

The McAlester City Council met in Regular session on Tuesday, June 10, 2014, at 6:00 P.M. after proper notice and agenda was posted, June 6, 2014, at 4:34 P.M.

Call to Order

Mayor Harrison called the meeting to order.

City Attorney William J. Ervin, 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 & Steve Harrison

Absent: Jason Barnett

Presiding: Steve Harrison, Mayor

Staff Present: Peter J. Stasiak, City Manager; John Modzelewski, City Engineer/Public Works Director; Toni Ervin, Chief Financial Officer; Gary Wansick, Police Chief; Brett Brewer, Fire Chief; Leroy Alsup, Community & Economic Development Director; Mel Priddy, Community Services Director; William J. Ervin, Jr., City Attorney and Cora Middleton, City Clerk

Citizen's Comments on Non-agenda Items

Janelle Brooks addressed the Council requesting that her rezoning request be placed back on the agenda for reconsideration as she has new information regarding the matter.

Chris Taylor, McAlester Main Street Association Chairman introduced Lacey Sudderth as the new Executive Director of McAlester Main Street Association.

Ms. Sudderth expressed her excitement over her new position and that she looked forward to working with the City.

Regina Peoples, Executive Director of Pride In McAlester addressed the Council updating them on Pride's recent activities. She informed them that Pride would be moving their Flea Market, and there would be a Ribbon Cutting in June for the City's dog park.

Consent Agenda

- A. Approval of the Minutes from the May 13, 2014, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*

- B. Approval of the Minutes from the May 19, 2014, Special Meeting of the McAlester City Council
- C. Approval of the Minutes from the May 22, 2014, Special Meeting of the McAlester City Council.
- D. Approval of Claims for May 21, 2014 to June 3, 2014. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$105,787.70; Nutrition - \$1,099.63; Tourism Fund - \$6,696.85; SE Expo Center - \$2,794.73; E-911 - \$906.17; Economic Development - \$34,566.31; CDBG Grants Fund - \$81,596.00; Fleet Maintenance - \$5,530.27 and CIP Fund - \$7,157.84.
- E. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and the Oklahomans for Independent Living for funding in the amount of \$21,600. *(Peter J. Stasiak, City Manager)*
- F. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Main Street Association for funding in the amount of \$25,200. *(Peter J. Stasiak, City Manager)*
- G. 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 \$54,000. *(Peter J. Stasiak, City Manager)*
- H. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Junior Sunbelt Classic for 2015 funding in the amount of \$15,000. *(Peter J. Stasiak, City Manager)*
- I. Consider, and act upon, authorizing the Mayor to sign a City County Agreement for a Joint Civil Defense/Emergency Management Administration between the Board of County Commissioners of Pittsburg County of Oklahoma and the City of McAlester for funding in the amount of \$42,500. *(Peter J. Stasiak, City Manager)*
- J. Ratify and approve application and participation agreement with **Lincoln National Life Insurance Company** for Long Term Disability Insurance for full time regular employee for a period of July 1, 2014 through June 30, 2015. *(Toni Ervin, CFO)*
- K. Consider, and act upon, authorizing the Mayor to sign an Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2014 through June 30, 2015. *(Toni Ervin, CFO)*
- L. Consider, and act upon, authorizing the Mayor to sign an agreement between City of McAlester and the Blackboard Connect, Inc. to provide a fully hosted alert notification system for emergency notifications, by way of a Master Agreement dated September 16, 2009. *(Shawn Smith, E-911 Manager)*

- M. Consider and act upon a request from the Pittsburg County Chapter NAACP to use the Michael J. Hunter Park, 14th and Chickasaw, Oklahoma on Saturday, June 21, 2014 from 8:00am until 5:00 p.m. to hold the Juneteenth Celebration. *(Miller Newman, President, Pittsburg County Chapter NAACP)*
- N. Concur with Mayor's Appointment of Heather Para, 1102 S. 2nd Street, McAlester, 74501 to the McAlester Library Advisory Board for an unexpired term ending December, 2015. *(Steve Harrison, Mayor)*
- O. Consider, and act upon, concurrence with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 137194-TW. *(Cora Middleton, City Clerk)*
- P. Consider, and act upon, a "Pledge and Guarantee" document which authorizes the annual renewal of the City of McAlester's Participation Agreement with the Association for Landfill Financial Assurance (ALFA). *(John C. Modzelewski, City Engineer/Public Works Director)*
- Q. Consider, and act upon, authorization of payment to Bank of America Merrill Lynch, Global Custody and Agency Services, Attention: Val Opperman, escrow agent for Austin Paving, LLC, in the amount of \$57,706.67 for Pay Estimate 3, , for construction services related to CIP#1 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account. *(John C. Modzelewski, City Engineer/Public Works Director)*
- R. Consider, and act upon, authorization of payment to Oklahoma Department of Environmental Quality, in the amount of \$1,454.59, for water and sewer permit fees related to CIP#2 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account. *(John C. Modzelewski, City Engineer/Public Works Director)*
- S. Consider, and act upon, authorization of payment to Mehlburger Brawley, Invoice No. MC-14-01-02, in the amount of \$38,725.00, for engineering services related to CIP#3 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account. *(John C. Modzelewski, City Engineer/Public Works Director)*

Vice-Mayor Read requested that items "I, L and Q" be removed for individual consideration.

Councilman Titsworth requested that item "J" be removed for individual consideration.

Councilman Smith requested that items "E, F and G" be removed for individual consideration.

Manager Stasiak asked that items "H and N" be removed for individual consideration and Mayor Harrison asked that item "D" be removed for individual consideration.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve Consent Agenda items “A, B, C, K, M, O, P, R and S”. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

Items Removed from Consent Agenda

D. Approval of Claims for May 21, 2014 to June 3, 2014. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$105,787.70; Nutrition - \$1,099.63; Tourism Fund - \$6,696.85; SE Expo Center - \$2,794.73; E-911 - \$906.17; Economic Development - \$34,566.31; CDBG Grants Fund - \$81,596.00; Fleet Maintenance - \$5,530.27 and CIP Fund - \$7,157.84.

A motion was made by Councilman Karr and seconded by Vice-Mayor Read to approve the Claims for May 21, 2014 to June 3, 2014.

Before the vote, Mayor Harrison explained that he had requested this removed for individual consideration because there was a payment to him. There was no other discussion, and the vote was taken as follows:

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

NAY: None

ABSTAIN: Mayor Harrison

Mayor Harrison declared the motion carried.

E. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and the Oklahomans for Independent Living for funding in the amount of \$21,600. (*Peter J. Stasiak, City Manager*)

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to authorize the Mayor to sign a contract between the City of McAlester and the Oklahomans for Independent Living for funding in the amount of \$21,600.

Before the vote, there was discussion among the Council and Pam Pulchny, Executive Director for Oklahoman’s for Independent Living concerning OIL adhering more closely to the contract, being more specific about activities and goals, increasing the funding to the previous year’s level, the activities and services that O.I.L. furnished for the citizens of McAlester.

Vice-Mayor Read commented about attending the “Open House” at O.I.L. He then moved to increase the funding for O.I.L to \$24,000. The motion was seconded by Councilman Garvin.

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

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

NAY: Councilman Smith

Mayor Harrison declared the motion carried.

- F. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Main Street Association for funding in the amount of \$25,200. (*Peter J. Stasiak, City Manager*)

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to authorize the Mayor to sign a contract between the City of McAlester and Main Street Association for funding in the amount of \$25,200.

Before the vote, there was discussion among the Council including Chris Taylor, Board Chair of McAlester Main Street Association regarding the groups goals and objectives, being more transparent, more information included in the groups quarterly reports, and increasing the funding level of the group.

Mayor Harrison moved to increase the funding to \$27,398. The motion was seconded by Vice-Mayor Read, there was no further discussion, and the vote was taken as follows:

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

NAY: Councilman Smith

Mayor Harrison declared the motion carried.

- G. 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 \$54,000. (*Peter J. Stasiak, City Manager*)

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to authorize the Mayor to sign a contract between the City of McAlester and Pride-in-McAlester for funding in the amount of \$54,000.

Before the vote, there was discussion among the Council including Regina Peoples, Executive Director of Pride In McAlester and Justin Few, Board Chairman concerning more specific goals, what activities would have to be adjusted to compensate for less funding, the group moving into a different building and only having one (1) Household Hazardous Waste clean ups each year.

Vice-Mayor Read moved to amend the motion to increase Pride In McAlester's funding to \$60,000. The motion was seconded by Councilman Karr. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Read, Karr & Mayor Harrison

NAY: Councilman Garvin, Smith & Titsworth

Mayor Harrison declared the motion failed.

There was no further discussion on the original motion and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

H. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Junior Sunbelt Classic for 2015 funding in the amount of \$15,000. (*Peter J. Stasiak, City Manager*)

A motion was made by Councilman Karr and seconded by Vice-Mayor Read to authorize the Mayor to sign a contract between the City of McAlester and Junior Sunbelt Classic for 2015 funding in the amount of \$15,000.

Before the vote, Manager Stasiak explained that this item would be funding for the June 2015 event and that the Council has always requested the final results of the event prior to considering the contract. He recommended that this item be pulled and brought back after the group had had time to collect all of the information.

There was a brief discussion concerning the information that would be furnished and some of the language in the contract.

This item was pulled with no action taken.

I. Consider, and act upon, authorizing the Mayor to sign a City County Agreement for a Joint Civil Defense/Emergency Management Administration between the Board of County Commissioners of Pittsburg County of Oklahoma and the City of McAlester for funding in the amount of \$42,500. (*Peter J. Stasiak, City Manager*)

A motion was made by Councilman Garvin and seconded by Councilman Karr to authorize the Mayor to sign a City County Agreement for a Joint Civil Defense/Emergency Management Administration between the Board of County Commissioners of Pittsburg County of Oklahoma and the City of McAlester for funding in the amount of \$42,500.

Before the vote, there was discussion among the Council including Manager Stasiak concerning the amount of requested funding, the amount that had been budgeted, that there was no requirement in the contract for accounting of funds spent, how much the County and other communities contributed to the Emergency Management, tabling the item until the next meeting and having the new Executive Director address the Council to answer questions.

Vice-Mayor Read moved to table the contract until the next meeting. The motion was seconded by Councilman Smith and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

- J. Ratify and approve application and participation agreement with **Lincoln National Life Insurance Company** for Long Term Disability Insurance for full time regular employee for a period of July 1, 2014 through June 30, 2015. (*Toni Ervin, CFO*)

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to Ratify and approve the application and participation agreement with **Lincoln National Life Insurance Company** for Long Term Disability Insurance for full time regular employee for a period of July 1, 2014 through June 30, 2015.

Before the vote, there was discussion among the Council including CFO Ervin and Manager Stasiak concerning the amount of the premiums, who paid the premiums, the length of the long term disability, if this benefit had been looked at competitively and that this was normally done with the health insurance package.

Manager Stasiak explained that the Council had previously approved the City moving dental, vision and life insurance coverage to OPEH&W, but with the increase that that group had experienced with Long Term Disability it was recommended that the City keep its' Long Term Disability Insurance with Lincoln National Life Insurance Company. He added that eventually the City would like to have all insurance with OPEH&W.

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

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

NAY: Councilman Titsworth

Mayor Harrison declared the motion carried.

- L. Consider, and act upon, authorizing the Mayor to sign an agreement between City of McAlester and the Blackboard Connect, Inc. to provide a fully hosted alert notification system for emergency notifications, by way of a Master Agreement dated September 16, 2009. (*Shawn Smith, E-911 Manager*)

A motion was made by Councilman Karr and seconded by Councilman Smith to authorize the Mayor to sign an agreement between City of McAlester and the Blackboard Connect, Inc. to provide a fully hosted alert notification system for emergency notifications, by way of a Master Agreement dated September 16, 2009.

Before the vote, there was discussion among the Council including Manager Stasiak and Attorney Ervin concerning what the service did, if this item should have been to ratify the agreement, if the price had been locked in, what fund paid for this service and if cell phones could be registered.

Vice-Mayor Read moved to table the agreement until a new agreement was received. The motion was seconded by Councilman Smith. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

N. Concur with Mayor's Appointment of Heather Para, 1102 S. 2nd Street, McAlester, 74501 to the McAlester Library Advisory Board for an unexpired term ending December, 2015. *(Steve Harrison, Mayor)*

Manager Stasiak explained that he had requested that this item be pulled since he had not been able to contact Ms. Para to get a biography.

This item was pulled with no action.

Q. Consider, and act upon, authorization of payment to Bank of America Merrill Lynch, Global Custody and Agency Services, Attention: Val Opperman, escrow agent for Austin Paving, LLC, in the amount of \$57,706.67 for Pay Estimate 3, , for construction services related to CIP#1 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account. *(John C. Modzelewski, City Engineer/Public Works Director)*

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to authorize payment to Bank of America Merrill Lynch, Global Custody and Agency Services, Attention: Val Opperman, escrow agent for Austin Paving, LLC, in the amount of \$57,706.67 for Pay Estimate 3, for construction services related to CIP#1 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account.

Before the vote, Vice-Mayor Read asked that the City Engineer inform the Council of the percentage of work that had been completed on this project and of the percentage of money paid to the contractor, Austin Paving.

John C. Modzelewski, City Engineer/Public Works Director addressed the Council explaining that this payment would bring the total amount paid to Austin Paving to around \$200,000.00 and approximately 30% of the work had been completed according to the pay estimate.

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

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

Mayor Harrison declared the motion carried.

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to open a Public Hearing to address five (5) Ordinances. There was no discussion and the vote was taken as follows:

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

Mayor Harrison declared the motion carried and the Public Hearing was opened at 7:10 P.M.

Public Hearing

- **A PUBLIC HEARING ON THE PROPOSED FY 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES GRANT; PROPOSED WATER PROJECT.**
- **TO RECEIVE PUBLIC COMMENT ON CITY OF MCALESTER PROPOSED FISCAL YEAR 2014-2015 ANNUAL OPERATING BUDGET.**
- **AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF MCALESTER, OKLAHOMA FOR THE FISCAL YEAR 2014-2015.**
- **AN ORDINANCE OF THE CITY OF MCALESTER WITH PROPOSED AMENDMENTS TO THE MCALESTER CITY CHARTER, AND AUTHORIZING THE MAYOR TO SUBMIT THE PROPOSED CHANGES TO THE QUALIFIED REGISTERED VOTERS OF THE CITY OF MCALESTER; AND CONSIDER AND ACT TO APPROVE A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING THE PROPOSED CHARTER CHANGES TO THE QUALIFIED ELECTORS OF THE CITY, AND AUTHORIZING THE ISSUANCE OF A PROCLAMATION FOR THE ELECTION REGARDING THE PROPOSITIONS TO CHANGE THE MCALESTER CITY CHARTER**
- **CONSIDER, AND ACT TO APPROVE AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF MCALESTER, AMENDING ARTICLE IV. HOTEL TAX, SECTION 98-107 (A); IMPOSITION OF TAX; EXEMPTIONS; BY INCREASING THE TAX PERCENT FROM FOUR TO SIX PERCENT; AND AMENDING SECTION 98-123 (1), (2) AND (3); PURPOSE OF REVENUES, AND AUTHORIZING THE MAYOR TO SUBMIT THE PROPOSED CHANGES TO THE QUALIFIED REGISTERED VOTERS OF THE CITY OF MCALESTER; AND CONSIDER AND ACT TO APPROVE A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING THE PROPOSED**

CODE CHANGES TO THE QUALIFIED ELECTORS OF THE CITY, AND AUTHORIZING THE ISSUANCE OF A PROCLAMATION FOR THE ELECTION REGARDING THE PROPOSITIONS TO CHANGE THE MCALESTER CITY HOTEL/MOTEL TAX.

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

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

NAY: None

Mayor Harrison declared the motion carried and the Public Hearing was closed at 7:12 P.M.

Scheduled Business

1. Union Pacific Safety presentation and general discussion. (*Stephen W. Lazzari, Manager of Public Safety, Union Pacific Railroad*)

Executive Summary

Discussion only.

Stephen W. Lazzari, Manager of Pubic Safety, Union Pacific Railroad addressed the Council reviewing with them a brief safety presentation. He highlighted some of the major safety concerns that the railroad deals with daily and emphasized the dangers surrounding railroad crossings. He explained that "Quiet Zones" in cities required engineering upgrades.

There was a brief discussion among the Council including Mr. Lazzari concerning the requirements for a quiet zone, trains parked across the intersections, who is responsible for the railroad crossings, the allowed decimal level of the train horns, and contacting the railroad when any problems were identified.

There was no action on this item.

2. Consider, and act upon, Adopting Citizen's Participation Plan for FY-2014 CDBG Project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve Citizen's Participation Plan for FY-2014 CDBG Project.

A motion was made by Councilman Karr and seconded by Vice-Mayor Read to approve the Citizen's Participation Plan for FY-2014 CDBG Project.

Before the vote, Manager Stasiak informed the Council that the City would be addressing the 2014 CDBG Small Cities Grant and that Millie Vance would be administering the grant again this year. He added that Ms. Vance had done an outstanding job with the previous grant projects and she was in attendance to answer any questions.

Ms. Vance addressed the Council explaining the CDBG grant process. She commented that this program had been set up for communities with populations between fifteen thousand (15,000) and fifty thousand (50,000) and that there were nineteen (19) small cities that were eligible to participate. She added that this year only thirteen (13) had applied and this would give McAlester about \$20,000 more this year.

There was discussion among the Council including Ms. Vance and Manager Stasiak concerning the type of projects that could be done with the grant funds, what most cities used the funding for, the criteria that had to be met in the area a project was planned, if the City had a formal grading system to determine the priority of projects and getting more community involvement in selection of the projects.

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

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

NAY: None

Mayor Harrison declared the motion carried.

3. Consider, and act upon, Adopting a Resolution to Apply for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve adopting the resolution to Apply for the FY-2014 CDBG Small Cities Grant, Proposed Water Line Project.

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to adopt a Resolution to apply for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project.

Before the vote, Ms. Vance explained that this was the City's formal statement that they wanted to make the application. There was no other discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

4. Consider, and act upon, Adopting a Resolution to Leverage (Matching) funds for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve to Leverage (Matching) funds for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project.

Councilman Garvin moved to adopt RESOLUTION NO. 14-09, to leverage (matching) funds for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project. The motion was seconded by Councilman Karr.

Before the vote, Ms. Vance explained that this money would be in next year's budget and the match amount of the City would be \$97,473.00.

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

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

NAY: None

Mayor Harrison declared the motion carried.

5. Consider, and act upon Adopting a Residential Anti-Displacement Plan for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve a Residential Anti-Displacement Plan for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project.

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to approve a Residential Anti-Displacement Plan for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project.

Before the vote, Ms. Vance explained that there was no intent to displace any citizens.

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

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

NAY: None

Mayor Harrison declared the motion carried

6. Consider, and act upon, Adopting Contract with Millie Vance Incorporated to prepare FY-2014 CDBG grant application and administer project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve to Contract with Millie Vance Incorporated to prepare FY-2014 CDBG grant application and administer project.

A motion was made by Councilman Karr and seconded by Vice-Mayor Read to approve a contract with Millie Vance Incorporated to prepare FY-2014 CDBG grant application and administer project.

Before the vote, Ms. Vance stated that this was the same contract as last year.

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

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

NAY: None

Mayor Harrison declared the motion carried.

7. Reading of CDBG Proclamation supporting and encouraging Fair Housing practices. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

A Reading of the Proclamation supporting and encouraging Fair Housing practices.

Mayor Harrison read the Proclamation supporting and encouraging Fair Housing Practices in the City of McAlester.

There was no action taken on this item.

8. Discussion regarding, request from Ms. Connie J. Davis-Counts to waive the 90 day period to hold another dirt event at the SE Expo in October 2014. (*Jerry Lynn Wilson, Expo Center Manager*)

Executive Summary

Discussion of request from Ms. Connie J. Davis-Counts.

Manager Stasiak informed the Council that Ms. Davis-Counts had requested an opportunity to address the Council.

Connie J. Davis-Counts addressed the Council regarding several events she would like to bring to the City of McAlester to possibly help bring sales and Hotel/Motel tax into the City.

There was a brief discussion among the Council including Ms. Davis-Counts and Manager Stasiak concerning the various events and scheduling at the Expo.

There was no action taken on this item.

9. Consider, and act upon, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2014-2015; providing for severability clause; and declaring an emergency. (*Toni Ervin, CFO and Peter J. Stasiak, City Manager*)

Executive Summary

Motion to approve an Ordinance adopting the budget for fiscal year 2014-2015 and declaring an emergency.

ORDINANCE NO. 2501

AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF McALESTER, OKLAHOMA FOR THE FISCAL YEAR 2014-2015.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve **ORDINANCE NO. 2501**, adopting the FY 2014-2015 Operating Budget of the City of McAlester.

Before the vote, Manager Stasiak commented that the City had met the requirements of the Charter with the Public Hearings and Budget Workshop. He stated that there were some changes that needed to be made but the Council could adopt the Budget and staff make the changes that had been discussed tonight.

Attorney Ervin concurred that Council could adopt the Budget and staff make the necessary changes.

Mayor Harrison asked if Councilman Smith and Vice-Mayor Read were okay with this approval. Both indicated that they were in agreement with the approval with the changes that had been discussed.

Mayor Harrison stated that the motion was to approve the FY 2014-2015 Budget with the changes to the funding of the Oklahomans for Independent Living and the McAlester Main Street Association. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

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

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

NAY: None

Mayor Harrison declared the motion carried.

10. CONSIDER AND ACT TO APPROVE AN ORDINANCE OF THE CITY OF MCALESTER WITH PROPOSED AMENDMENTS TO THE MCALESTER CITY CHARTER, AND AUTHORIZING THE MAYOR TO SUBMIT THE PROPOSED CHANGES TO THE QUALIFIED REGISTERED VOTERS OF THE CITY OF MCALESTER; AND CONSIDER AND ACT TO APPROVE A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING THE PROPOSED CHARTER CHANGES TO THE QUALIFIED ELECTORS OF THE CITY, AND AUTHORIZING THE ISSUANCE OF A PROCLAMATION FOR THE ELECTION REGARDING THE PROPOSITIONS TO CHANGE THE MCALESTER CITY CHARTER. (*William J. Ervin, City Attorney*)

Executive Summary

Motion to approve an Ordinance proposing amendments to the City of McAlester Charter.

ORDINANCE NO. 2502

AN ORDINANCE AUTHORIZING THE CITY OF MCALESTER, OKLAHOMA TO SUBMIT TO THE REGISTERED QUALIFIED VOTERS OF SAID CITY WHETHER SPECIFIC CHANGES TO THE CITY CHARTER SHOULD BE APPROVED.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve **ORDINANCE NO. 2502**, RESOLUTION NO. 14-10 and the Proclamation to authorize and call a Special Election to submit to the registered qualified voters of the City of McAlester whether specific changes to the City Charter should be approved.

Before the vote, Attorney Ervin commented that the Ordinance, Resolution and proclamation were in the agenda packets. He stated that he had initial inquiry from the City Manager concerning raising the debt limitation of the Authorities with Municipal beneficiary. He explained that he had brought additional documentation if that was the Council's wish.

There was discussion among the Council including Attorney Ervin regarding the language in the propositions, the City's Charter provision regarding the authorities, moving the authorities limit to one million but keeping it separate from the Hospital's debt limitation and how the propositions would be numbered and worded and having language in two (2) of the propositions that would adjust the limit of the hospital debt.

Councilman Smith moved to approve **ORDINANCE NO. 2502**, RESOLUTION NO. 14-10 and the Proclamation to authorize and call a Special Election to submit to the registered qualified voters of the City of McAlester whether specific changes to the City Charter should be approved with the changes discussed to the propositions to increase the debt limitation of the Hospital and authorities. The motion was seconded by Councilman Titsworth. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

11. CONSIDER, AND ACT TO APPROVE AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF MCALESTER, AMENDING ARTICLE IV. HOTEL TAX, SECTION 98-107 (A); IMPOSITION OF TAX; EXEMPTIONS; BY INCREASING THE TAX PERCENT FROM FOUR TO SIX PERCENT; AND AMENDING SECTION 98-123 (1), (2) AND (3); PURPOSE OF REVENUES, AND AUTHORIZING THE MAYOR TO SUBMIT THE PROPOSED CHANGES TO THE QUALIFIED REGISTERED VOTERS OF THE CITY OF MCALESTER; AND CONSIDER AND ACT TO APPROVE A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING THE PROPOSED CODE CHANGES TO THE QUALIFIED ELECTORS OF THE CITY, AND AUTHORIZING THE ISSUANCE OF A PROCLAMATION FOR THE ELECTION REGARDING THE PROPOSITIONS TO CHANGE THE MCALESTER CITY HOTEL/MOTEL TAX.
(Cora Middleton, City Clerk)

Executive Summary

Motion to approve an Ordinance proposing changes to the City of McAlester Hotel/Motel Tax rate and use.

ORDINANCE NO. 2503

AN ORDINANCE AUTHORIZING THE CITY OF MCALESTER, OKLAHOMA TO SUBMIT TO THE REGISTERED VOTERS OF SAID CITY WHETHER THE EXCISE TAX LEVIED UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM THE RENT FROM OCCUPANCY OF HOTEL /MOTEL ROOMS SHALL BE INCREASED FROM FOUR PERCENT (4%) TO SIX PERCENT (6%); AND AMENDING SECTION 98-123 (1), (2) AND (3); PURPOSE OF REVENUES.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve **ORDINANCE NO. 2503**, RESOLUTION NO. 14-11 and the Proclamation to authorize and call a Special Election to submit to the qualified electors of the City of McAlester whether a change to the Hotel/Motel tax should be approved.

Before the vote, Manager Stasiak reminded the Council that at the last meeting that an increase from 4% to 6% of the Hotel/Motel tax had been discussed. He commented that the language had been left broad enough to not limit what the money could be spent on.

Councilman Smith distributed language that he felt would be more appropriate to make the language broad enough.

There was discussion among the Council including Attorney Ervin concerning the language, and keeping it as simple as possible but leave it broad enough.

Councilman Titsworth moved to amend the language of the Proposition to cut the second sentence of the original proposition and add “Examples of authorized purposes include, but are not limited to:

- I. acquiring sites for and/or constructing, enlarging, and maintaining convention centers and/or visitor information centers;
- II. advertising and promotional programs to attract tourists and participants to sports and arts and humanity events; and
- III. building, restoring, preserving and promoting parks or historic sites or museums that will attract tourists.”

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

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

NAY: None

Mayor Harrison declared the motion carried.

- 12. Discussion, and possible action, on approval of certain costs related to the Fire Department. Funds to be used from the City of McAlester’s Fire Department’s portion of the county quarter cent excise tax for fire services. (*Brett Brewer, Fire Chief*)

Executive Summary

Motion to approve purchase of fire hose and equipment.

A motion was made by Councilman Karr and seconded by Councilman Garvin to approve the purchase of fire hose and equipment with funds from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services.

Before the vote, Chief Brewer addressed the Council explaining during the annual inspection of the departments fire hose and equipment several items had failed the NFPA 1962 standards. He commented that the department would need to replace all faulty equipment.

There was a brief discussion among the Council concerning the location of the vendor and the difference between the low bidder and the local bidder. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison 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 Severn Trent would be mobilizing next week.

Remarks and Inquiries by City Council

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

Vice-Mayor Read expressed his appreciation of Manager Stasiak, CFO Ervin and all of the staff for their efforts in preparing this years' budget.

Mayor's Comments and Committee Appointments

Mayor Harrison did not have any comments for the evening.

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, Titsworth & Mayor Harrison
NAY: None

Mayor Harrison declared the motion carried and the meeting was recessed at 8:40 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 8:42 P.M.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read 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: IAFF

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

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

Mayor Harrison declared the motion carried and the meeting was recessed at 8:43 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) (2) to discuss negotiations concerning employees and representatives of employee groups: IAFF

Reconvene into Open Session

Take any action as a result from Executive Session.

- Consider, and act upon, the IAFF, Local 2284, 2014-2015 Contract.

The Regular Meeting was reconvened at 9:18 P.M. Mayor Harrison reported that the Council had recessed the Regular Meeting for an Executive Session to discuss negotiations concerning employees and representatives of employee groups: IAFF, in accordance with Title 25, Sec. 307.B.2. Only that matter was discussed, no action was taken, and the Council returned to open session at 9:18 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 Karr. There was no discussion, and the vote was taken as follows:

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

Mayor Harrison declared the motion carried, and the meeting was adjourned at 9:20 P.M.

ATTEST:

Steve Harrison, Mayor

Cora Middleton, City Clerk