

The McAlester City Council met in Regular session on Tuesday, August 13, 2013, at 6:00 P.M. after proper notice and agenda was posted, August 9, 2013, at 11:18 A.M.

Call to Order

Mayor Harrison called the meeting to order.

William J. Ervin, City Attorney 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, Sam Mason & Steve Harrison
Absent: None
Presiding: Steve Harrison, Mayor

Staff Present: Peter J. Stasiak, City Manager; John Modzelewski, City Engineer/Public Works Director; Toni Ervin, Chief Financial Officer; Mel Priddy, Community Services Director; Gary Wansick, Interim Police Chief; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Citizen's Comments on Non-agenda Items

Stephanie Giacomo, Executive Director Pride In McAlester addressed the Council informing them that Pride In McAlester had applied for and received a "Keep Oklahoma Beautiful" Fresh Paint Days Grant to paint a building at 1109 N. Main. She added that the first weekend in September the group would do some preliminary work and the second weekend in September the group would get together and paint the building. She briefly commented on the upcoming "Culture Fest".

Ginny Webb, Executive Director McAlester Main Street Association addressed the Council reminding them that "Culture Fest" was the coming weekend. It would start at 11:00 A.M. and go until 8:00 P.M. She then encouraged everyone to come and enjoy the event.

Consent Agenda

- A. Approval of the Minutes from the July 9, 2013 Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)

- B. Approval of the Minutes from the July 23, 2013 Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- C. Approval of Claims for July 17, 2013 to August 6, 2013. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$184,884.82; Nutrition - \$946.49; Landfill Res./Sub-Title D - \$5,936.00; Police Grant Fund - \$400.00; Tourism Fund - \$11,299.80; SE Expo Center - \$9,546.68; E-911 - \$5,040.34; Economic Development - \$16,278.50; Fleet Maintenance - \$19,930.30 and CIP Fund - \$64,222.34.
- D. Consider and act upon, to approve/renew Campus Police Agreement, between the City of McAlester and ISD80 (McAlester Public Schools). (*William J. Ervin, City Attorney*)
- E. Consider and act upon, to authorize the City Attorney to provide notice of the proposed annexation of adjacent or contiguous territory, as required by 11 O.S. § 21-103(B), and to set a public hearing on said Annexation for Tuesday September 10, 2013, at 6:00 p.m. (*William J. Ervin, City Attorney*)
- F. Consider and act upon, to authorize the City Attorney to file a District Court Action regarding forfeiture and disposition of certain personal property held as evidence, more particularly: monies, bicycles and firearms. (*William J. Ervin, City Attorney*)
- G. Consider and act upon, to authorize the City Attorney to terminate/dissolve the McAlester Cemetery Trust. (*William J. Ervin, City Attorney*)
- H. Consider and act upon, authorizing the City Manager to sign a Letter of Support for the Choctaw Nation's application for funding under the U.S. Department of Commerce Grant Program to build a recycling facility at the Steven Taylor Industrial Park. It is the intent of the Choctaw Nation to partner with The City of McAlester and Allied Waste to implement a single stream recycling center at the Stephen Taylor Industrial Park. (*Peter J. Stasiak, City Manager*)
- I. Consider and act upon, authorizing the City Manager to waive permit fees for the 2nd Annual Citywide Yard Sale on October 5, 2013 between 8:00 a.m. – 1:00 p.m. (*Pamela Kirby, Grant Writer*)

Vice-Mayor Mason requested that items “C and G” be removed for individual consideration. Councilman Garvin also requested that item “C” be removed.

A motion was made by Councilman Read and seconded by Councilman Garvin to approve the Consent Agenda items “A, B, D, E, F, H and I”. There was no discussion and the vote was taken as follows:

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

Mayor Harrison declared the motion carried.

Items Removed from the Consent Agenda

- C. Approval of Claims for July 17, 2013 to August 6, 2013. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$184,884.82; Nutrition - \$946.49; Landfill Res./Sub-Title D - \$5,936.00; Police Grant Fund - \$400.00; Tourism Fund - \$11,299.80; SE Expo Center - \$9,546.68; E-911 - \$5,040.34; Economic Development - \$16,278.50; Fleet Maintenance - \$19,930.30 and CIP Fund - \$64,222.34.

Councilman Smith moved to approve Claims for July 17, 2013 through August 6, 2013. The motion was seconded by Councilman Read.

Before the vote, Vice-Mayor Mason inquired about a payment to Ervin & Ervin on page 20 that had been charged to Economic Development and he then requested an itemized statement regarding those charges. Vice-Mayor Mason asked for information concerning payments to Gullick & Associates, what the hurry had been to contract with Gullick & Associates and he requested an itemized list of the accomplishments and contacts had been made by the contractor.

City Attorney Ervin informed the Council that the charges had been related to the entire annexation process of land up to and including the Steven Taylor Industrial Park.

Manager Stasiak informed the Council that Gullick & Associates had been contracted with to insure that there was not a gap in services to the community, to the Oklahoma Department of Commerce and for business retention. He added that a lot of the information was included in the City Manager's report.

Councilman Garvin inquired about a payment to Ervin & Ervin in the amount of \$2340.00.

City Attorney Ervin informed the Council that payment had been for litigation services and had been for three (3) or four (4) cases. There was no other discussion, and the vote was taken as follows:

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

Mayor Harrison declared the motion carried.

- G. Consider and act upon, to authorize the City Attorney to terminate/dissolve the McAlester Cemetery Trust. (*William J. Ervin, City Attorney*)

A motion was made by Vice-Mayor Mason and seconded by Councilman Garvin to authorize the City Attorney to terminate/dissolve the McAlester Cemetery Trust.

Before the vote, Vice-Mayor Mason inquired about the Trust and the reason to dissolve it.

City Attorney Ervin explained that this Trust had been set up in the 1930's to ensure that monies for gravesites was re-invested into the cemetery and extend the life of the cemetery. He commented that when it was initially set up there had been a bank officer at the Bank NA that had managed the trust at no cost to the trust for about forty (40) years. He added that it then went to the Trust Department at 1st National Bank where it was managed at no cost to the City. When that Trust Department was dissolved it went to the Bank of Oklahoma and that bank charges an administration fee of 4% of the assets managed. Mr. Ervin stated that this had been questioned by an auditor and if the Trust was dissolved it would be administered by the Finance Department of the City of McAlester which would manage the funds accordingly.

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

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

NAY: None

Mayor Harrison declared the motion carried.

A motion was made by Councilman Read and seconded by Councilman Smith to open a Public Hearing addressing three (3) Ordinances. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried, and the Public Hearing was opened at 6:22 P.M.

Public Hearing

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1; IN GENERAL, ADDING SECTION 21; ENTITLED DOG PARK; SETTING HOURS OF OPERATION; ESTABLISHING RULES; AND DECLARING AN EMERGENCY.

There were no comments or inquiries from the Council or the public concerning the first Ordinance, which established rules, regulations and operating hours of the City's Dog Park.

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: ALL THAT PORTION OF THE MK&T RAILROAD IN BLOCKS 136, 137, 138 AND 139 IN NORTH MCALESTER, Pittsburg County, State of Oklahoma FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-5 (HIGHWAY COMMERCIAL DISTRICT).

The following citizens addressed the Council expressing their opposition to the re-zoning request: Coluah Watts Stanfield, Greg Rolan, Frank Tedrick, Vanessa Rolan and Thanita Spencer.

Harlan Heinicke addressed the Council explaining the condition of the building that was located on a portion of his property and that he had been unable to locate any registered owners of the adjacent property.

There was discussion among the Council regarding the comments that had been made, the steps that had been taken to get this item before the Council and the wishes of the citizens in the area of the property involved in this matter.

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: A TRACT OF LAND IN SECTION 24, TOWNSHIP 5 NORTH, RANGE 14 EAST AND IN SECTION 19, TOWNSHIP 5 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM I-1 (LIGHT INDUSTRIAL DISTRICT) TO C-5 (HIGHWAY COMMERCIAL DISTRICT)

Carl Voss addressed the Council applauding the Council and City Manager for the improvements and sale of this property to the Choctaw Nation. He added that this action would help everyone.

There was no further discussion, and 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, Garvin, Mason, Titsworth, Karr & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried, and the Public Hearing was closed at 6:58 P.M.

Scheduled Business

1. Consider and act upon, a re-zone for all that portion of MK&T Railroad in Blocks 136, 137, 138 and 139 in North McAlester from R-1B single family residential district to a C-5 Highway Commercial District. (*Peter J. Stasiak, City Manager*)

Executive Summary

Motion to approve the re-zone from R-1B Single Family Residential District to a C-5 Highway Commercial District and authorizing the Mayor to sign the attached Ordinance.

A motion was made by Councilman Read and seconded by Councilman Titsworth to a re-zone of all that portion of MK&T Railroad in Blocks 136, 137, 138 and 139 in North McAlester from R-1B single family residential district to a C-5 Highway Commercial District.

Before the vote, Manager Stasiak informed the Council that the Planning and Zoning Commission had met on June 18, 2013 and tabled this item for more information. They met again on July 16, 2013 and had voted to recommend the re-zone to the Council. He added that the applicant had met all the legal requirements.

There was discussion, among the Council including Manager Stasiak and City Attorney Ervin concerning a correction to the minutes of the Planning and Zoning Commission on July 16,

2013, the Commission only being an advisory board, not wanting to live by a storage facility, the type of fence that could be erected in the City, how much useable property would be left after all of the set back requirements were met, having to guarantee that the owner would comply with the requirements and trying to come to a conclusion that satisfied all concerned parties.

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

AYE: None

NAY: Councilman Read, Titsworth, Mason, Smith, Karr, Garvin & Mayor Harrison

Mayor Harrison declared the motion failed.

2. Consider and act upon, a change in zoning from I-1 Light Industrial District to a C-5 Highway Commercial District known as the Southside Business Park. (*Peter J. Stasiak, City Manager*)

Executive Summary

Motion to approve and act upon changing the existing zoning from I-1 Light Industrial District to a C-5 Highway Commercial District and authorizing the Mayor to sign the attached Ordinance.

ORDINANCE NO. 2474

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: A TRACT OF LAND IN SECTION 24, TOWNSHIP 5 NORTH, RANGE 14 EAST AND IN SECTION 19, TOWNSHIP 5 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM I-1 (LIGHT INDUSTRIAL DISTRICT) TO C-5 (HIGHWAY COMMERCIAL DISTRICT).

A motion was made by Councilman Titsworth and seconded by Councilman Smith to approve **ORDINANCE NO. 2474.**

Before the vote, Manager Stasiak commented that this re-zone had been at the request of the Council. He then explained the steps that had been taken during this process.

After a brief discussion among the Council regarding the number of letters sent out, and any feedback from residents in that area, the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

3. Consider and act upon, an ordinance of the City of McAlester Oklahoma amending Chapter 10, Article 1; in general adding Section 21; entitled Dog Park; setting hours of

operation, establishing rules, and declaring an emergency. (*Mel Priddy, Director of Community Services*)

Executive Summary

Motion to approve Ordinance amending Chapter 10, Article 1; in general adding Section 21.

ORDINANCE NO. 2475

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1; IN GENERAL, ADDING SECTION 21; ENTITLED DOG PARK; SETTING HOURS OF OPERATION; ESTABLISHING RULES; AND DECLARING AN EMERGENCY.

A motion was made by Councilman Read and seconded by Councilman Titsworth to approve **ORDINANCE NO. 2475**.

Before the vote, Mel Priddy addressed the Council explaining that the volunteer committee working with the Parks Department had met and established a set of rules to display at the City's Dog Park. He added that they had wanted those rules to be enforceable by the Police Department.

After a brief discussion among the Council including Mr. Priddy regarding the correction of the September date, if the gate would have a lock and the amount of money that had been raised by donations, the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

Councilman Read moved to approve the EMERGENCY CLAUSE. The motion was seconded by Councilman Titsworth. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

4. Discussion and possible action, on Retail Sales Tax Incentive Program for McAlester Main Street District Businesses and Choctaw Corridor accepting application of enclosed business as an applicant and authorize the certificate of acceptance of H.L.'s Sport Shop as a participant. (*Toni Ervin, CFO*)

Executive Summary

McAlester Main Street and Staff would like to request direction on the following application matter. Our recommendation would be to accept this business as an applicant and authorize Mayor to sign certificate of acceptance as a participant.

A motion was made by Councilman Garvin and seconded by Smith to approve the application of H.L.'s Sport Shop into the Retail Sales Tax Incentive Program and authorize the Mayor to sign the certificate of acceptance as a participant.

Before the vote, Ginny Webb Executive Director of McAlester Main Street Association explained the events that had occurred with this particular business' application. Ms. Webb assured the Council that this mix up would not happen in the future.

There was discussion among the Council, Ms. Webb and Toni Ervin concerning the mix up, what the former Main Street Director remembered, how long the business had been in its' current location, how much the business' sales tax had increased, the number of jobs this move had created and who was required to verify that all steps in the program were met by the applicant.

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

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

NAY: None

Mayor Harrison declared the motion carried.

5. Consider, and act upon, authorizing the Mayor to sign a "Seasonal Pole Attachment Agreement" between the City of McAlester and Public Service Company of Oklahoma (PSO). (*John Modzelewski, PE, City Engineer and Public Works Director*)

Executive Summary

Motion to approve the "Seasonal Pole Attachment Agreement" between the City of McAlester and Public Service Company of Oklahoma (PSO) and authorize the Mayor to sign after review and approval by City Attorney's Office.

A motion was made by Councilman Smith and seconded by Councilman Read to approve a "Seasonal Pole Attachment Agreement" between the City of McAlester and Public Service Company of Oklahoma (PSO) and authorize the Mayor to sign the agreement after review and approval by the City Attorney's Office.

Before the vote, City Attorney Ervin commented that he had spoken with John Modzelewski expressing concerns with this item but those concerns had been quieted.

John Modzelewski explained that he had been working with Ginny Webb on the signs for the poles and had recommended that she contact P.S.O. for their requirements. He then received a call from Frank Phillips, P.S.O.'s Community Services Manager in McAlester who informed him that the City had never had an agreement with P.S.O. He commented that this item would correct that oversight.

Attorney Ervin explained that his concerns had been with the indemnification section of the agreement. He stated that the City would be accepting some liability but only to the limits of the Governmental Tort Claims limits and that only the City would be attaching things to the poles. He added that his concerns had been resolved.

There was a brief discussion among the Council including Attorney Ervin concerning the insurance requirements, the amount of rent that P.S.O. could charge the City, the types of signs that could be placed on the poles and that P.S.O. would only contract with municipalities.

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

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

NAY: None

Mayor Harrison declared the motion carried.

6. Consider and Act to authorize the City Attorney to file any and all necessary District Court Action(s) to secure access to documents and records of MPower Economic Development, and to protect the interest of the City of McAlester in relation to its expired/terminated contract with MPower Economic Development Corporation. (*William J. Ervin, City Attorney*)

Executive Summary

Motion to approve authorization for the City Attorney to file any and all necessary District Court Action(s).

A motion was made by Councilman Smith and seconded by Councilman Read to authorize the City Attorney to file any and all necessary District Court Action(s) in relation to the City of McAlester's expired/terminated contract with MPower Economic Development Corporation.

Before the vote, City Attorney Ervin explained that this item had been placed on the agenda at the request of an individual Council member. He informed the Council that he had been working with what was left of the MPower Board of Directors and their attorney. He commented that he had reviewed two (2) boxes of documents and suggested to their Counsel that the City take possession of the documents. He added that the Board of Directors planned to meet to review those documents and decide what would be given to the City. He also informed the Council that the office equipment had been donated to a local charity and the unused money had been donated to "The Wounded Warrior Project".

There was lengthy discussion among the Council including Attorney Ervin concerning MPower's board, how and what records should be surrendered, the donation of assets, if the notification for access to the documents should be in writing, the MPower Board's plan to dissolve, a possible issue with the Internal Revenue Service, remedies for any breach of contract and tabling this item until the next meeting.

Vice-Mayor Mason moved to amend the motion and to table this item until the next meeting pending the City Attorney's inquiry to gain access to the records and the Boards position on dissolving. The motion was seconded by Councilman Garvin and the vote was taken as follows:

AYE: Councilman Mason, Garvin, Karr & Mayor Harrison

NAY: Councilman Smith, Titsworth & Read

Mayor Harrison declared the motion carried.

7. Consider and Act to authorize the Mayor to execute a City-County Jail Services Agreement. (*William J. Ervin, City Attorney*)

Executive Summary

Motion to approve authorizing the Mayor to execute a City-County Jail Services Agreement.

A motion was made by Councilman Smith and seconded by Councilman Read to authorize the Mayor to execute a City-County Jail Services Agreement.

Before the vote, Attorney Ervin addressed the Council explaining that this item had been put on the agenda to address a long standing need of the City of McAlester. He commented that the City's jail facility was in a state of disrepair. He stated that negotiations were in process prior to the change in the Police Department and the current interim Chief had asked the City Attorney to bring this item before the Council.

There was discussion among the Council and Attorney Ervin concerning the language in the agreement, how bail was addressed in the contract, if all City inmates would be sent to the County facility and the City possibly having jail facilities in the future.

Councilman Garvin moved to postpone this item. The motion was seconded by Councilman Karr and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

New Business

There was no new business.

City Manager's Report

Manager Stasiak apologized for getting the City Manager's report out late. He commented that it had become more evident that the City needed a Strategic Plan and staff would like to proceed with that plan. He asked the Mayor to look at volunteers or appoint Council members to the committee. He informed the Council that the Street Sweeper's motor had been repaired and the hydraulic system would be looked at this week.

Remarks and Inquiries by City Council

Councilmen Read, Titsworth and Smith had no comments for the evening.

Vice-Mayor Mason inquired about the agreement with the County for ambulance services and the status of dissolving the McAlester Parking Authority.

Attorney Ervin stated that he would give a full report at the next meeting.

Councilman Garvin inquired about the contractor(s) on the Wade Watts, Electric Avenue and Parker Middle School projects.

Manager Stasiak informed the Council that Katcon was the contractor on Wade Watts and Electric Avenue and Dustin Harris was working on Parker Middle School.

Councilman Garvin inquired about the length of time that the Electric Avenue project was taking, that no concrete had been hauled off, the need for a daily schedule, who was inspecting the street projects, and how no concrete had been hauled off. He asked the City Manager to tour areas of the City and inquired about the review of the resumes for the Economic Development Director, Community Development Director and Chief of Police positions. He commented about the potential to have a Compressed Natural Gas (CNG) filling station constructed in the City.

Manager Stasiak informed the Council that David Medley, Richard Cotton, Tim Adams and Tommy Hill were inspecting the street projects. He added that Mr. Medley was transitioning into the Engineering Department and he had received about six (6) on the Community Development Director's position, ten (10) or eleven (11) on the Economic Development Director and about nine (9) on the Chief of Police's position and he would be reviewing them this week.

Councilman Karr commented on the work on Electric Avenue and stated that the detour was a lot better.

Mayor's Comments and Committee Appointments

Mayor Harrison agreed that it was time to take a look at the Strategic Plan. He asked if Councilman Smith and Vice-Mayor Mason would be willing to serve on the committee and if a third Councilman was interested to let him know. He then asked all Councilmen to consider citizens to serve on the committee and suggested that they consider younger citizens.

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 Councilman Read.

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

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

NAY: None

Mayor Harrison declared the motion carried and the meeting was recessed at 8:49 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 8:50 P.M.

A motion was made by Councilman Smith and seconded by Councilman Garvin to recess the Regular meeting for an Executive Session in accordance with Title 25, Sec. 307.B.4 for Confidential communications between a public body and its attorney concerning a pending investigations, claims, or actions, more particularly: Nelson, Osborne & Sparks v. City of McAlester (Claim); Dobson v. City of McAlester; C. Cox v. City of McAlester; City of McAlester v. Randy Green, Case No. C-06-844; McCormick vs. City of McAlester 2011-CIV-166; Cox et al v. City of McAlester, Oklahoma 12-CIV-100; Nakina Williams v. City of McAlester; IAFF v. PERB and The City of McAlester.

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

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

NAY: None

Mayor Harrison declared the motion carried and the meeting was recessed at 8:51 P.M.

Executive Session

Recess into Executive Session in compliance with Section Title 25 Section 307 B.2 et.seq. Oklahoma Statutes, to wit:

- 1) Proposed executive session pursuant to Title 25, Sec. 307 (B) (4) for Confidential communications between a public body and its attorney concerning a pending investigations, claims, or actions, more particularly:

Nelson, Osborne & Sparks v. City of McAlester (Claim); Dobson v. City of McAlester; C. Cox v. City of McAlester; City of McAlester v. Randy Green, Case No. C-06-844; McCormick vs. City of McAlester 2011-CIV-166; Cox et al v. City of McAlester, Oklahoma 12-CIV-100; Nakina Williams v. City of McAlester; IAFF v. PERB and The City of McAlester.

Reconvene Into Open Session

The Regular meeting was reconvened at 9:39 P.M. Mayor Harrison reported that the Council had recessed the Regular meeting for an Executive Session in accordance with Title 25, Sec. 307.B.4 for Confidential communications between a public body and its attorney concerning a pending investigations, claims, or actions, more particularly: Nelson, Osborne & Sparks v. City of McAlester (Claim); Dobson v. City of McAlester; C. Cox v. City of McAlester; City of McAlester v. Randy Green, Case No. C-06-844; McCormick vs. City of McAlester 2011-CIV-166; Cox et al v. City of McAlester, Oklahoma 12-CIV-100; Nakina Williams v. City of McAlester; IAFF v. PERB and The City of McAlester. Only that matter was discussed, no action was taken and the Council returned to open session at 9:39 P.M., and this constituted the Minutes of the Executive Session.

Adjournment

There being no further business to come before the Council, Councilman Smith moved for the meeting to be adjourned, seconded by Councilman Titsworth. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried, and the meeting was adjourned at 9:40 P.M.

ATTEST:

Steve Harrison, Mayor

Cora Middleton, City Clerk