

The McAlester City Council met in Regular session on Tuesday, August 28, 2012, at 6:00 P.M. after proper notice and agenda was posted, August 27, 2012, at 11:25 A. M.

Call to Order

Mayor Harrison called the meeting to order.

Mother Stephanie Swinnea, All-Saints Episcopal Church gave the invocation and lead the Pledge of Allegiance.

Roll Call

Council Roll Call was as follows:

Present: Weldon Smith, Travis Read, Robert Karr, Buddy Garvin, Sam Mason & Steve Harrison
Absent: None
Presiding: Steve Harrison, Mayor

Staff Present: Peter J. Stasiak, City Manager; Brett Brewer, Fire Chief; Mel Priddy, Community Services Director; David Medley, Utilities Director; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Citizen's Comments on Non-agenda Items

There were no comments.

Consent Agenda

- A. Approval of the Minutes from the July 24, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the July 31, 2012 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the August 14, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Approval of Claims for August 8, 2012 – August 21, 2012. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$187,971.02; Parking Authority - \$82.56; Nutrition - \$2,320.95; Landfill Res./Sub-Title D - \$2,950.00; Tourism Fund - \$339.84; SE Expo Center - \$16,385.28; E-911 - \$127,722.95; Economic Development - \$6,600.00; Fleet Maintenance - \$10,021.35 and Dedicated Sales Tax - \$2,500.00.
- E. Designate Saturday, October 27, 2012, as “Make a Difference Day” for the City of McAlester. *(Cora Middleton, City Clerk)*
- F. Concur with Mayor’s Appointment of Gary Bryant to the McAlester Ethics Board for a term to expire July, 2015. *(Steve Harrison, Mayor)*
- G. Concur with Mayor’s Appointment of Steven Brook to the McAlester Personnel Board for a term to expire July, 2016. *(Steve Harrison, Mayor)*
- H. Approval of \$700.00 expenditure for Mayor Steve Harrison to attend the Oklahoma Municipal League 2012 Annual Conference & Exposition to be held in Oklahoma City, September 25-27. *(Peter J. Stasiak, City Manager)*

- I. Consider and Act Upon, authorizing the Mayor to sign the Emergency Medical Technician Basic, Intermediate and Paramedic Field Clinical Agreement between Kiamichi Technology Center and the City of McAlester. *(Brett Brewer, Fire Chief)*
- J. Accept and place on file the McAlester Public Schools Quarterly Update on Roofing Project. *(Marsha Gore, Superintendent)*

Councilman Read requested that item “F” be removed for individual consideration, Councilman Smith requested that item “I” be removed for individual consideration and Mayor Harrison requested that item “H” be removed for individual consideration.

A motion was made by Councilman Smith and seconded by Councilman Read to approve Consent Agenda items “A, B, C, D, E, G, and J.”

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.

Items removed from Consent Agenda

- F. Concur with Mayor’s Appointment of Gary Bryant to the McAlester Ethics Board for a term to expire July, 2015. *(Steve Harrison, Mayor)*

A motion was made by Councilman Karr and seconded by Vice-Mayor Mason to concur with the Mayor’s appointment of Gary Bryant to the McAlester Ethics Board for a term to expire July, 2015.

Before the vote, Councilman Read stated that he opposed this appointment because of the possible conflict of interest with Mr. Bryant’s employment with the McAlester Regional Health Center and Councilman Smith’s membership on the Hospital’s Board of Directors.

Councilman Karr asked if this was a new appointment or a re-appointment.

Mayor Harrison commented that Councilman Read had made a good point and if there was agreement with Councilman Karr and Vice-Mayor Mason he would withdraw this appointment.

Both Councilman Karr and Vice-Mayor Mason agreed and Mr. Bryant’s appointment was withdrawn.

- H. Approval of \$700.00 expenditure for Mayor Steve Harrison to attend the Oklahoma Municipal League 2012 Annual Conference & Exposition to be held in Oklahoma City, September 25-27. *(Peter J. Stasiak, City Manager)*

Vice-Mayor Mason moved to approve the expenditure of \$700.00 for Mayor Steve Harrison to attend the Oklahoma Municipal League 2012 Annual Conference & Exposition to be held in Oklahoma City, September 25-27. The motion was seconded by Councilman Read.

Before the vote, Mayor Harrison commented that he had removed this item from the Consent Agenda so it could be voted on separately. There was no further discussion and the vote was taken as follows:

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

Mayor Harrison declared the motion carried.

- I. Consider and Act Upon, authorizing the Mayor to sign the Emergency Medical Technician Basic, Intermediate and Paramedic Field Clinical Agreement between Kiamichi Technology Center and the City of McAlester. *(Brett Brewer, Fire Chief)*

Councilman Read moved to authorize the Mayor to sign the Emergency Medical Technician Basic, Intermediate and Paramedic Field Clinical Agreement between Kiamichi Technology Center and the City of McAlester. The motion was seconded by Councilman Karr.

Before the vote, there was a brief discussion among the Council regarding whose insurance would cover the students when they were riding on the ambulances.

Chief Brewer informed the Council Kiamichi Vo-Tech carried a policy that would cover the students. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Karr, Garvin, Mason, Smith Titsworth, Read & 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 to address an Ordinance amending the budget for Fiscal Year 2012-2013. There was no discussion, and the vote was taken.

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

NAY: None

Mayor Harrison declared the motion carried, and the Public Hearing was opened at 6:10 P.M.

Public Hearing

- AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2425 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2012-2013; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

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

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

NAY: None

Mayor Harrison declared the motion carried and the Public Hearing was closed at 6:11 P.M.

Scheduled Business

1. Discussion and possible action, on a Resolution put forward by the Gaines Creek Association of Free Will Baptist opposing the removal of figurines depicting U.S. Military Kneeling in Silent Prayer from the 3rd Street intersection and asking the City of McAlester to reverse the decision and reinstall the silhouette. *(Peter J. Stasiak, City Manager)*

Executive Summary

Resolution put forward by the Gaines Creek Association of Free Will Baptist.

Mayor Steve Harrison opened the floor stating that he was thankful for everyone in attendance and thankful to live in a country where religion and government could be discussed openly. He then explained the procedures to be followed during the meeting.

Manager Stasiak explained how Mr. Wallace had become active in supporting the City of McAlester in various ways. He added that over a year ago Mr. Wallace had addressed the possibility of installing the silhouettes throughout the City. Manager Stasiak explained that a pilot project had been conducted to see if the silhouettes would withstand the weather and not

damage the street signs. He stated that about six (6) or seven (7) months ago he received a call from a citizen stating that the sign of the cross was being displayed on City property. He added that he contacted the City Attorney and the City Attorney advised that in keeping the City neutral the silhouettes displaying the symbol of the cross should be removed. Manager Stasiak stated that he then instructed a City crew to remove any silhouettes that displayed the sign of the cross and return them to Mr. Wallace. He commented that about a month ago another citizen had brought this to the attention of the newspaper and other media outlets.

City Attorney Ervin explained that the memorandum that had been furnished to the Council by Joe Ervin and in his opinion the law expressed in that memorandum was solid. He added that given the facts of this particular case that when the law was applied it would be a violation of the establishment clause of the U.S. Constitution. He further stated that in the City Attorney's opinion it would be a violation of the law for the City to put those silhouettes up.

Mayor Harrison stated that since this item had been placed on the agenda by the public, the citizens would be allowed to speak.

Mr. James Prince, Lonnie Palmer, Jr., Fred Morrison, Brett Jarrett, Art Dodd, Kevin Davies, William Murdock, Jay Stanfield, Julie Steadman, Joe Watkins, David Choate, and Tim Russell each addressed the Council regarding their concern of the removal of the silhouettes and support for having the silhouettes reinstalled on the City streets.

Mayor Harrison clarified that the issue was the symbol of the cross.

There was discussion among the Council regarding the grey area that this fell into, possibly tabling this matter for further information, and the support from some of the Council for the reinstallation of the silhouettes. During this discussion, Councilman Smith moved to table this matter for more information on what the law said. The motion was seconded by Councilman Titsworth.

Mayor Harrison once again thanked everyone for attending the meeting. There was no further 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.

Mayor Harrison recessed the Council for a short break stating that the meeting would reconvene at 7:25 P.M.

The meeting was reconvened at 7:25 P.M.

2. Discussion of CDBG 2012 Grant. *(Peter J. Stasiak, City Manager and Danny Baldwin, Executive Director, KEDDO)*

Executive Summary

Review of the CDBG 2012 Grant.

Manager Stasiak addressed the Council stating that at the last meeting he had reported that the City had missed out on the funding for the 2012 CDBG Small Cities Grant because of a grant still being open from 2010. He explained that the City of McAlester had received the notice of removal of contract conditions which meant the City could proceed on the 2010 CDBG Small Cities Grant. He informed the Council that the issue was that the City did not have enough of the 2010 Grant completed to apply for the 2012 Grant. He stated that Danny Baldwin for KEDDO was in attendance to help answer any questions. Manager Stasiak reviewed the steps that had been completed for the 2010 Grant and informed the Council that the individual that had been working with the City on the CDBG Grants was no longer employed with KEDDO. He added that going forward to help insure that this would not happen in the future Pam Kirby would be involved in the grant application process.

There was a lengthy discussion among the Council, Manager Stasiak and Mr. Baldwin regarding the communication problems, how McAlester was unique in the grant application process, how

Mr. Baldwin would be the individual involved in the oversight of the application process going forward, at what point the City lost illegibility for the grant, if there had been any notice from the Oklahoma Department of Commerce regarding the possible loss of the funding, if there were any alternatives to KEDDO for grant administration, if KEDDO actively searched for other grants that might be available to the City, what the City did to insure that grant money was spent in time, establishing a better line of communication and if the City would continue to use KEDDO in the Future.

Manager Stasiak stated that he would make that decision next week.

There was no vote on this item.

3. Consider, and act upon, an Ordinance amending Ordinance No. 2425 which established the budget for fiscal year 2012-2013; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve the budget amendment ordinance.

ORDINANCE NO. 2436

AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2425 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2012-2013; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

A motion was made by Councilman Smith and seconded by Councilman Read to approve **ORDINANCE NO. 2436**, amending Fiscal Year 2012-2013 to appropriate funds for the award from the Strategic Military Planning Commission.

Before the vote, Manager Stasiak explained that this would be a matching 10% Grant to improve an area at the Airport to allow the landing of a C130 plane. He added that it was a grant in the amount of \$133,000.00 with a matching amount of \$14,780.00 from the City. There was no other discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

A motion was made by Vice-Mayor Mason to approve the EMERGENCY CLAUSE. The motion was seconded by Councilman Read 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.

4. Consider, and act upon, authorizing a change in the rental fee for Bren Air Inc. from 5.0% of gross fuel sales to a flat rate of \$.10/gallon of fuel pumped at the McAlester Regional Airport. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve and act upon a change in the rental fee for Bren Air Inc. from 5.0% of gross fuel sales to a flat rate of \$.10/gallon of fuel dispersed and authorizing the Mayor to sign the agreement.

A motion was made by Councilman Garvin and seconded by Councilman Karr to authorize a change in the rental fee for Bren Air Inc. from 5.0% of gross fuel sales to a flat rate of \$.10/gallon of fuel dispersed and authorizing the Mayor to sign the agreement.

Before the vote, Manager Stasiak addressed the Council informing them that the terms of the contract with Bren Air, Inc. was to pay the City a monthly rental fee of 5% of the gross fuel sales at the airport. He added that staff had analyzed the surrounding cities and states for comparable rates and found that no communities were receiving a percentage of gross sales. He stated the

average for Oklahoma cities was \$.09/gallon, the surrounding states with similar size populations was \$.052/gallon with the average for all communities referenced to be \$.071/gallon. Manager Stasiak commented that with the rising cost of fuel, Bren Air, Inc. has had to raise its cost to furnish fuel to cover the 5% fee paid to the City and with this change it would allow Bren Air, Inc. to remain competitive in the market of fueling aircraft.

There was a brief discussion, among the Council regarding the contract, extending the contract an additional five (5) years, amending the current contract, maintaining the March, 2015 expiration, changing the language in section 8 of the contract to commence on March 1, 2010, more local communities included in the analysis and making this an amendment to the contract that was currently in force.

Mayor Harrison restated that motion for clarification as “amend the current contract in item 2 only, **rental fee of ten (10) cents per gallon of gross sales (not to include fuel used by Second Party) effective on sales on or after September 1, 2012.**” The duration of the contract remains the same. There was no other discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

5. Presentation and Update on the Southeast Expo events and tourism. (*Jerry Lynn Wilson, Southeast Expo Manager*)

Executive Summary

Update on Southeast Expo events and tourism.

Ms. Wilson addressed the Council regarding the tourism efforts at the Expo Center. She commented that the Expo worked with the other groups in the City and then further reviewed some of the events that had been held at the Expo, the attendance at those events and some future events that looked very promising. She commented on the project that the Expo had planned to team up with the Chamber in the future.

There was discussion among the Council including Ms. Wilson concerning the Expo's efforts, the need for all of the City groups to work together to promote and market the City, if improvement of the air conditioning situation could increase the use of the Expo, the available parking at the Expo, the capacity of seating at the Expo, the financial information concerning the Expo breaking even, the ability to track information about hotel use, and if the Expo could regularly report on its' marketing and tourism efforts.

There was no vote on this item.

6. Consider, and act upon, a Partnership Request by Tanaye Harvanek, McAlester Area Chamber of Commerce, for the use of the Southeast Expo Center for the Veteran's Job Fair scheduled for September 19, 2012, by partnering with them in the amount of \$315.00. (*Jerry Lynn Wilson, Southeast Expo Manager*)

Executive Summary

Consider approval of Partnership Request in the amount of \$315.00.

A motion was made by Councilman Smith and seconded by Councilman Titsworth to approve a Partnership Request by Tanaye Harvanek, McAlester Area Chamber of Commerce, for the use of the Southeast Expo Center for the Veteran's Job Fair scheduled for September 19, 2012, by partnering with them in the amount of \$315.00.

Before the vote, Ms. Harvanek addressed the Council explaining the proposed job fair for the Council.

There was a brief discussion among the Council concerning the number of employers expected to participate and how they could sign up to participate.

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

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

NAY: None

Mayor Harrison declared the motion carried.

7. Consider and act upon awarding bid in the amount of \$79,640.00 for one new and unused Industrial Backhoe-Loader to YellowHouse Machinery, McAlester, Oklahoma. (*Mel Priddy, Director Community Services*)

Executive Summary

Motion to approve the award of bid to YellowHouse Machinery for Industrial Backhoe-Loader.

A motion was made by Councilman Read and seconded by Councilman Smith to award a bid in the amount of \$79,640.00 for one new and unused Industrial Backhoe-Loader to YellowHouse Machinery, McAlester, Oklahoma.

Before the vote, Mel Priddy informed the Council that sealed bids had been opened on August 10, 2012 for a new and unused Industrial Backhoe-Loader. He added that only one bid had been received and it was from YellowHouse Machinery located in McAlester and the bid had been under the budgeted amount of \$81,004.00.

There was discussion among the Council regarding the lack of bids, if the City was going far enough outside the City to advertise these bids, if there was any feed back on why no other companies bid on the item, if the City advertised on the internet and additional cost that could be incurred from out of town bids.

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

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

NAY: None

Mayor Harrison declared the motion carried.

8. Consider, and act upon, the final Contractor's Pay Estimate No. 8 for the Water Treatment Plant Filter and Clearwell Improvements. (*David Medley, Director of Utilities*)

Executive Summary

Motion to approve final payment to the Water Treatment Plant Filter and Clearwell Improvements Project to J.S. Haren Company of Athens, Tennessee.

A motion was made by Councilman Smith and seconded by Councilman Read to approve the final payment for the Water Treatment Plant Filter and Clearwell Improvements Project to J.S. Haren Company of Athens, Tennessee.

Before the vote, David Medley addressed the Council informing them that all of the work had been completed on this project and the City's Engineer on the project, Mehlburger Brawley had recommended approval of the Final Pay Estimate.

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

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

NAY: None

Mayor Harrison declared the motion carried.

9. Consider and Act Upon, bids that were opened on Tuesday, August 14, 2012. The City opened bids for the 2010 CDBG Water and Sewer Improvements Project. One Contractor submitted a bid, C.S. Day & Associates, LLC of Tahlequah, Oklahoma. The bid was in the amount of \$325,190.00. Due to the bid being considerably higher than the City's budgeted amount and the receipt of only one bidder, the Engineer, Mehlburger Brawley, and the Utility Department recommends rejection of bid and direction to re-bid. (*David Medley, Director of Utilities*)

Executive Summary

Motion to reject the bid received on August 14, 2012 by C.S. Day & Associates and directing the Utility Department to re-bid the project.

A motion to reject the bid reject a bid received on August 14, 2012 by C.S. Day & Associates and directing the Utility Department to re-bid the project was made by Councilman Smith and seconded by Councilman Read.

Before the vote, David Medley addressed the Council informing them that the only bid received for the 2010 CDBG Water and Sewer Improvements Project had been considerably higher than the City's budgeted amount and the Engineer, Mehlburger Brawley and the Utilities Department Staff recommended the rejection of the bid and allow the project to be re-bid. He added that the re-bid project would include a reduced base bid with alternate bid items to allow the reduction of the Project to be within the budgeted funds and this would not interfere with the City receiving the 2013 CDBG Small Cities grant.

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

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

NAY: None

Mayor Harrison declared the motion carried.

10. Consider, and act upon, authorizing a water purchase contract to Pliant, LLC a Wholly Owned Subsidiary of Berry Plastics referred to as a "Wholesale Customer". *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve and act upon a water purchase contract with Pliant, LLC a Wholly Owned Subsidiary of Berry Plastics and authorizing the Mayor to sign the agreement.

A motion was made by Vice-Mayor Mason and seconded by Councilman Karr to authorize a water purchase contract with Pliant, LLC a Wholly Owned Subsidiary of Berry Plastics and authorizing the Mayor to sign the agreement.

Before the vote, Manager Stasiak addressed the Council informing them that Berry Plastics located at the Steven Taylor Industrial Park had been classified and charges as a City User for water rate charges in the past. He stated that Section 106-72 of the City Code addressed "Special contracts, rates for large users" and it authorized the City Council to enter into special contracts for water services for customers exceeding 300,000 gallons of usage per month. Manager Stasiak stated that classifying Berry Plastics as a Wholesale Customer would reduce the rate charged to \$3.23/1000 gallons of usage and if adopted would go into effect September 1, 2012.

There was discussion among the Council regarding the impact on the City's revenue, passing the cost of upgrading the system to the customers, how the staff planned to adjust the budget to absorb the reduction in revenue, the City's need to support its' major industries, the cost associated with the production of water, where the City was currently at in the water revenue and the need to do things for the City's businesses.

There was no further 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.

11. Tabled from previous meeting. Consider, and Act Upon, an Agreement with Marketing Alliance for Professional and Creative Services to develop a McAlester Logo and Marketing Plan for an estimated total price of \$18,500. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve agreement with Marketing Alliance for an estimated total price of \$18,500.

A motion was made by Councilman Read and seconded by Councilman Garvin to approve an Agreement with Marketing Alliance for Professional and Creative Services to develop a McAlester Logo and Marketing Plan for an estimated total price of \$18,500.

Before the vote, Mayor Harrison made the following statement and requested that it be included verbatim in the minutes. “A recent editorial in the McAlester News-Capital expressed opposition by the publisher of that newspaper to the proposal to engage a professional marketing firm to help our city develop a new logo and a marketing plan. She categorized it as “\$18,500 worth of spit” and suggested that we ask for community volunteers instead. I do not know if this opposition represents a bias against hiring trained and experienced professionals in the field of marketing or just a belief that the money could be better spent elsewhere.

Of course, the money to fund this contract is appropriated out of the Tourism Fund. The hotel/motel tax is the source of the Tourism fund revenue and it is restricted by the voters to tourism uses only. Therefore, none of the other alternate uses suggested in the editorial would be a legal use of these funds.

The desire to hire Marketing Alliance to develop our logo and marketing plan is based upon their proven ability to get results. They have already helped us produce our international award-winning tourism brochure. It is a natural next step to engage them to broaden the effort into a marketing plan. They have been very successful in doing this for other cities. As one example, consider Sumter, South Carolina. Continental Tire selected Sumter and recently broke ground on a new plant that will create more than 1,500 jobs. Would this have happened without the implementation of a professionally-developed plan that marketed Sumter’s assets? Who knows? But the point is, why not explore ways that McAlester can better market itself? And why not use a professional with a proven track record to help us do that?

I take no issue with the publisher exercising her right to oppose this proposal in print. Reasonable people can and do disagree on issues all the time. However, I believe her editorial does a disservice to this council and its immediate predecessors in two important aspects. First is that we are somehow unwilling to deal with the “hard stuff” and spend our time on (in her words) “fluffy stuff.” She also asserts that we are willing to spend “a whole bunch of money...to do a bunch of unnecessary stuff” due to a desire to leave a legacy. It is my strongly held belief that each and every member of this council is motivated solely by what that councilman believes is best for our city. Although we don’t always agree with each other, I never question a councilman’s motivation and it saddens me to see Ms. Johns make such an accusation.

The second aspect of the editorial that I found very discouraging is the apparent lack of knowledge displayed concerning progress on the so-called “hard stuff” that she says we are ignoring. Is she not aware of the multi-million dollar investment we have made to upgrade our water plant? Does she not recall that we have repaired and improved all of our water storage tanks and now have them under permanent maintenance contracts? Is our water system as good as it’s going to get? No, it’s not, but we’re not finished yet either. The effort continues.

She wants meth houses torn down. Her own newspaper has published information that more than 80 dilapidated structures have been demolished in the recent past. The council authorized condemnation of nine more very recently. Again, the effort continues.

Perhaps most puzzling of all, she indicates that we are unwilling to deal with the hard stuff of getting our “roads repaired, not just patched.” In the August 15, 2012, edition of the News-Capital was an article under the headline “Council seeks bond election.” This article detailed how the council had called an election to refinance bonds at lower interest rates and to use the savings to invest as much as \$13 million for street improvements – all at ZERO cost to the taxpayer. This article was published in her own newspaper only three days before this editorial. My hope is that the News-Capital will be an active and vocal supporter of this ballot initiative to fix our streets.

In summary, I think this council and this city administration are tackling the “hard stuff” and are making progress every day. I hope that at some point, the News-Capital will decide to play a more positive role in helping us achieve that progress.”

Ben Capers and Steve Woodam addressed the Council concerning the need for a marketing plan for the City of McAlester and the support this project would receive from the local hotels.

There was discussion among the Council regarding the Councils expectations that all concerned groups work together, that the current MPower contract included this type of project in its work

plan, the funding that MPower had received, MPower's role to advise the City on this type of project, the need to make clear what items were funded in the contracts and what items were unfunded, the need for the City Attorney to review the contract, and what this project would actually look at changing.

Vice-Mayor Mason commented that if the Council voted to fund the plan, it would be pending the City Attorney's review

Tanaye Harvanek addressed the Council suggesting that they look within the State for a company that could perform this type of project. She commented that as the Chamber Director it was her duty to keep money in the City and if not in the City at least within the State.

Councilman Karr asked what the City Manager thought of this project. Manager Stasiak stated that the City did need a new marketing plan and he was excited to see pulling all the entities and some of the businesses together.

Councilman Garvin asked Ms. Harvanek what the Chamber had done for the City of McAlester. Ms. Harvanek informed the Council that the last two (2) years the Chamber had brought the National Boat Racing competition to the City, they had partnered with the City to create the Tourism guide, worked with the local hotels and had worked with both Main Street and Pride in McAlester.

Councilman Titsworth stated that he felt that the City had funded MPower and their contract stated that MPower would do this project.

Mayor Harrison restated the motion as "to authorize the agreement with Marketing Alliance subject to the City Attorney's review and returning it to the Council at the next meeting with his recommended changes."

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

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

NAY: Councilman Titsworth

Mayor Harrison declared the motion carried.

12. Consider, and act upon, authorizing the submittal of Certification for Competitive Bid and/or Contract with the Oklahoma Department of Commerce. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve and act upon the Certification for Competitive Bid and/or Contract with the Oklahoma Department of Commerce and authorizing the Mayor to sign the agreement.

A motion was made by Vice-Mayor Mason and seconded by Councilman Smith to authorize the Certification for Competitive Bid and/or Contract with the Oklahoma Department of Commerce and authorizing the Mayor to sign the agreement.

Before the vote, Manager Stasiak informed the Council that the Governor had money available for Economic or growth projects within defense communities around the State of Oklahoma. He stated that working with Mark Jordan of MDSA, a project at the McAlester Airport to reconstruct the load out pad to handle the parking of C-130 military aircraft in emergency cases only. He added that currently the runway can handle the weight of such an aircraft as long as it was moving but once it stopped the runway would be damaged. He stated that an area north east of the existing terminal would be rebuilt to allow the parking of a C-130 aircraft. Manager Stasiak added that the \$133,000.00 was from the Oklahoma Department of Commerce through the Governor's funding and the City's match would be \$14,778.00 for a total project amount of \$147,778.00.

Councilman Read asked if the runway was long enough to accommodate a C-130. Manager Stasiak stated that yes it was most of the time.

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

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

Mayor Harrison declared the motion carried.

New Business

There was no new business.

City Manager's Report

Manager Stasiak reported that the City of McAlester had an employee, Glen Kerns, retiring after forty four (44) years. He then invited the Council to attend Mr. Kerns' retirement celebration Friday, at 2:00 P.M. at the Expo.

Remarks and Inquiries by City Council

Councilman Smith encouraged the citizens to report any problems with their cable service.

Councilman Titsworth had no comments for the evening.

Councilman Read commented on the quality of the Parks in the City and the Parks Department.

Manager Stasiak stated that Mr. Kerns had kept a detailed diary of every tree that he had planted in the City of McAlester.

Councilman Karr thanked the Street Department for the cleaning of the streets and curbs and asked that the citizens help keep grass clippings out of the streets.

Councilman Garvin thanked Manager Stasiak for the work he had gotten accomplished or put into motion.

Vice-Mayor Mason also encouraged the citizens to promptly report any problems with cable.

Mayor's Comments and Committee Appointments

Mayor Harrison had no 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 Councilman Titsworth. There was no discussion, and the vote was taken as follows:

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

Mayor Harrison declared the motion carried and the meeting was recessed at 9:34 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 9:36 P.M.

Adjournment

There being no further business to come before the Council, Councilman Smith moved for the meeting to be adjourned, seconded by Vice-Mayor Mason.

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

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

NAY: None

Mayor Harrison declared the motion carried, and the meeting was adjourned at 9:36 P.M.

ATTEST:

Steve Harrison, Mayor

Cora Middleton, City Clerk