

Council Chambers
Municipal Building
June 28, 2016

The McAlester City Council met in a Regular session on Tuesday, June 28, 2016, at 6:00 P.M. after proper notice and agenda was posted, June 24, 2016 at 11:40 A.M.

Call to Order

Mayor Browne called the meeting to order.

Joe Ervin gave the invocation and led the Pledge of Allegiance.

Roll Call

Council Roll Call was as follows:

Present: Weldon Smith, Travis Read, Robert Karr, Buddy Garvin, Jason Barnett & John Browne
Absent: None
Presiding: John Browne, Mayor

Staff Present: Peter J. Stasiak, City Manager; Toni Ervin, CFO; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Citizens Comments on Non-Agenda Items

Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to five (5) minutes.

There were no citizen comments.

Consent Agenda

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Approval of Claims for June 8, 2016 through June 21, 2016. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$121,606.43; Parking Authority - \$122.39; Nutrition - \$1,238.75; Tourism - \$14,053.27; SE Expo Center - \$4,283.38; E-911 - \$4,743.86; Economic Development - \$1,415.65; Grants & Contributions - \$8,825.79; CDBG Grant Fund - \$5,000.00; Fleet Maintenance - \$6,458.34; Worker's Compensation - \$941.68 and CIP Fund - \$48,032.55.

- B. Consider and act upon, authorizing the Mayor to sign an Agreement with Jordan Carris Insurance for Renewal of Excess Worker's Compensation Insurance coverage. The Staff recommendation is for Option 3 at \$55,569.00. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, authorizing the Mayor to approve and sign a Business Customer Service Agreement between the City of McAlester and U.S. Cellular for wireless telecommunication services and equipment. *(James Stanford, IT Computer Support Specialist)*

A motion was made by Councilman Read and seconded by Councilman Smith to approve the Consent Agenda. There was no discussion, and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

A motion was made by Councilman Smith and seconded by Councilman Read to open a Public Hearing addressing an ordinance amending the FY 2015-2016 Budget. There was no discussion, and Mayor Browne declared the Public Hearing open at 6:02 P.M.

Public Hearing

All persons interested in any ordinance listed under Scheduled Business shall have an opportunity to be heard in accordance with Article 2, Section 2.12(b) of the City Charter.

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, Garvin, Barnett & Mayor Browne
NAY: None

Mayor Browne declared the motion carried, and the Public Hearing was closed at 6:03 P.M.

Scheduled Business

- 1. Discussion and update on the MCC Controls at McAlester Water Treatment Plant. *(Peter Stasiak, City Manager)*

Executive Summary

Discussion to include a comparison of 2400V system versus a 480V system.

Manager Stasiak addressed the Council regarding previous discussions about the voltage of the Motor Control Center of the Water Treatment Plant. He reminded them that the current system was a 2400 volt system and converting it to a 480 volt system had been mentioned during earlier discussions.

Dale Burke, P.E., President Infrastructure Solutions Group, LLC addressed the Council concerning the Motor Control Center and the options offered to the City for its' repairs. He commented that even though changing the system to a 480 volt system would be preferred, that change would not be cost effective.

There was discussion among the Council, Manager Stasiak, Mr. Burke and Jake Walton regarding the repairs to the Motor Control Center, changing to a 480 volt system, the age of the Plant, how long this repair would extend the usable life of the Plant, how the system was currently ran and bringing this item back to the Council at the next meeting with the requested information, a contract and recommendations.

There was no vote on this item.

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, CFO)*

Executive Summary

Motion to approve the budget amendment ordinance.

CFO Ervin addressed the Council reviewing the exhibits and explaining that this amendment would appropriate funds for Bond activities, 2015 Bond Issuance, additional retirees, and additional Worker's Compensation expenditures. Ms. Ervin added that this was an end of year procedure.

ORDINANCE NO. 2570

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. 2570**, amending Fiscal Year 2015-2016 Budget. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

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

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

Mayor Browne declared the motion carried.

3. Discussion and update on Financials. (*Toni Ervin, CFO*)
Executive Summary
Discussion.

CFO Ervin addressed the Council updating them on the financial status of the City of McAlester, the McAlester Public Works Authority and the various other funds. During her update there was discussion concerning sales tax receipts, use tax receipts, water revenues, the City's expenditures in all funds, how any revenue shortfalls were handled with the decrease of expenditures, what the various transfers between funds were for, how the ambulance service was doing and what level the City was keeping fund balances at.

There was no vote on this item.

4. Consider and act upon, Amendment No. 9S to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Additional Construction Inspection for Project 3-40-0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement". (*Peter Stasiak, City Manager*)

Executive Summary

Motion to approve Amendment No. 9S to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Additional Construction Inspection for Project 3-40-0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement". Not to exceed \$8,850.00.

Manager Stasiak informed the Council that this was the latest Airport project and it had been completed. He then referred any questions to Tyler McDonald with LBR, Inc.

Tyler McDonald, Airport Consultant with LBR, Inc. informed the Council that construction on the project was complete, the final inspection done and all work is good. Mr. McDonald added that the project had come in fifteen thousand (\$15,000.00) over, but the Federal Aviation Administration would pay ninety percent (90%) of all overages.

Councilman Smith moved to approve Amendment No. 9S to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Additional Construction Inspection for Project 3-40-0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement". Not to exceed \$8,850.00. The motion was seconded by Councilman Read and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

5. Consider and act upon, accepting Project 3-40-0057-013-2015 “Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement”, completed by Bronze Oak, LLC and authorizing the Mayor to sign the necessary acceptance forms. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to accept Project 3-40-0057-013-2015 “Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement” as complete and authorize the Mayor to sign the necessary acceptance forms.

Tyler McDonald, Airport Consultant with LBR, Inc. addressed the Council stating that the project was complete and these were the forms necessary for acceptance of the completed project.

Councilman Garvin moved to accept Project 3-40-0057-013-2015 “Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement”, completed by Bronze Oak, LLC and authorize the Mayor to sign the necessary acceptance forms. The motion was seconded by Vice-Mayor Karr. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

6. Consider and act upon, Amendment No. 10 to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide consulting services, including plans and specifications for Project 3-40-0057-014-2016 “Install New Rotating Beacon and Fencing”. (*Peter Stasiak, City Manager, Toni Ervin, CFO*)

Executive Summary

Motion to approve Amendment No.10 to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide consulting services, including services, including plans and specifications for Project 3-40-0057-014-2016 “Install New Rotating Beacon and Fencing” and acceptance of the fee schedule as per the attached Amendment.

Tyler McDonald, Airport Consultant with LBR, Inc. addressed the Council informing them that this project would install a new Rotating Beacon and fencing for the Airport. He added that the current Beacon was as old as the Airport and the controller on the gates was failing.

Vice-Mayor Karr moved to approve Amendment No. 10 to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide consulting services, including plans and specifications for Project 3-40-0057-014-2016 “Install New Rotating Beacon and Fencing” and accept the fee schedule per the amendment. The motion was seconded by Councilman Barnett. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

7. Consider and act upon, to authorize a Professional Services Agreement between the City of McAlester and Infrastructure Solutions Group, LLC for construction management and a Resident Project Representative for the Washington Avenue Reconstruction Project. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommends authorization of the Professional Services Agreement between the City of McAlester and Infrastructure Solutions Group, LLC for the Washington Avenue Reconstruction Project.

Manager Stasiak addressed the Council explaining that at the last meeting the Council had approved a construction contract with Katcon for the Washington Avenue project. He added that the project would need construction management and daily representation.

Councilman Smith moved to authorize a Professional Services Agreement between the City of McAlester and Infrastructure Solutions Group, LLC for construction management and a Resident Project Representative for the Washington Avenue Reconstruction Project. The motion was seconded by Councilman Read and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

8. General discussion on the Oklahoma State Penitentiary electric chair. *(John Browne, Mayor)*

Executive Summary

Discussion.

Mayor Browne opened the discussion on this item explaining that he had been given a lot of information from many people about the “Electric Chair”. He then asked Attorney Ervin to update the Council on the status of the chair.

Attorney Ervin reviewed the history of the “Electric Chair” and explained that the last conversation with the Department of Corrections indicated that the location of the Chair was not known. He commented that with the change in leadership in the Department of Corrections that acquiring the chair might be easier. Attorney Ervin added that the State was not currently displaying the Chair.

During discussion among the Council, former Mayor Kevin Priddle addressed the Council and distributed copies of the documents that he had received regarding the “Electric Chair” while he was in office. The Council further discussed another possible attempt to get the Chair, McAlester being the only place that made sense for the “Chair” to be displayed, and where the Chair would be displayed if the City were to get it.

There was no vote on this item.

New Business

Any matter not known or which could not have been reasonably foreseen prior to the time of posting the Agenda in accordance with Sec. 311.9, Title 25, Oklahoma State Statutes.

There was no new business.

City Manager's Report

- Report on activities for the past two weeks.

Manager Stasiak reported that the Filter #5 project at the Water Treatment Plant was moving quickly, possibly complete by mid-July. The asphalt street reconstruction project around "A" Street had started, and the Street striping project had striped 98, 000 feet and was complete. He added that the City would look at more striping in the next Budget.

Remarks and Inquiries by City Council

Vice-Mayor Karr inquired about the Ward Redistricting Committee, funding at the Water Treatment Plant and the FAA Building change over.

Mayor Browne informed the Council that he had not been able to meet with that committee's Chairman. Manager Stasiak stated that at the next meeting the City would ask the Council to authorize the City to borrow the funds for the Motor Control Center repair and he informed the Council that the City needed a new appraisal of the building. He added that once the City had that appraisal they would move forward.

Councilman Garvin commented on the street striping and the intersection striping, stating they were both very good projects. He added that projects were getting done.

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

Mayor's Comments and Committee Appointments

Mayor Browne congratulated the News Capital on their awards and commented that he had received compliments from citizens on the Swan Lane and the Strong Boulevard projects.

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 & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 7:08 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:10 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.1, to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Manager, Peter Stasiak. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried and the Regular Meeting was recessed at 7:10 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 Manager, Peter Stasiak

Reconvene into Open Session

The Regular Meeting was reconvened at 7:20 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 Manager, Peter Stasiak. Only those matters were discussed, no action was taken, and the Council returned to open session at 7:20 P.M., and this constituted the Minutes of the Executive Session

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

A motion was made by Councilman Read and seconded by Councilman Smith to offer Manager Stasiak a contract beginning July 1, 2016 and ending on June 30, 2017. There was no discussion, and the vote was taken as follows:

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

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

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

Mayor Browne declared the motion carried, and the meeting was adjourned at 7:21 P.M.

ATTEST:

John Browne, Mayor

Cora Middleton, City Clerk