

The McAlester City Council met in a Regular session on Tuesday, December 26, 2018, at 6:00 P.M. after proper notice and agenda was posted, December 20, 2018 at 4:15 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, James Brown, Zach Prichard & John Browne

Absent: None

Presiding: John Browne, Mayor

Staff Present: Toni Ervin, Asst. City Manager; Brett Brewer, Fire Chief; An-Chen Lai, CFO; Dalton Carlson, Utility Maintenance Superintendent; William J. Ervin, City Attorney and Cora Middleton, City Clerk

### **Recognition and Awards**

Mayor Browne explained that the Oklahoma Municipal League (OML) recognizes municipal employees that have served their community for twenty-five (25) years. He then announced that Wayne Russell had been recognized for twenty-five (25) years of service with the City of McAlester. Mr. Russell received a lapel pin and Certificate of Appreciation from OML.

### **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.*

Mike Thomas, 149 Pelican Ave. addressed the Council regarding his renovation of the CME Church and the issues he has had with the City of McAlester's Building Inspector.

Mayor Browne informed Mr. Thomas that the Council could not discuss this matter since it was not an agenda item. He then requested that Assistant City Manager Ervin to look into this matter.

## **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 11, 2018, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the December 11, 2018, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for December 5, 2018 through December 18, 2018. *(Toni Ervin, Assistant City Manager)* In the following amounts: General Fund - \$145,174.66; Parking Authority - \$154.72; Nutrition - \$1,886.84; Landfill Res./Sub-Title D - \$2,127.50; Police Grant Fund - \$375.84; State Forfeiture Fund - \$375.83; Tourism Fund - \$1,606.62; SE Expo Center - \$10,240.71; E-911 - \$21,340.35; Economic Development - \$10,934.98; Grants & Contributions - \$172.76; Fleet Maintenance - \$11,771.18; Technology Fund - \$18,069.95; Stormwater Fund - \$16,634.44 and Infrastructure Fund - \$15,254.22.
- D. Accept and place on file the McAlester Main Street 1<sup>st</sup> Quarter Report for Fiscal Year 2018-2019. *(Christine Hermsmeyer, Executive Director)*
- E. Discussion and possible action, on approval of an agreement for mutual aid between Haywood-Arpear Volunteer Fire Department and City of McAlester Fire Department. *(Brett Brewer, Fire Chief)*

Councilman Prichard moved to approve the Consent Agenda. The motion was seconded by Councilman Brown. There was no other discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

## **Scheduled Business**

- 1. Consider and act, to declare a vacancy in the Ward 5 Council Seat on the McAlester City Council, and to authorize the calling of a Special Election to fill said vacancy. *(Cora Middleton, City Clerk)*

Executive Summary

Motion to declare Ward 5 Council seat as vacant and authorize the calling of a Special Election.

Mayor Browne explained that with the resignation of Mr. Garvin at the December 11, 2018 meeting and the length of time left on his term, the Council needed to declare a vacancy in the Ward 5 Council Seat.

Mayor Browne moved to declare a vacancy in the Ward 5 Council Seat and authorize the calling of a Special Election. the motion was seconded by Councilman Brown. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

2. Consider and act upon, approval of a Resolution setting a Special Election date for vacancy in Ward Five (5) Council seat and authorize the Mayor to issue a Proclamation for Special Election. (*Cora Middleton, City Clerk*)

Executive Summary

Motion to approve a Resolution to set a Special Election date for vacancy in Ward Five (5) Council seat and authorize the Mayor to issue a Proclamation for Special Election.

Assistant City Manager Ervin explained that the proclamation was in the Council's packet for an April 2<sup>nd</sup>, 2018 Special Election.

A motion to approve RESOLUTION NO. 18-22 was made by Councilman Smith and seconded by Councilman Prichard.

Councilman Brown inquired about the cost of the election.

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

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

NAY: None

Mayor Browne declared the motion carried.

3. Discussion and possible action on the estimated costs of repairing/replacing the sewer drainage located at 411 and 415 East Miami Ave. (*Dalton Carlton, Utility Maintenance Superintendent*)

Executive Summary

For discussion and/or possible action.

Dalton Carlton, Utility Maintenance Superintendent addressed the Council reviewing the documents that were being distributed. He stated that the cost estimate in their packet was for the City employees performing the work. He explained that during an attempt to camera the sewer line at 905 S. 5<sup>th</sup> Street the sewer line disappeared, and they were unable to find it.

There was discussion concerning City employees working on private property, what steps would need to be taken to move this forward, the estimate was a very preliminary cost estimate, the City deciding that it would be more efficient to bid the project out to a contractor, where the City's sewer lines were located in that area, if this would solve future problems for the residents in that area and not knowing exactly where the sewer for the other houses flowed.

A motion to accept the plan to lay the sewer line down Miami and City staff determine the best procedure was made by Councilman Read and seconded by Mayor Browne.

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

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

NAY: None

Mayor Browne declared the motion carried.

4. Discussion on Monthly Financial update. *(Toni Ervin, Assistant City Manager)*

Executive Summary

Discussion on City of McAlester's Financial update.

Assistant City Manager Ervin addressed the Council reviewing the City's financial status as of November 30, 2018. During her review Ms. Ervin stated that the City was 42% through the year with revenues in the General Fund being slightly under budget and General Fund expenses even more under budget.

She commented that the MPWA revenues were slightly over budget and the expenses were well below budget. She then stated that the City's sales tax revenue for October 15<sup>th</sup> through November 15<sup>th</sup> were the highest in several years. Assistant City Manager Ervin commented that the use tax numbers were very good as well.

Mayor Browne stated that from his experience at the Post Office he felt that the use tax number should be about 30% higher this month.

Ms. Ervin then reviewed the Sales Tax receipt summary where the sales tax was broken out to each of the funds. She then reviewed the graphs of the MPWA water sales commenting that numbers were almost where they were last year. she completed her review with the Treasury Report that reflected the balances in the bank accounts.

There were no comments and there was no vote on this item.

5. Consider and act upon, accepting the annual City of McAlester Audited Financial Statements and Independent Auditor's Report for Fiscal Year ending June 30, 2018. *(Toni Ervin, Assistant City Manager)*

Executive Summary

Motion to accept the annual Audit for Fiscal Year ending June 30, 2018 for the City of McAlester.

Mayor Browne stated that the Fiscal Year 2017/2018 Audit had not been received and this item was being pulled. He informed the Council that a Special Meeting had been called for Friday, December 28, 2018 at 5:30 P.M. in the Council Chambers to consider the audit.

### **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.

Assistant City Manager Ervin addressed the Council commented that the Choctaw Nation was going to match the City's funding for the Streetscape project and that the Oklahoma Department of Transportation (ODOT) was going to hold a meeting on January 10, 2019 at 5:30 P.M. at the McAlester Campus of Eastern Oklahoma State College.

Mayor Browne commented that they would be discussing what they were going to be doing to Highway 69 and Village Boulevard and there would be some significant changes. He recommended that everyone attend.

### **Remarks and Inquiries by City Council**

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

### **Mayor's Comments and Committee Appointments**

Mayor Browne did not have any comments for the evening.

### **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 6:37 P.M.

### **Reconvene Council Meeting**

The Regular Meeting was reconvened at 6:39 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 Prichard. There was no discussion, and the vote was taken as follows:

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

Mayor Browne declared the motion carried, and the meeting was adjourned at 6:39 P.M.

ATTEST:

\_\_\_\_\_  
John Browne, Mayor

\_\_\_\_\_  
Cora Middleton, City Clerk