

The McAlester City Council met in a Regular session on Tuesday January 13, 2015, at 6:00 P.M. after proper notice and agenda was posted, January 9, 2015 at 10:36 A.M.

Call to Order

Vice-Mayor Read called the meeting to order.

Captain Lannette Daniels, gave the invocation and led the Pledge of Allegiance.

Roll Call

Council Roll Call was as follows:

Present: John Titsworth, Travis Read, Robert Karr, Buddy Garvin, & Jason Barnett
Absent: Weldon Smith & Steve Harrison
Presiding: Travis Read, Vice-Mayor

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

Consent Agenda

- A. Approval of the Minutes from the December 9, 2014, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the December 23, 2014, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for December 17, 2014 through January 6, 2015. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$75,640.56; Nutrition - \$893.18; Landfill Res./Sub-Title D - \$3,412.50; Tourism Fund - \$5,285.75; SE Expo Center - \$3,346.66; E-911 - \$5,238.23; Economic Development - \$7,958.38; Fleet Maintenance - \$14,846.31; CIP Fund - \$8,675.99 and Federal Forfeiture Fund - \$1,815.66.
- D. Consider and act upon, ratification of the Code of Conduct for the City of McAlester originally adopted October 27, 2009. (There have been no changes to the document.) *(Cora Middleton, City Clerk)*

- E. Concur with the Mayor's appointment of Chris Taylor, 108 Saunier Way, to the McAlester Planning Commission to fill the vacant position created by the resignation of John McNally, for the balance of the unexpired term to expire on May 31, 2017. *(Steve Harrison, Mayor)*
- F. Consider and act upon, authorization of payment to Infrastructure Solutions Group, LLC; dba Mehlburger Brawley, Invoice # MC-14-06-02, in the amount of \$13,489.00 for Construction Management and Resident Project Representative 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)*
- G. Consider and act upon, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #2, in the amount of \$58,169.15, for the construction of road and infrastructure improvements 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, authorizing the Mayor to sign the necessary FAA forms to Request for Reimbursement for Construction Programs related to construction projects at the McAlester Regional Airport. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

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

AYE: Councilman Garvin, Titsworth, Karr, Barnett & Vice-Mayor Read
NAY: None

Vice-Mayor Read declared the motion carried.

Scheduled Business

1. Consider and act upon, acceptance of the annual City of McAlester Audited Financial Statements and Independent Auditor's Report for Fiscal Year ending June 30, 2014. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to accept the annual Audit for Fiscal Year ending June 30, 2014 for the City of McAlester.

A motion was made by Councilman Titsworth and seconded by Councilman Karr to accept the annual Audit for Fiscal Year ending June 30, 2014 for the City of McAlester.

Before the vote, CFO Ervin addressed the Council informing them that there had been no findings with this Audit. She commented that she had met with the Audit & Finance Advisory Board and they had recommended acceptance of the Audit. She then introduced Nate Atchison with Finley and Cook.

Mr. Atchison addressed the Council explaining the process of the audit and stating that there had been no opinions on the financial statements.

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

AYE: Councilman Titsworth, Karr; Garvin, Barnett & Vice-Mayor Read

NAY: None

Vice-Mayor Read declared the motion carried.

2. Consider and act upon, authorizing the Mayor to sign the application for the Arvest Purchasing card. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Staff recommends authorizing the application for the Arvest Purchasing card.

A motion was made by Councilman Garvin and seconded by Councilman Karr to authorize the Mayor to sign the Application for the Arvest Purchasing card.

Before the vote, CFO Ervin addressed the Council explaining that the Purchase card system would allow for better control of employee expenses for travel and training, it would lower the risk to employees by not requiring them to carry large sums of cash for travel, it would not increase any employees purchasing limits and would eliminate the need to employees to use their personal credit cards when reserving hotel rooms or making online purchases where the vendor would not accept a City purchase order.

After a brief discussion among the Council, CFO Ervin, Cheri Hansen and Gene Watkins of Arvest Bank regarding who would be issued the Purchasing cards, what limits would be placed on the cards, if the cards functioned like a credit card, if there were any fees that would be charged to the City, how the per diem was regulated, the employees receiving training before they were issued a Purchasing card, the additional controls and reports that would be possible through the Purchasing card system and if the City would be able to meet the due dates, the vote was taken as follows:

AYE: Councilman Garvin, Karr, Barnett, Titsworth & Vice-Mayor Read

NAY: None

Vice-Mayor Read declared the motion carried.

3. Consider and act upon, to declare certain Police Department issued handguns as surplus, and to provide for their safe and orderly disposal by first offering them for sale at the appraised trade-in value to the employee that carried the weapon in service, or in the alternative as a trade-in against new handguns purchased, for the appraised trade-in value. (*Gary Wansick, Chief of Police*)

Executive Summary

Declare pistols surplus.

A motion was made by Councilman Titsworth and seconded by Councilman Garvin to declare certain Police Department handguns as surplus and to provide for their safe and orderly disposal by first offering them for sale at the appraised trade-in value to the employee that carried the weapon in service, or in the alternative as a trade-in against new handguns purchased, for the appraised trade-in value.

Before the vote, Chief Wansick addressed the Council explaining that there would be two (2) motions before the Council, one to purchase replacement pistols and one to declare the currently issued pistols as surplus. He explained that the current pistols were approximately thirteen (13) years old and needed to be replaced. He added that it had been the practice to allow the officers to purchase the pistols they had carried during service.

Attorney Ervin informed the Council that there was a procedure in Code that addressed surplus property. He commented it allowed the weapons to be traded in, retasked and sent to the manufacturer or allow the officers to purchase the weapons with no additional risk to the public.

After a brief discussion regarding the process for an officer to purchase his service pistol, the vote was taken as follows:

AYE: Councilman Titsworth, Garvin, Karr, Barnett & Vice-Mayor Read
NAY: None

Vice-Mayor Read declared the motion carried.

4. Consider and act upon, approval of the purchase of 43 new Glock pistols. (*Gary Wansick, Chief of Police*)

Executive Summary

Motion to approve the purchase of new Glock pistols to replace existing pistols carried by officers.

A motion was made by Councilman Karr and seconded by Councilman Titsworth to approve the purchase of forty-three (43) new Glock pistols to replace the existing pistols carried by officer.

Before the vote, Chief Wansick addressed the Council explaining that the Department could have had the existing pistols refurbished but after review of the associated costs it was determined that replacing the pistols would be the best option.

After a brief discussion concerning the different caliber of the pistols, the vote was taken as follows:

AYE: Councilman Karr, Titsworth, Garvin, Barnett & Vice-Mayor Read
NAY: None

Vice-Mayor Read declared the motion carried.

5. **TABLED FROM PREVIOUS MEETING:** Consider and act upon, authorizing the Mayor to sign Supplemental Agreement No. 1 to Lease Agreement No. DTFACN-13-L-

00151 between the City of McAlester and the U. S. Department of Transportation Federal Aviation Administration. (*Joe Ervin, City Attorney*)

Executive Summary

Motion to approve authorizing the Mayor to sign Supplemental Agreement No. 1 to Lease Agreement No. DTFACN-13-L-00151.

A motion was made by Councilman Karr and seconded by Councilman Titsworth to authorize the Mayor to sign Supplemental Agreement No. 1 to Lease Agreement No. DTFACN-13-L-00151 between the City of McAlester and the U. S. Department of Transportation Federal Aviation Administration.

Before the vote, Attorney Ervin addressed the Council explaining that this item had been tabled at a previous meeting and the Council had asked that revised language be submitted to the FAA representative. He stated that he had sent the changes to the FAA and the City Manager had spoken with an FAA representative. Attorney Ervin commented that he had emailed Ms. Falcon informing her that the agreement would be back on this agenda but, he had not heard from her prior to the meeting.

Carlton Bass, Dr. Michael Boyer and Chris Taylor each addressed the Council regarding the Telco equipment that was still housed in the building at the Airport and its' importance to not only the Airport but to the City of McAlester and its' economic future.

During a lengthy discussion among the Council, Attorney Ervin and Manager Stasiak regarding the marketability of the former FAA building, the room that housed the Telco equipment, what the building could be used for and the holdover clause in the agreement, Manager Stasiak informed the Council that he had spoken with County Commission Kevin Smith about the former FAA Building. Manager Stasiak stated that the City had not had any success in marketing the building. He added that the County was interested in relocating the Emergency Management operations from their current facility. He commented that the County would offer the City a lease to purchase over a five (5) year period and they did not have any concern with the FAA equipment remaining in the building. Manager Stasiak then stated that staff would be drafting a document for the Council and County Commissioners to review.

After another brief discussion regarding issues with the building not remaining in the City's ownership, the holdover clause and the importance of the equipment to the Airport, the vote was taken as follows:

AYE: Councilman Karr, Titsworth, Barnett, Garvin & Vice-Mayor Read

NAY: None

Vice-Mayor Read 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 the City would open bids for the Police Department body cams on Thursday, approval from the Bureau of Indian Affairs had been received for the 20" water line relocation at Lake McAlester and the bids would be opened on February 20, 2015. He informed the Council that the emergency buttons on the Police Department radios was 90% complete, the Police Department was conducting interviews to fill the three (3) positions related to the COPS grant and he would be attending the City Managers Association of Oklahoma meeting this week, leaving Wednesday morning and returning Friday afternoon.

Remarks and Inquiries by City Council

Councilman Garvin commented that he was glad to see the Water line project moving forward. He then informed Manager Stasiak that the north bound left turn light at the intersection of 69 Bypass and Comanche was not working.

Councilman Barnett, Karr, and Titsworth did not have any comments for the evening.

Mayor's Comments and Committee Appointments

Vice-Mayor Read did not have any comments for the evening.

Recess Council Meeting

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

AYE: Councilman Garvin, Karr, Barnett, Titsworth, & Vice-Mayor Read
NAY: None

Vice-Mayor Read declared the motion carried and the meeting was recessed at 6:51 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 6:54 P.M.

Adjournment

There being no further business to come before the Council, Councilman Garvin moved for the meeting to be adjourned. The motion was seconded by Councilman Karr.

AYE: Councilman Garvin, Karr, Titsworth, Barnett & Vice-Mayor Read
NAY: None

Vice-Mayor Read declared the motion carried, and the meeting was adjourned at 6:55 P.M.

ATTEST:

Travis Read, Vice-Mayor

Cora Middleton, City Clerk