

The McAlester City Council met in Regular session on Tuesday, May 13, 2014, at 6:00 P.M. after proper notice and agenda was posted, May 8, 2014, at 3:18 P.M.

**Call to Order**

Mayor Harrison called the meeting to order.

Joe 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, Jason Barnett & 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; William J. Ervin, Jr., City Attorney and Karen Boatright, Deputy City Clerk

**Citizen's Comments on Non-agenda Items**

Ginny Webb, Executive Director McAlester Main Street Program updated the Council concerning the recent activities in Old Town and Down Town. She commented on the plants that had been put in Old Town and Down Town. She informed the Council that Down Town was going to start second Saturdays beginning June 14<sup>th</sup>. She explained that the merchants would be running specials and there would be live music. Ms. Webb stated that on May 29<sup>th</sup> and 30<sup>th</sup> Ron Drake would be in town. She explained that he was a consultant dealing with upstairs housing. She stated that she would be leaving McAlester Main Street and that May 30<sup>th</sup> would be her last day. She informed the Council that the Main Street Board had hired Lacey Suddith and she would begin Thursday, May 15<sup>th</sup>.

Regina Peoples, Executive Director Pride In McAlester addressed the Council updating them on the Pride In McAlester Cleanup, the May work day, at the Pride In McAlester Flea Market, the June 21st Ribbon cutting and "Dog Jog" for the Dog Park.

**Consent Agenda**

- A. Approval of the Minutes from the April 22, 2014, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of Claims for April 16, 2014 through May 6, 2014. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$119,517.66; Nutrition - \$902.17; Airport Grant - \$310.54; Tourism Fund - \$9,859.91; SE Expo Center - \$5,750.49; E-911 - 6,274.77; Economic Development - \$5,789.09; Grants & Contributions - \$4,614.60; CDBG Grants Fund - \$1,290.00; Fleet Maintenance - \$12,568.73; CIP Fund - \$4,948.84 and Technology Fund - \$687.50.
- C. Approve, and Authorize the Mayor to sign forms necessary to view the City of McAlester's BancFirst accounts online. (*Toni Ervin, Chief Financial Officer*)
- D. Consider and act upon, authorizing the Mayor to sign a Resolution amending Healthcare Coverage with Oklahoma Public Employees Health & Wellness in the amount of \$476.14 per full time regular employee and to include Vision Coverage in the amount of \$6.28 for a period of July 1, 2014 through June 30, 2015, and appointing a member of the City of

McAlester Administration to the OPEH&W Plan Board. *(Toni Ervin, Chief Financial Officer & Peter J. Stasiak, City Manager)*

- E. Consider and act upon, authorization of payment to EST, Invoice No. 32134, in the amount of \$13,170.00 for Construction Management Services related to CIP#1 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- F. Consider and act upon, authorization of payment to Poe & Associates, Inc., Invoice No. 0-203031-8595, in the amount of \$39,810.95 for engineering services related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- G. Consider and act upon, authorization of payment to Mehlburger Brawley, Invoice No. MC-14-01-01, in the amount of \$55,900.00 for engineering services related to CIP#3 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- H. Consider and act upon, an Agreement for the funding of \$15,000 for the 2014 Junior Sunbelt Classic. *(Cora Middleton, City Clerk)*
- I. Accept and place on file the McAlester Main Street report for Third Quarter Report FY 2013-2014. *(Ginny Webb, Executive Director)*
- J. Accept and place on file the Oklahomans for Independent Living (OIL) report for Third Quarter Report FY 2013-2014. *(Pam Pulchny, Executive Director O.I.L.)*
- K. Accept and place on file the Pride in McAlester report for Third Quarter Report FY 2013-2014. *(Regina Peoples, Executive Director O.I.L.)*
- L. Concur with Mayor's reappointment of Larry Bishop to the McAlester Cemetery Board for a term to expire December 31, 2014. *(Mayor, Steve Harrison)*
- M. Concur with Mayor's reappointment of Ruth Harkins to the McAlester Cemetery Board for a term to expire December 31, 2015. *(Mayor, Steve Harrison)*
- N. Concur with Mayor's reappointment of Phillip Stizza to the McAlester Cemetery Board for a term to expire December 31, 2016. *(Mayor, Steve Harrison)*
- O. Concur with Mayor's reappointment of Ryan Braswell to the McAlester Cemetery Board for a term to expire December 31, 2016. *(Mayor, Steve Harrison)*
- P. Concur with Mayor's reappointment of John Goodyear to the McAlester Cemetery Board for a term to expire December 31, 2014. *(Mayor, Steve Harrison)*
- Q. Concur with Mayor's reappointment of Clark Ward to the McAlester Cemetery Board for a term to expire December 31, 2014. *(Mayor, Steve Harrison)*

Mayor Harrison commented that Manager Stasiak wished to remove item "D" from the Consent Agenda for individual consideration.

Councilman Garvin asked that item "E" be removed for individual consideration.

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to approve Consent Agenda items "A, B, C, F, G, H, I, J, K, L, M, N, O, P and Q". There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

## Items Removed from Consent Agenda

- D. Consider and act upon, authorizing the Mayor to sign a Resolution amending Healthcare Coverage with Oklahoma Public Employees Health & Wellness in the amount of \$476.14 per full time regular employee and to include Vision Coverage in the amount of \$6.28 for a period of July 1, 2014 through June 30, 2015, and appointing a member of the City of McAlester Administration to the OPEH&W Plan Board. (*Toni Ervin, Chief Financial Officer & Peter J. Stasiak, City Manager*)

A motion was made by Councilman Smith and seconded by Councilman Garvin to approve and authorize the Mayor to sign a RESOLUTION NO. 14-08, amending the Healthcare Coverage with Oklahoma Public Employees Health & Wellness that the City of McAlester offered its' full-time employees and their dependants.

Before the vote, Manager Stasiak informed the Council that the City had received quotes for Dental and Life and at this time he would like to amend the item and add Dental and Life with OPEH&W. He then distributed copies of amended language in the resolution for the Council to consider. He reviewed the information with the Council concerning the addition of the Dental at \$34.40 per regular full-time employee, Life/AD&D coverage at \$9.00 for \$30,000, \$12.00 for \$40,000. and \$15.00 for \$50,000. He explained that there was an increase in the Dental premium but a decrease in the Life premium.

Councilman Smith inquired about the level of Life insurance coverage. Manager Stasiak explained that the level of Life insurance coverage was based on the employees' position.

Mayor Harrison asked if Councilman Smith and Garvin were okay with the amendment. Both stated that they were okay. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

- E. Consider and act upon, authorization of payment to EST, Invoice No. 32134, in the amount of \$13,170.00 for Construction Management Services related to CIP#1 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to authorize the payment to EST, Invoice No. 32134, in the amount of \$13,170.00 for Construction Management Services related to CIP#1 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account.

Before the vote, Councilman Garvin commented that he had requested at the previous meeting that a meeting to discuss the problem at the 17<sup>th</sup> Street Construction site be conducted to get the issue addressed and work restarted. He explained that this was the reason he had requested that this item be pulled.

Manager Stasiak informed the Council that earlier that evening there had been a meeting with representatives from EST, Mr. McDonald, his representatives, the sub-contractor, the City's Engineering Department and himself. He stated that during the discussion problems that had happened in the past had been identified and a plan for the future had been developed. He added that he was requesting a Special Meeting on Monday, May 19<sup>th</sup> to address the changes that had been developed.

There was a brief discussion among the Council concerning the Special Meeting on Monday, how long it would take to get work restarted, how much of the project had been completed, if there had been communication among all parties involved in the project and tabling the item.

Councilman Garvin moved to table authorize the payment to EST, Invoice No. 32134, in the amount of \$13,170.00 for Construction Management Services related to CIP#1 and funded

through the McAlester Public Works Authority Construction Fund Series 2013 Project Account., until the Special Meeting on Monday, May 19<sup>th</sup>. The motion was seconded by Vice-Mayor Read and the vote was taken as follows:

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

Mayor Harrison declared the motion carried.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to open a Public Hearing to two (2) proposed Ordinances.

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

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

Mayor Harrison declared the motion carried and the Public Hearing was opened at 6:23 P.M.

### **Public Hearing**

- AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2467 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2013-14; 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 II, SECTION 106-75. WHEN DUE AND PAYABLE; DELINQUENCY. REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE OF JULY 1, 2014.

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

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

Mayor Harrison declared the motion carried and the Public Hearing was closed at 6:24 P.M.

### **Scheduled Business**

1. CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION AUTHORIZING THE MCALESTER PUBLIC WORKS AUTHORITY (THE "AUTHORITY") TO ISSUE ITS UTILITY SYSTEM AND SALES TAX REVENUE NOTE, SERIES 2014 (THE "NOTE") IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,910,000.00; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE NOTE TO BE SOLD ON A NEGOTIATED BASIS; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN THE CITY OF MCALESTER, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUE; APPROVING AND AUTHORIZING EXECUTION OF AN INDENTURE AUTHORIZING THE ISSUANCE AND SECURING THE PAYMENT OF THE NOTE; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURE; RATIFYING AND CONFIRMING A LEASE PERTAINING TO THE CITY'S WATER, SANITARY SEWER, AND GARBAGE SYSTEMS; ESTABLISHING THE AUTHORITY'S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY THE AUTHORITY IN CALENDAR YEAR 2014, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AUTHORIZING AND DIRECTING THE EXECUTION OF THE NOTE AND OTHER

DOCUMENTS RELATING TO THE TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO. *(Jon Wolff Municipal Finance Services, Inc. and Alan Brooks, Public Finance Law Group PLLC)*

Executive Summary

MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MCALESTER PUBLIC WORKS AUTHORITY "THE AUTHORITY" TO ISSUE ITS UTILITY SYSTEM AND SALES TAX REVENUE SERIES 2013.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve RESOLUTION NO. 14-06, authorizing the McAlester Public Works Authority to issue its Utility System and Sales Tax Revenue Series 2013.

Before the vote, Bill Ogolsby of Municipal Finance Services, Inc. addressed the Council explaining that his firm had sent out bid packages out to various banks in Oklahoma and surrounding area on April 30<sup>th</sup> to talk about the availability of the City's note. He explained he had distributed information containing a summary of what they had been hoping to achieve. He then reviewed that information explaining that the low interest of 3.40% had been received from Branch Banking and Trust Company out of Charlotte, NC. He added that the figures had been better than they had expected coming in about \$63,000.00 under their estimate. Mr. Ogolsby stated that with this information they recommended approval of the BB&T bid at 340. He added that Nate Ellis of Public Finance Law Group was also present to answer any questions.

Mayor Harrison asked Attorney Ervin if the motion should indicate that the Council was approving the bid from BB&T. Attorney Ervin explained that motion was to consider and take action so the motion should be to follow the recommendation of the financial advisor.

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

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

NAY: None

Mayor Harrison declared the motion carried.

2. CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION OF THE CITY OF MCALESTER, OKLAHOMA (THE "CITY") APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE MCALESTER PUBLIC WORKS AUTHORITY (THE "AUTHORITY") ISSUING ITS UTILITY SYSTEM AND SALES TAX REVENUE NOTE, SERIES 2014 (THE "NOTE"); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURE AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO THE YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUES; RATIFYING AND CONFIRMING A LEASE PERTAINING TO THE CITY'S WATER, SANITARY SEWER, AND GARBAGE SYSTEMS; ESTABLISHING THE CITY'S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY OR ON BEHALF OF SAID CITY IN CALENDAR YEAR 2014, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AND CONTAINING OTHER PROVISIONS RELATING THERETO. *(Jon Wolff Municipal Finance Services, Inc. and Alan Brooks, Public Finance Law Group PLLC)*

Executive Summary

MOTION TO APPROVE RESOLUTION WITH RESPECT TO A RESOLUTION APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE MCALESTER PUBLIC WORKS AUTHORITY (THE "AUTHORITY") ISSUING ITS UTILITY SYSTEM AND SALES TAX REVENUE NOTE, SERIES 2013 (THE "NOTE")

A motion was made by Councilman Garvin and seconded by Councilman Smith to approve RESOLUTION NO. 14-07, approving the incurrence of Indebtedness by the McAlester Public Works Authority and issuing its Utility System and Sales Tax Revenue Note, Series 2013.

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

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

NAY: None

Mayor Harrison declared the motion carried.

Mayor Harrison recessed the Meeting to sign the documents pertaining to items 1 and 2 at 6:33 P.M.

The meeting was reconvened at 6:38 P.M.

3. Consider, and act upon, an Ordinance amending Ordinance No. 2467 which established the budget for fiscal year 2013-2014; 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.

### **ORDINANCE NO. 2498**

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2467 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2013-14; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

Councilman Garvin moved for approval of **ORDINANCE NO. 2498**, amending fiscal year 2013-2014 budget. The motion was seconded by Councilman Karr.

Before the vote, CFO Ervin addressed the Council reviewing the Exhibit for the amendment explaining this would appropriate funds for the Belmont Trails project.

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

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

NAY: None

Mayor Harrison declared the motion carried.

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

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

NAY: None

Mayor Harrison declared the motion carried.

4. Consider, and act upon, Change Order No. 1 to the contract with Goodwin & Goodwin for the construction of 2013 CDBG Water Improvements along West Street and Birch Street and authorize the Mayor to sign Change Order No. 1 in the amount of \$35,600.00. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

Motion to approve Change Order No. 1 to Goodwin & Goodwin and authorizing the Mayor to sign the Change Order changing the Contract amount to \$119,080.00.

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to approve Change Order No. 1 to the contract with Goodwin & Goodwin for the construction of 2013 CDBG Water Improvements along West Street and Birch Street and authorize the Mayor to sign Change Order No. 1 in the amount of \$35,600.00.

Before the vote, John Modzelewski, City Engineer & Public Works Director addressed the Council explaining that this project had come in under the estimate and this would allow for the maximum use of the CDBG funds. He commented that this would add 650 linear feet of six (6)

inch water line to the project. He added that this would bring the total project cost to \$119,080.00.

After a brief discussion among the Council including Mr. Modzelewski and Robert Vaughan concerning problems a citizen in the area had previously had and if this project would solve her problems the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

5. Consider and act upon awarding bid in the amount of \$34,690.00 for two new and unused 2014 - 4wd commercial diesel front deck mowers for Oakhill Cemetery. (*Mel Priddy, Community Services Director*)

Executive Summary

Motion to approve the amount of bid to Stewart Martin Equipment for two new and unused - 4wd commercial diesel front deck mowers for Oakhill Cemetery.

Councilman Garvin moved to award the bid in the amount of \$34,690.00 for two (2) new and unused 2014-4wd commercial diesel front deck mowers for Oakhill Cemetery to Stewart Martin Equipment. The motion was seconded by Councilman Karr.

Before the vote, Mel Priddy, Community Services Director reviewed the bid process and explained that Stewart Martin Equipment had been the low bid and the City had done business with the company in the past. He added that this purchase would come from the Cemetery Perpetual Care Funds and was less than what the Cemetery Advisory Board had authorized to be spent.

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

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

NAY: None

Mayor Harrison declared the motion carried.

6. Tabled from previous meeting. Consider, and act upon, an Ordinance amending Chapter 106, Article II, Section 106-75. When due and payable: delinquency. Repealing all conflicting ordinances; Providing for a severability clause; and establishing an effective date. (*Toni Ervin, CFO*)

Executive Summary

Motion to approve the amendment of the ordinance.

#### **ORDINANCE NO. 2499**

**AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING CHAPTER 106, ARTICLE II, SECTION 106-75. WHEN DUE AND PAYABLE; DELINQUENCY. REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE OF JULY 1, 2014.**

A motion was made by Councilman Smith and seconded by Councilman Garvin to approve **ORDINANCE NO. 2499.**

Before the vote, CFO Ervin addressed the Council explaining that per the request from Council at the previous meeting the language in the Ordinance had been changed to allow for a \$25.00 late fee for first time offenders and \$45.00 thereafter.

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

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

NAY: None

Mayor Harrison declared the motion carried.

7. Discussion of amendments to Sec 102-98 of the McAlester City Code, or otherwise imposing additional or alternate restrictions on parking on city streets, to reduce traffic obstructions, and insure residential access. Said Discussion to include exceptions for designated business areas and applicable fines. (*John Titsworth, Councilman Ward 2*)

Executive Summary

Discussion only.

There was discussion among the Council including Attorney Ervin and Manager Stasiak concerning the language in Section 62-301, 302 through 308 of the City of McAlester Code of Ordinances, citizens parking in yards, having a hard surface to park on, some citizens not having drive ways, encouraging more parking in the streets, causing a hardship on some citizens, having something in the Ordinance amending the language to include gravel or base to have a defined parking area, helping clean up the City, encourage Economic Development, having front, side parking and back yard parking, addressing parking on the streets in some areas and appointing a committee to address this issue.

Mayor Harrison asked for volunteers from the Council to work on the issue. Vice-Mayor Read, Councilmen Titsworth and Karr volunteered.

Manager Stasiak asked to have Leroy Alsup, Planning and Community Development Director work on the issue with the sub-committee.

There was no action on this item.

8. Discussion on amending City of McAlester zoning code to allow loft apartments downtown McAlester. (*John Titsworth, Councilman Ward 2*)

Executive Summary

Discussion only.

There was discussion among the Council including Attorney Ervin, Manager Stasiak and Ginny Webb concerning loft apartments downtown, changing the zoning downtown to allow loft apartments, the parking ordinance that allowed multi-use parking, how some other cities had made changes in their ordinances to allow for loft apartments, how this could revive and increase activity downtown, including the North Town business area, addressing the Fire Codes in those areas, and the previous trip of certain individuals to meet with the consultant that is scheduled to come to McAlester at the end of the month.

There was no action on this item.

9. Presentation and Submittal of the Preliminary Annual Operating Budget for FY 2014/2015. (*Toni Ervin, Chief Financial Officer for Peter J. Stasiak, City Manager*)

Executive Summary

Set a Special Workshop Session to discuss and review the 2014/2015 Preliminary Budget.

CFO Ervin presented the Preliminary Annual Budget for fiscal year 2014-2015. She informed the Council that it was a balanced budget and met the Charter requirement of maintaining a minimum reserve of 10% in an Emergency Fund. She commented that the City's budgeting process was more than once a year and one of the most important processes was monitoring the budget. Ms. Ervin began with a review of the revenues commenting that the City used a conservative approach and was using what was expected to be at the end of the year and projecting with that information into the coming year an overall increase of 3%. She reviewed the revenues for the MPWA explaining that once again they had used a conservative approach. Ms. Ervin reviewed the expenses in the General Fund and the MPWA. She added that this budget included \$1.5 million for Capital, a Cost of Living Adjustment of 2.0% for all employees, reinstating the Merit/Step Increases for Non-Uniform employees and the continuation of the Merit/Step Increases for all uniformed employees. She reviewed the budgeted personnel explaining that some areas had decreased personnel and others increased personnel, and the Employee Benefits. Ms. Ervin commented that staff was requesting a Budget Workshop for May 22<sup>nd</sup> at 5:30 P.M.

Manager Stasiak addressed the Council regarding a couple of the programs that would be continued in the Budget, mainly the street repairs and maintenance program, the waterline repairs and maintenance program and water meter replacement program. Capital purchases would be at the approval of the Council. He added that whereas the City had paid cash for equipment purchases in the last four (4) years they were recommending a five (5) year lease of some of the Capital purchases.

CFO Ervin stated that the Technology Fund would be used to update the servers. Manager Stasiak commented that while looking at revenue for the budget the last several months had indicated an increase in revenue, the anticipation of the Travel Plaza opening and the possibility of the Ammunition Plant increasing jobs are what have driven the conservative increase in budgeted revenue.

Mayor Harrison commented that the Budget Workshop would be on May 22<sup>nd</sup> at 5:30 P.M. and the Council could wait to ask questions then or ask questions during the current presentation.

Councilman Karr inquired about the revenue from the sale of hay, the royalties that had been used to fund the Emergency fund and how the royalties were used when the Emergency Fund was at the required level and future street projects.

There was no action on this item.

### **New Business**

There was no new business.

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

- Report on activities for the past two weeks.

Manager Stasiak reminded the Council of the Monday, May 19<sup>th</sup> meeting at 5:30 P.M. to go over the 17<sup>th</sup> Street Project and Thursday at 5:30 P.M. the Budget Workshop. He informed the Council that the Family Fun Fest had raised \$3,200.00 for Hope House.

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

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

Councilman Garvin commented about the work the Street Department had done in the Canal at "A" and Miami.

Councilmen Karr and Smith thanked Attorney Ervin for the job that had been done in concluding the court case that had been finalized the past week.

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

Mayor Harrison also thanked Attorney Ervin for his efforts. He mentioned that during the McAlester Stampede event in Washington D.C., the group had went to the Pentagon and met the Undersecretary of the Army which is the second highest civilian position in the Army. He commented that that individual was Brad Carson who was the former Congressman in our District. Mayor Harrison announced that Congressman Mullin would be having a Town Hall meeting in McAlester tomorrow at 11:00 A.M. at the Clark Bass Auditorium on the McAlester Campus of Eastern Oklahoma State College.

### **Recess Council Meeting**

Mayor Harrison asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Smith moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Vice-Mayor Read. There was no discussion, and the vote was taken as follows:

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

Mayor Harrison declared the motion carried and the meeting was recessed at 7:30 P.M.

### Reconvene Council Meeting

The Regular Meeting was reconvened at 7:31 P.M.

Councilman Smith moved to recess the Regular meeting for an Executive Session in accordance with Title 25, Sec. 307.B.1, to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Manager, Peter Stasiak; Title 25, Sec. 307.B.2, to discuss negotiations concerning employees and representatives of employee groups: IAFF and Title 25, Sec. 307.B.2, to discuss negotiations concerning employees and representatives of employee groups: FOP. The motion was seconded by Councilman Garvin.

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

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

NAY: None

Mayor Harrison declared the motion carried and the meeting was recessed at 7:32 P.M.

### Executive Session

*Recess into Executive Session in compliance with Section Title 25 Section 307 B.1 and 307.B.2 et.seq. Oklahoma Statutes, to wit:*

- 1) Proposed executive session pursuant to Title 25, Sec. 307 (B) (1), to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Manager, Peter Stasiak
- 2) Proposed executive session pursuant to Title 25, Sec. 307 (B) (2), to discuss negotiations concerning employees and representatives of employee groups: IAFF
- 3) Proposed executive session pursuant to Title 25, Sec. 307 (B) (2), to discuss negotiations concerning employees and representatives of employee groups: FOP

### Reconvene Council Meeting

The Regular Meeting was reconvened at 9:43 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.1, to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Manager, Peter Stasiak; and Title 25, sec. 307.B.2, to discuss negotiations concerning employees and representatives of employee groups: IAFF and Title 25, Sec. 307.B.2, to discuss negotiations concerning employees and representatives of employee groups: FOP. Only those matters were discussed, no action was taken and the Council returned to open session at 9:43 P.M., and this constituted the Minutes of the Executive Session.

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

A motion was made by Vice-Mayor Read to present a Contract to City Manager Peter Stasiak as discussed. The motion was seconded by Councilman Titsworth. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

2. Consider, and act upon, the Collective Bargaining Agreement between the City of McAlester and the Fraternal Order of Police, Lodge 97, effective July 1, 2014 through June 30, 2015.

A motion was made by Vice-Mayor Read to authorize the Mayor to sign the Collective Bargaining Agreement with the Fraternal Order of Police, Lodge 97 for the 2014-2015 period. The motion was seconded by Councilman Smith. There was no discussion, and the vote was taken as follows:

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

Mayor Harrison declared the motion carried.

**Adjournment**

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

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

Mayor Harrison declared the motion carried, and the meeting was adjourned at 9:46 P.M.

ATTEST:

\_\_\_\_\_  
Steve Harrison, Mayor

\_\_\_\_\_  
Karen Boatright, Deputy City Clerk