

The McAlester City Council met in a Regular session on Tuesday, September 25, 2018, at 6:00 P.M. after proper notice and agenda was posted, September 21, 2018 at 8:50 A.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, James Brown, Zach Prichard & John Browne

Absent: Buddy Garvin

Presiding: John Browne, Mayor

Staff Present: Pete Stasiak, City Manager; Toni Ervin, CFO; David Horinek, Public Works Director; Brett Brewer, Fire Chief; An-Chen, Chief Accountant; Shawn Smith, E-911 Manager; 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.

Stephanie Giacomo addressed the Council updating them on the City's Team Building project on Wednesday, September 19, 2018. She informed the Council that 120 participants, including City employees, Health Department employees and various other volunteers were divided into 29 teams. She added that the group met at the Choctaw Parking Lot at 8:30 a.m., picked up their supplies, divided into their teams, painted their assignments and were back by 11:20 a.m.

Manager Stasiak commented that this had been a tremendous experience that everyone enjoyed.

Linda Fry addressed the Council regarding a house at 240 W. Peoria and the condition of the house.

Manager Stasiak asked Ms. Fry to give her contact information to his Executive Assistant, Linda Hooper before she left the Council Chambers.

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 September 11, 2018, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for September 5, 2018 through September 18, 2018. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$146,962.04; Parking Authority - \$174.25; Nutrition - \$2,826.47; Landfill Res./Sub-Title D - \$3,849.37; Tourism Fund - \$14,851.28; SE Expo Center - \$5,208.83; E-911 - \$13,510.72; Economic Development - \$6,860.12; Grants & Contributions - \$109.28; CDBG Grants Fund - \$78,400.00; Fleet Maintenance - \$11,168.80; Dedicated Sales Tax-MPWA - \$1,500.00; Technology Fund - \$3,398.04; Stormwater Fund - \$92,605.75 and Infrastructure Fund - \$32,564.76.
- C. Consider and act upon, authorizing the Mayor to sign an ACC Business Agreement for managed Point to Point Service for ISP, 100 mbps Fiber, between City Hall and the New Police Station (Federal Building). *(James Stanford, IT Computer Support Specialist)*
- D. Consider and act upon, approval of the Ward 6 Councilman, Zach Prichard, attending the New Municipal Officials Institute on November 15, 2018 in McAlester at the Eastern Oklahoma State College McAlester Campus, 1802 College Ave., McAlester, OK. *(Cora Middleton, City Clerk)*
- E. Consider and act upon, approval of On-site shredding agreement with Shred-it for automatic monthly shredding service at City Hall. *(Cora Middleton, City Clerk)*
- F. Consider and act upon, authorization of the expenditure of \$3,000.00 of City Funds for the Mayor to attend the McAlester Stampede in Washington D.C. on October 1, 2018 through October 5, 2018. *(Cora Middleton, City Clerk)*
- G. 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)*

Councilman Read moved to approve the Consent agenda. The motion was seconded by Councilman Smith. There was no discussion, and the vote was taken as follows:

AYE: Councilman Read, Smith, Stevens, Brown, Prichard & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

Vice-Mayor Stevens moved to open a Public Hearing to address a proposed ordinance amending Chapter 48, Fees, Charges and Services Rates, and section 6-66. The motion was seconded by Councilman Read, and the vote was taken as follows:

AYE: Councilman Stevens, Read, Brown, Prichard, Smith & Mayor Browne
NAY: None

Mayor Browne declared the motion carried, and the Public Hearing was opened at 6:09 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.

CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA; AMENDING MCALESTER MUNICIPAL CODE CHAPTER 48, FEES, CHARGES AND SERVICE RATES, CHAPTER 6, ARTICLE II, DIVISION 3, OCCUPATION TAX; SECTION 6-66, REPEALING ALL CONFLICTING ORDINANCES; AND ESTABLISHING AN EFFECTIVE DATE OF OCTOBER 25, 2018.

There were no comments and a motion to close the Public Hearing was made by Councilman Read. The motion was seconded by Vice-Mayor Stevens, and the vote was taken as follows:

AYE: Councilman Read, Stevens, Brown, Prichard, Smith & Mayor Browne
NAY: None

Mayor Browne declared the motion carried, and the Public Hearing was closed at 6:09 P.M.

Scheduled Business

1. Consider and act upon, amendment of an ordinance of the City of McAlester; Chapter 48 Fees, Charges and Service Rates, Chapter 6, Article II, Division 3, Occupation Tax; Section 6-66, repealing all conflicting ordinances; and establishing an effective date of October 25, 2018. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to discuss the ordinance amending occupation tax fees and establishing an effective date of October 25, 2018.

Vice-Mayor Stevens commented that this was a follow up from the discussion at the previous meeting. He commented that he had furnished amounts for the Council to review and consider.

There was discussion concerning the reduction being for all businesses, and the ability of the Council to revisit this matter at a later time.

Robin Woodly addressed the Council regarding the increase in the fees, and the State fees that are charged to a business like hers’.

There was discussion concerning the additional cost to the City, trying to please all of the citizens, how the City operating like a business, how the City raises revenues, not raising fees simply to raise fees, if businesses would come to McAlester even with a higher fee, comparing McAlester to other cities, the fees being in line with the changes in the law, not profiting from the fees, the amount that these fees contribute to the City's revenue and these fees being set up for an incremental increase.

ORDINANCE NO. 2636

CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA; AMENDING MCALESTER MUNICIPAL CODE CHAPTER 48, FEES, CHARGES AND SERVICE RATES, CHAPTER 6, ARTICLE II, DIVISION 3, OCCUPATION TAX; SECTION 6-66, REPEALING ALL CONFLICTING ORDINANCES; AND ESTABLISHING AN EFFECTIVE DATE OF OCTOBER 25, 2018.

A motion to approve **ORDINANCE NO. 2636**, amending the Occupation Tax fees was made by Vice-Mayor Stevens and seconded by Mayor Browne. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Stevens, Brown, Prichard & Mayor Browne

NAY: Councilman Smith & Read

Mayor Browne declared the motion carried.

2. Consider and act upon, authorizing the Mayor, Chief Finance Officer, and City Attorney to sign all required documents for the final payment and closeout for Project 3-40-0057-015-2017 "Rehabilitate Runway 2/20 and Connecting Taxiways (Design Only)". (*David Horinek, Public Works Director*)

Executive Summary

Motion to approve and authorize the Mayor, Chief Finance Officer, and City Attorney to sign all required documents for the final payment and closeout for Project 3-40-0057-015-2017 "Rehabilitate Runway 2/20 and Connecting Taxiways (Design Only)".

Director Horinek addressed the Council explaining that this was the final payment for the Design Project to rehabilitate Runway 2/20 and connecting Taxiways.

Councilman Smith moved to approve and authorize the Mayor, Chief Finance Officer, and City Attorney to sign all required documents for the final payment and closeout for Project 3-40-0057-015-2017 "Rehabilitate Runway 2/20 and Connecting Taxiways (Design Only)". The motion was seconded by Councilman Read, and the vote was taken as follows:

AYE: Councilman Smith, Read, Prichard, Stevens, Brown & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

3. Consider and act upon, authorizing the Mayor and City Attorney to sign all required documents for the bidder selected, including the grant application, grant agreement, the construction contract, the sponsor's certifications and any other documents related to the project "Rehabilitate Runway 2-20 and Connecting Taxiways", FAA AIP 3-40-0057-016-2018 and OAC MLC-18-FS. All referenced documents will be forth coming from LBR Inc., The Federal Aviation Administration and The Oklahoma Aeronautical Commission.
(David Horinek, Public Works Director)

Executive Summary

Motion to approve and authorize the Mayor and City Attorney to sign all required documents for the bidder selected, including the grant application, grant agreement, the construction contract, the sponsor's certifications and any other documents related to the project "Rehabilitate Runway 2-20 and Connecting Taxiways", FAA AIP 3-40-0057-016-2018 and OAC MLC-18-FS.

Director Horinek addressed the Council stated that the City had received two (2) bids on May 17, 2018 and after review by staff at LBR, Inc. was recommending the bid from Interstate Highway Construction.

Tyler McDonald, LBR, Inc. Airport Consultant addressed the Council commenting that this was a good project for the City of McAlester's Airport.

A motion was made by Councilman Read and seconded by Councilman Smith to approve and authorize the Mayor and City Attorney to sign all documents for Interstate Highway Construction bid in the amount of \$4,037,486.64 Base Bid, \$183,000.00 Alternate 1 and \$77,363.20 Alternate 2, including grant application, grant agreement, the construction contract, the sponsor's certifications and any other documents related to the project "Rehabilitate Runway 2-20 and Connecting Taxiways", FAA AIP 3-40-0057-016-2018 and OAC MLC-18-FS. All referenced documents will be forth coming from LBR Inc., The Federal Aviation Administration and The Oklahoma Aeronautical Commission.

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

AYE: Councilman Read, Smith, Prichard, Stevens, Brown & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

4. Discussion on Monthly Financial update. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Discussion on City of McAlester's Financial update.

CFO Ervin addressed the Council to update them on the City's financial status. She began with the review of year end June 30, 2018. CFO Ervin stated that as of June 30, 2018 the City had received 100% of Revenue and 97% of Expenses for the General Fund with an ending Fund Balance of \$641,887.00. She added that while the City did not like having an ending Fund Balance that low it would continue to remain transparent and report the numbers as they were.

CFO Ervin continued by reviewing the June 30, 2018 year end for the McAlester Public Works Authority explaining that the Authority had received 94.95% of budgeted Revenue and the

Expenditures had been 97.91%. She added that the ending Fund Balance for MPWA was \$676,046.00. She explained that the transfers out of MPWA went General Fund, Dedicated Sales Tax Fund and CDBG Grant Fund. Continuing with the review she covered the Dedicated Sales Tax Fund, the Landfill Fund, the E-911 Fund, Technology Fund, Stormwater Fund, Tourism Fund, Expo Fund, Economic Development Fund and the Education Fund. She then explained the different types of fund balances.

CFO Ervin then began the update of the City's financial status as of August 31, 2018 explaining that Revenues received was at 16.76% and Expenditures were at 18.83%. She added that the ending Fund Balance was \$433,380.00, stating that it was at the lowest it had been since she came to the City. CFO Ervin then reviewed the MPWA Fund stating that Revenues were at 17.86% and Expenditures were at 14.67% with an ending Fund Balance of \$860,769.00. She reviewed the Sales Tax and Use Tax revenues adding that they was higher than last year at this time. CFO Ervin reviewed the Residential, Commercial, Water Districts and Wholesale water sales pointing out that they were higher than the previous year's receipts.

CFO ended her review with the Treasury Report that furnished those ending Fund balances as of August 30th and also furnished the highest balances of the month for each of the Funds.

There was discussion concerning the increase in the Bond payments, the transfers to the Dedicated Sales Tax Fund, and the number of minimum water bill accounts. CFO Ervin stated that she could furnish that information to the Council.

There was no vote on this item.

5. Consider and act upon, awarding the bid in the amount of \$64,105.02 for 911 Ergonomic Console Furniture for the 911 Center to Xybix Systems of Littleton, Colorado. (*Shawn Smith, E911 Manager*)

Executive Summary

Motion to approve the award of bid to Xybix Systems.

Shawn Smith, E911 Manager addressed the Council explaining that four (4) Bid Packets were mailed and two (2) Bids were opened Thursday, September 20, 2018 at 9:00 A.M. She explained that Xybix Systems, Inc. was the low bid and had also the company that the City had purchased its' current 911 furniture from. She stated that the life expectancy of the consoles was ten (10) years and the furniture in the 911 Center was twelve (12) years old. Ms. Smith explained how the consoles operated and that the current furniture in the Center was beginning to experience failures.

Councilman Brown moved to approve awarding the bid for 911 Ergonomic Console Furniture in the amount of \$64,105.02, to Xybix Systems, Inc. The motion was seconded by Councilman Prichard, and the vote was taken as follows:

AYE: Councilman Brown, Prichard, Smith, Stevens, Read & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

6. Consider and act upon, awarding the bid in the amount of \$50,897.06 for one new and unused ISO Compliant 60kW Diesel Fueled Generator for the 911 Center to Evans Enterprises of Norman, Oklahoma. (*Shawn Smith, E911 Manager*)

Executive Summary

Motion to approve the award of bid to Evans Enterprises.

Shawn Smith, E911 Manager addressed the Council explaining that the generator was necessary to supply power to the 911 Center should power be lost to the building. She stated that the generator that was being proposed was similar to the generator at City Hall and was ISO compliant. She added that the ISO compliancy would help the Fire Department and the citizens of McAlester with lower insurance premiums.

Councilman Prichard asked why the 911 Center needed a new generator.

Ms. Smith stated that there was not a generator at the Federal Building. Manager Stasiak commented that this was part of the movement, of the 911 Center, Police Department, Criminal Investigative Department and Court, to the Federal building.

A motion to approve and award the bid, in the amount of \$50,897.06, for one new and unused ISO Compliant 60kW Diesel Fueled Generator to Evans Enterprises was made by Councilman Smith. The motion was seconded by Councilman Read.

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

AYE: Councilman Smith, Read, Brown, Prichard, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

7. Consider and act upon, awarding the bid in the amount of \$102,990.00, for network upgrade, virtualization and high availability for City Hall and the new Police Department (Federal Building). (*James Stanford, IT Computer Support Specialist*)

Executive Summary

Motion to approve the award of the bid to WAV11, 460 S. Main, McAlester, OK 74501.

CFO Ervin addressed the Council explaining that on September 10, 2018 bids were received and opened for the network upgrade, virtualization and high availability for City Hall and the new Police Department (Federal Building). She stated that two (2) bids were received and Wave 11 had been the low bidder. She added this would increase storage and speed and would create redundancy.

James Stanford, IT Computer Support Specialist commented that the City had a mesh of old and new components and as the City added technology it was decreasing the available storage. He stated that this would allow for a backup system should one server crash.

Mayor Browne inquired about better security. Mr. Stanford stated that this would also change the way backups would be done and make it easier and faster to get the system running after a system failure.

There was no further discussion, and Councilman Smith moved to approve the award the bid for network upgrade, virtualization and high availability for City Hall and the new Police Department (Federal Building), in the amount of \$102,990.00 to Wave 11. The motion was seconded by Councilman Read, and the vote was taken as follows:

AYE: Councilman Smith, Read, Stevens, Brown, Prichard & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

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 City had made the presentation, to the Veterans Commission in Oklahoma City, for the new VA Center. He added that the VA Center in Talihina would be closing and the six (6) communities that were being considered for the new Center were Holdenville, Hugo, Muskogee, Poteau, Sallisaw and McAlester. He commented that the City was expecting a visit in the month of October. He added that this would be a \$100 million facility and would employ two hundred and fifty (250) people. He explained that a site off of Hereford Lane had been proposed that offered high visibility from the Highway and close proximity to the hospital.

Remarks and Inquiries by City Council

Vice-Mayor Stevens thanked the City employees for the painting they had done and commented that they had done an excellent job.

Councilmen Smith, Read, Brown and Prichard did not have any comments for the evening.

Mayor's Comments and Committee Appointments

Mayor Browne stated that he and Councilmen Smith and Brown had attended the Employee Dinner last night. He commented that years of service awards up to forty (40) years had been given out and for the first time the Employee of the Year had been a tie. He added that Officers Jonathan O'Dell and Jack Suter were the Employee of the Year. He thanked the City for inviting them to the Dinner. He then congratulated the McAlester High School Hall of Fame Football inductees Kevin Brown, Mr. Bobby Cantrell and the late Lawson Giddings.

Recess Council Meeting

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, Brown, Prichard, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 7:10 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:11 P.M.

Adjournment

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

AYE: Councilman Smith, Read, Stevens, Brown, Prichard & Mayor Browne

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 7:11 P.M.

ATTEST:

John Browne, Mayor

Cora Middleton, City Clerk