Inc. for the bid equal to \$449,984.00 for the Washington Ave. Street Reconstruction Project.

Dale Burke, President Infrastructure Solutions Group, LLC addressed the Council explaining that there had been two (2) bids received on June 2, 2016 and that Katcon, Inc. had been the apparent low bidder. He added that both of the bids had been below the engineer's estimate.

After a brief discussion about having funds left in the CIP and the possibility of doing more work somewhere else in the City, Councilman Smith moved to accept the bid amount of \$449,984.00 from Katcon, Inc. for the Washington Ave. Street Reconstruction Project and authorize the Mayor to sign the Notice of Award to Katcon, Inc. The motion was seconded by Councilman Read and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

11. Consider and act upon, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2-286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2-287. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Motion to declare certain vehicles and equipment surplus property and authorize the sale of said vehicles and equipment.

CFO Ervin addressed the Council explaining the process that the City had put in place to get rid of surplus property. She explained that vehicles would be sold online, the surplus property would be auctioned at the Armory and the confiscated items would be auctioned at the Expo Center.

Mayor Browne asked the City Attorney if there was any liability to the City concerning the sale of the confiscated guns.

Attorney Ervin stated that there was no liability on the City. CFO Ervin added that she had discussed the sale of the gun with the Chief Wansick and had been informed that background checks would be performed on all of the gun sales. She then commented that this had been a team effort.

After a brief discussion regarding the sale of the vehicles, Councilman Smith moved to declare certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec

2-286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2-287. The motion was seconded by Councilman Read, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

12. Consider and act upon, declaring 137 bicycles surplus property in accordance with the Code of Ordinances Sec 2-286 and authorize the City Manager to donate them to the Boys and Girls Club. (*Gary Wansick, Chief of Police*)

Executive Summary

Motion to declare certain 137 bicycles surplus property and authorize the City Manager to donate them to the Boys and Girls Club.

Police Chief Wansick addressed the Council asking for an exception to the auction. He explained that the Police Department had 137 bicycles and they would like to donate them to the Boys and Girls Club. He added that the Boys and Girls Club would make any needed repairs and then give them to McAlester children. He also commented that a group was interested in donating helmets and the Department could hold a bicycle safety course the day of the giveaway.

After a brief discussion concerning the City having any expense connected to the bicycles, this being an acceptable way for the City to dispose of the bicycles, if the Boys and Girls Club had agreed to this plan and if any other groups had been considered to receive some of the bicycle donations, Councilman Smith moved to declare 137 bicycles surplus property in accordance with the Code of Ordinances Sec 2-286 and authorize the City Manager to donate them to the Boys and Girls Club. The motion was seconded by Councilman Read and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

13. Consider and act upon, authorizing the Mayor to sign a contract with Chillie Joe Bills, Auctioneer, for the sale of surplus items. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Motion to approve authorizing the Mayor to sign a contract with Chillie Joe Bills, Auctioneer, for the sale of surplus items.

CFO Ervin addressed the Council explaining that this was the contract for the Auctioneer the City planned to use for the Surplus Auction. She added that he had agreed to a twenty percent (20%) fee and do all of the advertising.

There was no other discussion, Councilman Smith moved to authorize the Mayor to sign a contract with Chillie Joe Bills, Auctioneer, for the sale of surplus items. The motion was seconded by Councilman Read and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

14. Consider and act upon, rejection of all bids received for the 500 N. Main Drainage Improvements. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to approve rejection of all three bids received for the 500 N. Main Drainage Improvement Project.

Dale Burke, President Infrastructure Solutions Group, LLC addressed the Council explaining that all of the bids received had exceeded the engineer's estimate and after discussion with the City's staff, it is recommended that all bids be rejected and the project be rebid.

There was no discussion, and Councilman Smith moved to reject all bids received for the 500 N. Main Drainage Improvements. The motion was seconded by Councilman Read and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

15. Consider and act upon, the Application for Obtaining Real Property for Historic Monument Purposes for the acquisition of the Carl F. Albert Federal Building & U.S. Courthouse. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to approve application to acquire the Carl F. Albert Federal Building & U.S. Courthouse.

Manager Stasiak addressed the Council explaining that for the last two (2) years the City had been investigating if there was interest in the Federal Building at the corner of Third Street and Carl Albert Parkway. He commented that the idea of moving the Police Department to the building had been considered, and moving Administration to the building. He added that one concern was the lack of parking. When the building was put out by the National Parks Service, only the City of McAlester was interested. Subsequent to that the Choctaw Nation had contacted the City indicating their interest in moving their Judicial Services to the building. He added that this could be a true economic development opportunity for the City of McAlester. He stated that if the City were to obtain the building they could lease it to the Choctaw Nation.

After a brief discussion concerning the building and the benefit the building could provide for the City, Councilman Smith moved to approve the Application for Obtaining Real Property for Historic Monument Purposes for the acquisition of the Carl F. Albert Federal Building & U.S. Courthouse. The motion was seconded by Councilman Read, and the vote was taken as follows:

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

Mayor Browne 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 street crew on Strong were moving right along, the Water Treatment Plant Filter #5 project's estimated completion date was before July 15, the MCC Controls proposal would be on the next meeting agenda, if the weather continued to remain dry the material would be taken to the landfill, Thursday at 4:30 P.M. would be the first Stormwater System Advisory Committee meeting, and the City had two (2) crews that were working four ten hour days, this was a trial basis through October.

Councilman Smith asked about how the City was dealing with the trees in the canals.

Manager Stasiak commented that the crew was chipping on site.

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

Councilman Read commented on the dumpster outside the Farmer's Market and how it was always overflowing.

Manager Stasiak stated that the dumpster would be removed.

Councilmen Smith, Karr and Barnett did not have any comments for the evening.

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

Mayor Browne commented that he had toured the Ammunition Plant and stated that it was a remarkable entity. He then commended Habitat for Humanity for their fundraiser.

### **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, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 7:10 P.M.

### Reconvene Council Meeting

The Regular Meeting was reconvened at 7:11 P.M.

A motion was made by Councilman Read and seconded by Councilman Smith to recess the Regular Meeting for an Executive Session in accordance with Title 25, Sec. 307.B.2, to discuss negotiations concerning employees and representatives of employee groups: FOP; to discuss negotiations concerning employees and representatives of employee groups: IAFF and 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 Clerk, Cora Middleton and City Manager, Peter Stasiak. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried and the Regular Meeting was recessed at 7:12 P.M.

### Executive Session

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 Clerk, Cora Middleton
2. 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

### Reconvene into Open Session

The Regular Meeting was reconvened at 8:30 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.1, to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Clerk, Cora Middleton and City Manager, Peter Stasiak. Only those matters were discussed, no action was taken, and the Council returned to open session at 8:30 P.M., and this constituted the Minutes of the Executive Session

- Consider and act upon, the City Clerk's Contract.

A motion was made by Councilman Read and seconded by Vice-Mayor Karr to accept the evaluation as discussed and the associated step increase. There was no discussion, and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

- Consider and act upon, the City Manager's Contract.

A motion was made by Councilman Read and seconded by Councilman Smith to table the City Manager's contract until the next meeting for additional changes to the proposed contract. There was no discussion, and the vote was taken as follows:

AYE: Councilman Read, Smith, Barnett, Karr & 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 Councilman Read.

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

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

Mayor Browne declared the motion carried, and the meeting was adjourned at 8:32 P.M.

ATTEST:

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John Browne, Mayor

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Cora Middleton, City Clerk