

The McAlester City Council met in a Regular session on Tuesday, January 24, 2017, at 6:00 P.M. after proper notice and agenda was posted, January 19, 2016 at 4:45 P.M.

Call to Order

Mayor Browne called the meeting to order.

William J. Ervin gave the invocation and led the Pledge of Allegiance.

Roll Call

Council Roll Call was as follows:

Present: Weldon Smith, Cully Stevens, Travis Read, Buddy Garvin, Jason Barnett & John Browne

Absent: Robert Karr,

Presiding: John Browne, Mayor

Staff Present: Peter J. Stasiak, City Manager; Brett Brewer, Fire Chief; Gary Wansick, Police Chief; Toni Ervin, CFO; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Citizens Comments on Non-Agenda Items

Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to five (5) minutes.

There were no citizen comments.

Consent Agenda

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Approval of the Minutes from the December 27, 2016, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for January 4, 2017 through January 17, 2017. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$112,935.73; Parking Authority - \$93.94; Nutrition - \$2,228.40; Tourism fund - \$4,076.93; SE Expo Center - \$19,799.52; E-911 - \$12,263.16; Economic Development - \$26,243.51; CDBG Grant Fund - \$65.97; Fleet Maintenance - \$27,097.46; CIP Fund - \$985,418.47 and Stormwater Fund - \$6,033.35.
- C. Consider and act upon, authorization of payment to KATCON, Inc., Invoice Payment #7, in the amount of \$ 17,007.85 for Construction Services related to Washington Avenue Pavement Reconstruction Project and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- D. Consider and act upon, authorizing the Mayor to sign the Contractor's Pay Request No. 1 in the amount of \$758,765.00 for the contract with Utility Technology Services, Inc. for the new AMI System Project and approving Pay Request No. 1. *(Toni Ervin, Chief Financial Officer)*
- E. Concur with the Mayor's appointment of Kevin Priddle to the McAlester Regional Health Center Board for a term expiring February 28, 2023. *(John Browne, Mayor)*

Mayor Browne requested that Item “E” be removed for individual consideration.

A motion was made by Councilman Read and seconded by Councilman Smith to approve Consent Agenda items “A through D”.

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

AYE: Councilman Read, Smith, Stevens, Garvin, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

Items Removed from Consent Agenda

- E. Concur with the Mayor’s appointment of Kevin Priddle to the McAlester Regional Health Center Board for a term expiring February 28, 2023. (*John Browne, Mayor*)

Mayor Browne explained that he had removed Item “E” because the appointment for Mark Segal had not made it to the agenda, he wanted to clarify that had been an error and Dr. Segal’s appointment would be on a later agenda.

A motion was made by Councilman Smith and seconded by Councilman Garvin to concur with the Mayor’s appointment of Kevin Priddle to the McAlester Regional Health Center Board for a term to expire February 28, 2023. There was no other discussion, and the vote was taken as follows:

AYE: Councilman Smith, Garvin, Stevens, Read, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

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

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

AYE: Councilman Smith, Read, Garvin, Barnett, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the Public Hearing was opened at 6:04 P.M.

Public Hearing

All persons interested in any ordinance listed under Scheduled Business shall have an opportunity to be heard in accordance with Article 2, Section 2.12(b) of the City Charter.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2568 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2016-17; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA; AMENDING MCALESTER CITY CODE CHAPTER 106, UTILITIES, ARTICLE II, DIVISION 4, SUBDIVISION III, SECTION 106-144, FIRE HYDRANTS, REPEALING ALL CONFLICTING ORDINANCES, AND PROVIDING FOR SEVERABILITY.

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

AYE: Councilman Read, Smith, Garvin, Barnett, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the Public Hearing was closed at 6:04 P.M.

Scheduled Business

1. Consider and act upon, an Ordinance amending Ordinance No. 2568 which established the budget for fiscal year 2016-17; 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.

CFO Ervin addressed the Council reviewing the exhibits for the Mid-Year Budget amendment. She explained that worker's compensation and severance pay were moved from interdepartmental to the accounts as needed, the Public Works Authority revenue was increased, the Automated Meter Infrastructure project would be tracked through the City's accounts, for checks and balances on this project, the City was purchasing a Chevy Tahoe for the Fire Chief, the Airport Beacon Grant was being accounted for and the Donations and Grants had increased.

ORDINANCE NO. 2591

AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2568 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2016-17; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

Councilman Read moved to approve **ORDINANCE NO. 2591**, addressing the Mid-Year Budget. The motion was seconded by Councilman Smith, and the vote was taken as follows:

AYE: Councilman Read, Smith, Garvin, Barnett, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

A motion was made by Councilman Read and seconded by Councilman Stevens to approve the EMERGENCY CLAUSE.

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

AYE: Councilman Read, Stevens, Smith, Barnett, Garvin & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

2. Consider and act upon, an Ordinance of the City of McAlester; amending Chapter 106, Utilities, Section 106-144, Fire Hydrants, repealing all conflicting ordinances, and providing for severability. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to approve the amended Fire Hydrants Ordinance.

Manager Stasiak explained that the current Ordinance only allowed the City to use a specific type of Fire Hydrants. He stated that this would allow the City to use Fire Hydrants that met or exceeded the American Water Works Association C-502, latest revision.

ORDINANCE NO. 2592

CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA; AMENDING McALESTER CITY CODE CHAPTER 106, UTILITIES, ARTICLE II, DIVISION 4, SUBDIVISION III, SECTION 106-144, FIRE HYDRANTS, REPEALING ALL CONFLICTING ORDINANCES, AND PROVIDING FOR SEVERABILITY.

There was no further discussion, and Councilman Smith moved to approve **ORDINANCE NO. 2592**. The motion was seconded by Councilman Read and the vote was taken as follows:

AYE: Councilman Read, Smith, Stevens, Garvin, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

3. Consider and act upon, authorizing the purchase from Hudiburg Fleet Services (1) New and Unused 2017 Chevrolet Tahoe 4X4 Special Support Vehicle for the Fire Department on State of Oklahoma Purchasing Contract SW0035 pursuant to Section 2-275 of the McAlester City Code. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Motion to approve authorizing the purchase from Hudiburg Fleet Services (1) New and Unused 2017 Chevrolet Tahoe 4X4 Special Support Vehicle for the Fire Department on State of Oklahoma Purchasing Contract SW0035 pursuant to Section 2-275 of the McAlester City Code.

Fire Chief Brewer addressed the Council explaining that this vehicle would replace a 2001 Chevrolet Suburban that the Fire Chief was driving and allow it to be repurposed for the Assistant Fire Chief to drive.

There was a brief discussion concerning why the local auto dealers were not checked and that they did not carry service vehicles.

A motion was made by Councilman Read and seconded by Councilman Smith to authorize the purchase of a new and unused 2017 Chevrolet Tahoe 4X4 Special Support Vehicle, from Hudiburg Fleet Services, for the Fire Department on the State of Oklahoma Contract SW0035 pursuant to Section 2-275 of the McAlester City Code.

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

AYE: Councilman Read, Smith, Garvin, Barnett, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

4. Consider and act upon, acceptance and authorizing the Mayor to sign Change Order No. 1 from Cooks Consulting, LLC for a net deduction of (\$ 3,170.00) on the 2015 CDBG Water Projects #1 & 2. (*Robert Vaughan, Infrastructure Solutions Group, LLC*)

Executive Summary

The recommendation is to accept and authorize the Mayor to sign this Change Order from Cooks Consulting, LLC for a net deduction of (\$ 3,170.00) on the 2015 CDBG Water Projects #1 & 2.

Dale Burke, P.E. President Infrastructure Solutions Group, LLC addressed the Council explaining that this was the 2015 CDBG project and was complete. He added that this Change Order resulted in a decrease of \$3,170.00.

Councilman Stevens inquired about the water meters used in the project and Mr. Burke explained that with the City entering into an AMI contract it only made sense to install that same type meter.

Manager Stasiak commented that those meters were being used to gather test information for the new AMI system and verify that the new system was working.

Councilman Read thanked Mr. Burke for Infrastructure Solutions Group, LLC saving the City money.

There was no further discussion and a motion to accept and authorize the Mayor to sign Change Order No. 1 from Cooks Consulting, LLC for a net deduction of (\$ 3,170.00) on the 2015 CDBG Water Projects #1 & 2 was made by Councilman Smith. The motion was seconded by Councilman Read and the vote was taken as follows:

AYE: Councilman Smith, Read, Stevens, Garvin, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

5. Consider and act upon, accepting the bid amount of \$255,899.00 from Allen Oilfield Electric, LLC, and authorizing the Mayor to sign the Notice of Award and the loan documents with First National Bank for work involving the replacement of the High Service Pump Motor Control Center (MCC). (*Dale Burke, Infrastructure Solutions Group, LLC*)

Executive Summary

The recommendation is to enter into an agreement with Allen Oilfield Electric, LLC for the Total Bid equal to \$255,899.00 and authorize the Mayor to sign the loan documents with First National Bank for the replacement of the High Service Pump Motor Control Center (MCC).

Dale Burke, P.E. President Infrastructure Solutions Group, LLC addressed the Council explaining that there were five (5) contractors that received bid packets for this project and two (2) contractors bid on this project. He added that since there was such a large discrepancy between the two (2) bids he checked with the lowest contractor to verify that everything had been included in the bid. He added that the contractor had very good references and he was looking forward to working with this contractor.

After a brief discussion concerning the equipment that was being replaced and why the second bid was so much higher, a motion accepting the bid amount of \$255,899.00 from Allen Oilfield Electric, LLC, and authorizing the Mayor to sign the Notice of Award and the loan documents with First National Bank for work involving the replacement of the High Service Pump Motor Control Center (MCC) was made by Councilman Read and seconded by Councilman Smith. The vote was taken as follows:

AYE: Councilman Read, Smith, Stevens, Garvin, Barnett & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

6. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay Estimate (Retainer) for the contract with H & G Paving Contractors for A Street Asphalt Street Repairs and accept the project as completed. (*Peter Stasiak, City Manager,*)

Executive Summary

Motion to authorize the Mayor to sign the final payment of \$11,010.45 for the A Street Asphalt Street Repairs and accept the project as completed.

Dale Burke, P.E. President Infrastructure Solutions Group, LLC addressed the Council explaining that this was the final payment for the asphalt work that had been done in the "A" Street area.

A motion authorize the Mayor to sign the Contractor's Final Pay Estimate (Retainer), in the amount of \$11,010.45 for the contract with H & G Paving Contractors for A Street Asphalt Street Repairs and accept the project as completed was made by Councilman Smith and seconded by Councilman Read.

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

AYE: Councilman Read, Smith, Garvin, Barnett, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

7. Consider and act upon, approval of the Employee Benefit Program Consulting Services Agreement between the City of McAlester and Dillingham Benefits, LLC. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Approve and authorize the Mayor to sign the Employee Benefit Program Consulting Services Agreement.

Mayor Browne stated that this item had been pulled.

8. Discussion and presentation of the Mid-Year Review of Fiscal Year 2016-2017. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Mid-Year Review of Fiscal Year 2016-2017 Budget.

CFO Ervin addressed the Council informing them that the City had received a Dun & Bradstreet viability rating of 11AA, which is a top rating. She then reviewed what this rating indicated for a business.

Manager Stasiak asked about the City's rating seven (7) years ago and CFO Ervin stated that the City was unrated at that time.

CFO Ervin briefly reviewed the General Fund, the MPWA and various other funds explaining the status of the revenues and expenses. She commented on the sales and use taxes, and the City's water sales. She reviewed the number of employees and updated the Council on the budgeted projects and the fixed assets that had been purchased.

Councilman Smith asked for a copy of the Dun and Bradstreet rating, Mayor Browne congratulated the City on the viability rating and commented that was a good selling point for the City.

Councilman Garvin commented that other communities were patterning their policies after those of the City of McAlester.

There was no vote on this item.

New Business

Any matter not known or which could not have been reasonably foreseen prior to the time of posting the Agenda in accordance with Sec. 311.9, Title 25, Oklahoma State Statutes.

There was no new business.

City Manager's Report

- Report on activities for the past two weeks.

Manager Stasiak informed the Council that the design that Infrastructure Solutions Group, LLC had developed to prevent canal wall failure was being installed in specific canals. He informed the Council that the new Rotating Beacon at the Airport had been installed and he stated that the City was finalizing the Washington Avenue project and had expended all of the \$12.2 million bond money. He added that the sod that was needed to complete the project was being ordered through a contingency account.

Remarks and Inquiries by City Council

Councilman Stevens inquired about the status of the "community service" ordinance. There was a brief discussion concerning the "community service" ordinance and possible options for how it would be handled and it possibly becoming a City policy instead of an ordinance.

Councilman Read thanked Director Alsup for all of his efforts and stated that he hated to see him leave.

Councilman Garvin asked that the night patrols in Fifth Ward be increased to address the amount of individuals walking around late at night.

Councilmen Smith and Barnett did not have any comments for the evening.

Mayor's Comments and Committee Appointments

Mayor Browne informed the Council that he had attended the Seventh Annual Congress of Mayors. He explained the activities that the attending Mayors had participated in. He added that this was an opportunity for Cities to have a chance for their voices to be heard.

Recess Council Meeting

Mayor Browne asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Smith moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Read.

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

AYE: Councilman Smith, Read, Garvin, Barnett, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 6:47 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 6:49 P.M.

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

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

AYE: Councilman Read, Smith, Garvin, Barnett, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 6:49 P.M.

ATTEST:

John Browne, Mayor

Cora Middleton, City Clerk