

The McAlester City Council met in a Regular session on Tuesday, February 12, 2019, at 6:00 P.M. after proper notice and agenda was posted, February 11, 2019 at 11:07 A.M.

Call to Order

Mayor Browne called the meeting to order.

Cliff House, Lakewood Christian Church 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: Pete Stasiak, City Manager; Toni Ervin, Asst. City Manager; Jayme Clifton, Community Development Director; David Horinek, Public Works Director; Stephanie Giacomo, Grant Writer/Public Information Officer; Kirk Ridenour, Economic Development Director; Mel Priddy, Community Services Director; An-Chen Lai, CFO; Gary Wansick, Police Chief; Billy Sumner, Tourism/Expo Manager; Eddie Gray, Tourism Assistant; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Recognition and Awards

Mayor Browne recognized Sherman Miller as January, 2019 “Employee of the Month”. Mr. Miller received a Certificate of Appreciation, Plaque, Personal Planner and a gift certificate.

Mayor Browne issued a proclamation in observance of the City of McAlester’s 150th Anniversary.

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 January 22, 2019, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for January 16, 2019 through February 5, 2019. *(Toni Ervin, Assistant City Manager)* In the following amounts: General Fund - \$96,092.36; Nutrition - \$1,944.28; Landfill Res./Sub-Title D - \$5,590.25; Tourism Fund - \$7,484.22; SE Expo Center - \$15,790.30; E-911 - \$47,301.01; Economic Development - \$8,677.69; Grants & Contributions - \$240.00; Fleet Maintenance - \$11,079.00; CIP Fund - \$277,398.26; Technology Fund - \$3,733.98; Stormwater Fund - \$11,833.30 and Infrastructure Fund - \$40,050.73.
- C. Concur with the Mayor's re-appointment of Mary Shannon to the McAlester Regional Hospital Board for a term to expire on February 28, 2025. *(John Browne, Mayor)*
- D. Accept and place on file the Pride in McAlester Quarterly Report for the months of October to December, 2018. *(Megan Waters, Executive Director)*
- E. Accept and place on file the McAlester Main Street 2nd Quarter Report for Fiscal Year 2018-2019. *(Christine Hermsmeyer, Director)*
- F. Consider and act upon, ratification of Change Order #1 (One) to Western Interiors for additional painting and repairs in the Federal Building. *(Peter Stasiak, City Manager)*

Councilman Smith requested that Items "C and D" be removed for individual consideration and Councilman Prichard requested that Item "F" be removed for individual consideration.

A motion to approve the Consent Agenda items "A B and E" was made by Councilman Read. The motion was seconded by Councilman Stevens. There was no other discussion, and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

Items Removed from Consent Agenda

- C. Concur with the Mayor's re-appointment of Mary Shannon to the McAlester Regional Hospital Board for a term to expire on February 28, 2025. *(John Browne, Mayor)*

Councilman Smith explained that he had requested this item removed so he could abstain from the vote.

A motion was made by Councilman Read and seconded by Councilman Brown to concur with the Mayor's re-appointment of Mary Shannon to the McAlester Regional Hospital Board for a term to expire on February 28, 2025. There was no discussion, and the vote was taken as follows:

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

NAY: None

ABSTAIN: Councilman Smith (counted as a no vote)

Mayor Browne declared the motion carried.

D. Accept and place on file the Pride in McAlester Quarterly Report for the months of October to December, 2018. (*Megan Waters, Executive Director*)

Councilman Smith explained that he wanted to remind everyone of the great job that Pride In McAlester did for the City.

A motion to accept and place on file the Pride In McAlester Quarterly Report for the months of October to December, 2018 was made by Councilman Read. The motion was seconded by Councilman Smith. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

G. Consider and act upon, ratification of Change Order #1 (One) to Western Interiors for additional painting and repairs in the Federal Building. (*Peter Stasiak, City Manager*)

Councilman Prichard asked for an update, from the City Manager, on how far from being done and if he anticipated anymore expenditures on the project.

Manager Stasiak explained that the painting was almost complete, they were dealing with a boiler issue, with one boiler working and the second boiler down, the building was having to be climatized for the computer system, all of the wiring was completed and the biggest issue was installing the servers and bringing it all online. He stated that it was only small items at this point and IT estimated three (3) weeks to move in.

Councilman Prichard moved to approve the ratification of Change Order #1 (One) to Western Interiors for additional painting and repairs in the Federal Building. The motion was seconded by Councilman Brown, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

A motion was made by Councilman Read and seconded by Councilman Smith to open a Public Hearing to address three (3) ordinances. There was no 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 and the Public Hearing was opened at 6:14 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. 2626 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2018-2019; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICT FOR LOTS 9 THROUGH 20, INCLUSIVE, IN BLOCK 142, CITY OF MCALESTER, FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA, FROM R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT AND I-1 LIGHT INDUSTRIAL DISTRICT TO C-4 RESTRICTED COMMERCIAL DISTRICT.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, ESTABLISHING REGULATIONS FOR RETAIL MARIJUANA ESTABLISHMENTS, ESTABLISHING LICENSE AND PERMIT REQUIREMENTS; PROVIDING FOR LOCATION; PROVIDING FOR CONDITIONS OF OPERATIONS; ESTABLISHING PERMITTED MARIJUANA FACILITIES TO INCLUDE:, MEDICAL MARIJUANA DISPENSARIES, COMMERCIAL MARIJUANA GROWING FACILITIES, MARIJUANA STORAGE FACILITIES AND MARIJUANA GROWING FOR PERSONAL USE FACILITIES; ESTABLISHING NECESSITY FOR FEE'S AND AMOUNTS' ESTABLISHING NECESSITY FOR PERMITS, AMOUNTS AND PROCESS FOR PERMITTED MARIJUANA FACILITIES; PROVIDING FOR REPEALER; CODIFICATION; SEVERABILITY AND DECLARING AN EMERGENCY.

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

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

NAY: None

Mayor Browne declared the motion carried and the Public Hearing was closed at 6:14 P.M.

Scheduled Business

1. Presentation of the Mayor's Annual State of the City Address. (*John Browne, Mayor*)
Executive Summary
Presentation.

Mayor Browne delivered his Annual State of the City Address as follows:

“I am happy to report the past year for the City of McAlester has been nothing short of terrific. We have seen growth in sales tax collections, Use tax collections, infrastructure spending, storm water control, and quality of life. We have been able to get these things done by prudently allocating our resources along with help from the many organizations and foundations that we are so fortunate to have as partners in improving our city. We live in a wonderful community that benefits greatly from the support given by the people who live and work within our city limits. People like Mike Miller, a local attorney that hosts a toy give away at Christmas that this year gave out over 3000 toys to children. People like Robert Schrader, The Cart Guy who uses his food truck to provide free meals to children throughout the year. All the volunteers that provide Thanksgiving and Christmas meals to anyone that requests one. All the churches that provide food kitchens for those in need. There are many, many more that have chosen to give assistance and my thanks go out to you all. This is what makes our home so special, the people and organizations that work to make it exceptional.

The past year has shown a nice growth in sales tax collections. In the eight months of this fiscal year we are up just under \$1 million over the same period the previous year. Included in this is over \$310,000 for the future expansion of the Cancer Center and for safe rooms for our schools. We have had this growth despite having major roadwork being done on two major highways. In addition to sales tax growth we have also seen an increase in Use Tax collections. Use tax is the general equivalent of sales tax on internet sales. This revenue has shown a steady increase over time and should continue to do so as more and more people are shopping online. The fact that we have had growth from both sales and use tax revenues is a strong sign that we have a solid base of retail available locally.

I contribute our growth, in part, to the investment we have made in our Main Street area. We, with our partners Main Street and Pittsburg County Health Department (TSET), have worked to create a new atmosphere for our downtown and Old Town areas. We started a Street scape project that transformed a partial block into a new more shopper friendly and esthetically pleasing section of downtown. We have budgeted further funding and have graciously received two grants, one from The Choctaw Nation and one from The Puterbaugh Foundation, to complete this project from Main Street to Second Street. Construction is set to begin in May. This work will not only create a new look above the

sidewalks but will include new in ground infrastructure which will enable building owners to open the upper floors of their structures for development as loft apartments. As a result of the investment we are making downtown we are seeing new businesses locate there and also some of the older buildings being renovated. Downtown is quickly becoming a big draw not just for our citizens but also for visitors.

With the increase in our infrastructure funds that was voted in we have been able to expand the amount of work we have been able to get done on our streets and water/waste water systems. We have had years of barely being able to patch our infrastructure problems. This results in a lot of major dilapidation. We are making progress but clearly there is a lot that needs to be fixed. We have a master plan of all our streets and have prioritized them for repair. Please keep in mind this will not be a quick fix. It took years of not enough funding to reach our current level, it will take years to get to where we would like to be. However, I can assure you we will continue to use this new infrastructure money to make the most and best repairs we can each year. Another tool we have to address many of our infrastructure issues is the Storm Water fee. In 2018 we completed \$558,000 of projects. Along with the completed projects we have \$314,000 current projects at some level of completion. This fund has been a tremendous benefit for our city. Many problems in streets can be attributed to inadequate drainage. Using storm water funds to correct the drainage problems in conjunction with infrastructure funds allow us to keep from putting a band aid on a problem but instead to correct all facets of the problem and keep it from recurring.

Improving the quality of life in McAlester is something that is paramount to our continued growth. We are taking great strides down this path. From the incredible job the city employees did turning downtown, complete with a skating rink, into our own version of a Hallmark Card this past Christmas to the street scape, string lights, and outdoor seating, things are looking good and parking spaces are full. The wonderful news is we aren't finished. We will be expanding the Christmas decorations next year. We also, through a generous donation from Arvest Bank, will be adding a downtown park on Second Street between Cherokee and Chickasaw Avenues. Work will begin on this park in the very near future. When completed it will provide a nice shaded area to enjoy lunch or just sit and people watch. A block away, on Third Street, McAlester Regional Health Center is putting in a Family Medicine facility. This will help expose more people to our downtown area and all it has to offer. In other areas of the city we have some major projects that will be completed in the near future. The Carl Albert Building is getting close to completion of its renovation. This will house all of our police services along with our 911 center and city court system. On South Avenue a new training facility for Fire and Police should be completed in April. This facility will give us a place to train not just our public safety workers but also to host state wide trainings. This building will also be available for use by the public.

As I said at the beginning of this report, we have had a really good year. The state of the

city is one of growth, improvement, and direction. In closing none of these things could have been accomplished without the work of the city employees. City Manager Pete Stasiak, Assistant City Manager Toni Ervin and all the city workers that put in some very hard days, our Fire Fighters, and our Police. Our team cannot be thanked enough for all they do. Lastly thank you to all of those who volunteer or serve on committees. Together we are building a better city.”

There was no action taken on this item.

2. Consider and act upon, a Resolution of the City of McAlester supporting the installation of Traffic Safety Devices at the intersection of Village Boulevard and George Nigh Expressway. (*Peter Stasiak, City Manager*)

Executive Summary

Staff recommends approval of a Resolution supporting the installation of Traffic Safety Devices at the intersection of Village Boulevard and George Nigh Expressway.

Anthony Echelle, Division 2 Engineer Oklahoma Department of Transportation (ODOT) addressed the Council explaining that approximately a month ago they had a public forum to discuss Village Blvd. and US 69. He commented that not long after construction was completed he and the City Manager started to receive calls regarding the safety of the intersection and the change in traffic flow. He stated that he and Manager Stasiak met at the intersection and he has come up with an option for a temporary solution to address concerns. He reviewed photos of the intersection and explained how the temporary solution would work and what ODOT would do at the intersection to help prevent damage to the grass medium. He explained that this was similar to the controls that were in use on Carl Albert Parkway.

There was discussion concerning the ability to make U-Turns at the intersection, if this was being used in other communities, getting input from the public that lived in the area, the type of barrier that would be used, if closing the intersection had been considered, moving the problem to another intersection, how long it would take to get this installed and how the traffic would be handled during construction of the barrier.

There was no further discussion, and a motion to approve Resolution No. 19-15, supporting the installation of Traffic Safety Devices at the intersection of Village Boulevard and George Nigh Expressway was made by Councilman Read. The motion was seconded by Councilman Brown, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

3. Consider and act upon, authorizing the purchase of a 2018 Western Star 10-wheel dump truck from Premier Truck Sales in Tulsa. (*David Horinek, Public Works Director*)

Executive Summary

Motion to approve and authorize the purchase of a 2018 Western Star 10-wheel dump truck with drop axles from Premier Truck Sales for \$140,000.

Director Horinek addressed the Council explaining that this truck would be dedicated to hauling for the Public Works Division. It would be hauling construction materials for the various projects and then the spoils from those sites.

Councilman Brown inquired about the warranty on the truck.

Josh Rhodes, Premier Truck stated that the truck had a five (5) year/300K mile engine and emissions warranty and also had a five (5) year telematics contract that would allow them to remotely diagnose the truck.

A motion was made by Councilman Smith and seconded by Councilman Prichard to authorize the purchase of a 2018 Western Star 10-wheel dump truck from Premier Truck Sales in Tulsa. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

4. Consider and act upon, an Ordinance amending Ordinance No. 2626 which established the budget for fiscal year 2018-2019; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*An-chen Lai, Chief Financial Officer*)

Executive Summary

Motion to approve the budget amendment ordinance.

CFO Lai addressed the Council reviewing the exhibits for the Budget Amendment. She explained that this was a continuation of the Mid-Year Budget Review.

There was a brief discussion concerning the Streetscape amendment and Infrastructure amendment.

ORDINANCE NO. 2645

AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2626 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2018-2019; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

A motion was made by Councilman Prichard and seconded by Vice-Mayor Stevens to approve **ORDINANCE NO. 2645**, amending FY 2018-2019 Budget. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

Councilman Brown moved to approve the EMERGENCY CLAUSE. The motion was seconded by Councilman Prichard, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

5. Consider and act upon, an Ordinance amending the general zoning ordinance and accompanying map thereto known as General Zoning Ordinance No. 1843 (1989), by changing the classification of the zoning districts for Lots 9 through 20, inclusive, in Block 142, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma, from R-1B Single-family Residential District and I-1 Light Industrial District to C-4 Restricted Commercial District. (*Jayme Clifton, Community Development Director*)

Executive Summary

Motion to act upon and approve the above Ordinance changing the classification of the zoning districts for the property identified in the Ordinance from R-1B Single-family Residential District and I-1 Light Industrial District to C-4 Restricted Commercial District and authorizing the Mayor to sign the ordinance.

Director Clifton addressed the Council explaining that the Planning and Zoning Commission met on January 15, 2019 and voted eight (8) to zero (0) to recommend the applicants rezoning request be approved.

There was a brief discussion concerning the reason for the rezoning request.

ORDINANCE NO. 2646

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICT FOR LOTS 9 THROUGH 20, INCLUSIVE, IN BLOCK 142, CITY OF MCALESTER, FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA, FROM R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT AND I-1 LIGHT INDUSTRIAL DISTRICT TO C-4 RESTRICTED COMMERCIAL DISTRICT.

A motion was made by Vice-Mayor Stevens to approve **ORDINANCE NO. 2646**, rezoning Lots 9 through 20, inclusive, in Block 142 from R1-B (Single-family Residential) and I-1 Light Industrial to C-4 Restricted Commercial. The motion was seconded by Councilman Prichard, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

6. Consider and act upon, repurposing \$44,800.00 from the Mullen Park Project and committing \$80,200.00 from the general fund balance towards the Downtown Streetscape

project with \$80,200.00 to be reimbursed from the Puterbaugh Foundation in December 2019. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommends approval of the commitment and repurpose of funds as requested by the Puterbaugh Foundation.

Director Ridenour addressed the Council explaining that the Puterbaugh Foundation had prepaid a grant to the City for the Mullen Park Splash Pad project matching funds for the Grant Application to the Department of Tourism. He stated that since that grant had been denied, the Foundation is requesting that those funds be repurposed toward the Downtown Streetscape project as part of their commitment. He added that the Foundation had committed a future payment of \$80,200.00 to the City for the Downtown Streetscape project that will be paid in December, 2019. He stated that City staff was requesting that \$80,200.00 be designated from the General Fund to allow the Streetscape project to move forward. He explained that those funds would be replaced when the Foundation funds were dispersed.

There was discussion concerning reapplying for the Mullen Splash Pad grant, why the City had not been approved for the Mullen Splash Pad grant, clarification that the Foundation was going to give the City \$125,000.00 for the Streetscape project but \$44,800.00 was being repurposed from the Mullen Splash Pad grant and \$80,200.00 would be reimbursed in December and if the Council would have to take separate action to expend the funds.

A motion to approve the repurposing of \$44,800.00 from the Mullen Park Project and committing \$80,200.00 from the general fund balance towards the Downtown Streetscape project with \$80,200.00 to be reimbursed from the Puterbaugh Foundation in December 2019 was made by Councilman Smith. The motion was seconded by Councilman Prichard, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

7. Consider and act upon, authorizing the expenditure of \$34,800.00 to Infrastructure Solutions to commence with an amended scope of service for the Downtown Streetscape Project. *(Kirk Ridenour, Economic Development Director)*

Executive Summary

Motion to authorize the expenditure.

Director Ridenour addressed the Council explaining that, with the final pledge from the Puterbaugh Foundation, all funding requirements for the Downtown Streetscape Project were in place and allow to commence with bidding the project. He stated that they had a tentative schedule for construction to occur from May to August. He added that he hoped they could bid the project in early March.

Vice-Mayor Stevens inquired about the length of construction and if there had been meetings with the Downtown businesses about the dates.

Dale Burke, P.E. President Infrastructure Solutions Group, LLC addressed the Council stating that weather permitting construction should be completed in August and they had already met with the businesses.

Director Ridenour stated that Main Street had asked the merchants for their least worst dates for construction.

There was no further discussion and, Councilman Read moved to authorize the expenditure of \$34,800.00 to Infrastructure Solutions to commence with an amended scope of service for the Downtown Streetscape Project. The motion was seconded by Councilman Prichard, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

8. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay Estimate No. 3 - Final and Certificate of Substantial Completion for the contract with KATCON, Inc. for the 2500 Pelican Drive Drainage Improvements and accept the project as completed. (*Robert Vaughan, Infrastructure Solutions Group*)

Executive Summary

Motion to authorize the Mayor to sign the Contractor's Final pay Estimate No. 3 - Final in the amount of \$1,987.50 and the Certificate of Substantial Completion for the contract with KATCON, Inc. for the 2500 Pelican Drive Drainage Improvements and accept the project as completed.

Dale Burke, P.E. President Infrastructure Solutions Group, LLC addressed the Council explaining that the project was completed, the final inspection had been performed on January 22, 2019 and the two (2) year warranty would be effective on January 22, 2019.

There was no further discussion, and a motion was made by Councilman Smith and seconded by Councilman Read to authorize the Mayor to sign the Contractor's Final Pay Estimate No. 3 - Final and Certificate of Substantial Completion for the contract with KATCON, Inc. for the 2500 Pelican Drive Drainage Improvements and accept the project as completed. The vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

9. Consider and act upon, authorizing the purchase of a 2018 F-150 4x4 Super cab pickup truck from Sam Wampler Ford in McAlester. (*David Horinek, Public Works Director*)

Executive Summary

Motion to approve and authorize the purchase of a 2018 F-150 4x4 Super (Extended) cab pickup truck from Sam Wampler Ford for \$26,436.

Director Horinek addressed the Council explaining that this pickup would replace a 2004 Ford F-250 Extended Cab with 89,500 miles. He stated that the new pickup would be used in the Facility Maintenance division for transportation, hauling equipment and responding to after hours trouble calls. He added that State bid for this vehicle was \$26,436.00.

There was a brief discussion concerning the length of financing, the payment schedule and what would be done with the old pickup.

There was no further discussion, and Councilman Smith moved to authorize the purchase of a 2018 F-150 4x4 Super cab pickup truck from Sam Wampler Ford in McAlester. 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.

10. Consider and act upon, approval to purchase, outfit, and decal four new and unused 2019 Dodge Charger police vehicles. (*Gary Wansick, Chief of Police*)

Executive Summary

Motion to approve the purchase, outfit, and decal of four new 2019 Dodge Chargers.

Chief Wansick addressed the Council explaining that the four (4) 2019 Dodge Chargers would be purchased from Bob Howard Chrysler, Jeep, Dodge in Oklahoma City, which was on the State Contract for a total of \$99,968.00. he stated that they would be outfitted at Ultimate Vehicle solutions in Tulsa for an additional cost of \$34,972.88. Chief Wansick stated that the decals would be done by Weddle Signs in McAlester and that cost would be \$1,900.00. he added that these vehicles would be replacing four (4) 2009 Ford Crown Victorias but the department would be keeping the better of the Crown Vics that were still in its' fleet.

There was no further discussion, and Councilman Smith moved to approve the purchase, from Bob Howard Chrysler, Jeep, Dodge in Oklahoma City, outfitting and decals for four (4) new and unused 2019 Dodge Charger police vehicles. The motion was seconded by Vice-Mayor Stevens, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

11. Consider and act upon, authorizing the purchase of one new and unused 2019 John Deere 5085E utility tractor on State of Oklahoma contract SW196 pursuant to Section 2-382 of the McAlester City Code. (*Mel Priddy, Community Services*)

Executive Summary

Motion to approve the purchase of one new and unused 2019 John Deere 5085E utility tractor on State of Oklahoma contract.

Director Priddy addressed the Council explaining that this tractor would be added to the fleet of mowers in the Parks Department and be used for mowing parks, right-of-ways and other City property. He added that it came with a good warranty and would be purchased from a local dealer.

There was a brief discussion, concerning how long a mower like this would last.

There was no further discussion, and a motion to authorize the purchase of one new and unused 2019 John Deere 5085E utility tractor on State of Oklahoma contract SW196 pursuant to Section 2-382 of the McAlester City Code was made by Councilman Smith. 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.

12. Consider and act upon, entering into a contract with McAlester Public Schools District Number 80 of Pittsburg County to provide the District with a School Resource Officer.
(Gary Wansick, Chief of Police)

Executive Summary

Motion to approve the contract with McAlester Public School District Number 80 of Pittsburg County for a School Resource Officer.

Chief Wansick addressed that Council explaining that the School District had its' own Police Department for a while but then their Chief resigned. He stated that Officer Busby had been working with McAlester Public Schools for some time. He commented that he had conferred with many other Police Chiefs in the area and found that many of the departments were using a School Resource Officer. He added that he discussed this with the City Manager, and the School Superintendent and had worked with Mr. Ervin and his legal assistant on drafting the contract.

There was discussion, concerning Officer Busby's performance while on duty, if he would continue to perform the same job, the school paying for the time that the officer was working for them, how comp and overtime would be handled, who would be scheduling the officer's time and what it cost the City to employ a Police officer.

There was no further discussion, and Councilman Brown moved to approve a contract with McAlester Public School District #80 to provide a School Resource Officer. The motion was seconded by Vice-Mayor Stevens, and the vote was taken as follows:

AYE: Councilman Brown, Stevens, Prichard & Mayor Browne

NAY: Councilman Smith & Read

Mayor Browne declared the motion carried.

13. Consider and act upon, an Ordinance of the City of McAlester, Oklahoma, Establishing Regulations for Retail Marijuana Establishments, Establishing License and Permit Requirements; Providing for Location; Providing for Conditions of Operations;

Establishing Permitted Marijuana Facilities to Include;, Medical Marijuana Dispensaries, Commercial Marijuana Growing Facilities, Marijuana Storage Facilities and Marijuana Growing for Personal Use Facilities; Establishing Necessity for Fees and Amounts; Establishing Necessity for Permits, Amounts and Process for Permitted Marijuana Facilities; Providing for Repealer; Codification; Severability and Declaring An Emergency. *(Peter Stasiak, City Manager, William Ervin, City Attorney)*

Executive Summary

Motion to act upon and approve the above ordinance of the City of McAlester, Oklahoma, Establishing Regulations for Retail Marijuana Establishments, Establishing License and Permit Requirements; Providing for Location; Providing for Conditions of Operations; Establishing Permitted Marijuana Facilities to Include;, Medical Marijuana Dispensaries, Commercial Marijuana Growing Facilities, Marijuana Storage Facilities and Marijuana Growing for Personal Use Facilities; Establishing Necessity for Fees and Amounts; Establishing Necessity for Permits, Amounts and Process for Permitted Marijuana Facilities; Providing for Repealer; Codification; Severability and Declaring An Emergency, and authorizing the Mayor to sign the ordinance.

Mayor Browne stated that the City Attorney had identified some problems with the language so this item would be pulled.

There was discussion concerning several issues with the ordinance, Councilman Read volunteering to write another ordinance, the Mayor assigning Council members to work with the City Attorney, where most of the language had come from and how this issue was much like a moving target.

Councilman Read commented that he would like to start with a new ordinance and work with the City Attorney and Manager Stasiak and bring to the Council on the first meeting in March.

Mayor Browne stated that if any Council members had any input on this to contact Councilman Read and Manager Stasiak.

There was no action taken 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 addressed the Council updating them on the Army Reserve Building on South Street. He stated that this building would be a training facility for all City employees. He commented that it was anticipated to be ready in May. He added that the building would be available to the Public also.

Remarks and Inquiries by City Council

Councilman Brown informed the Council of his attendance at the OML Congress of Mayors and the activities and discussions that took place.

Councilman Prichard informed the Council on the status of the Downtown TIF Review Committee.

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

Mayor's Comments and Committee Appointments

Mayor Browne informed the Council of his attendance at the OML Congress of Mayors and the activities and discussions that took place. He informed the Council of the contest that the City of Durant was involved with. He congratulated Lakewood Christian Basketball team for winning State and he informed the Council of the recent Board meeting of the Oklahoma Baptist State Convention that had been held in McAlester on February 4, 2019 through February 6, 2019.

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 7:37 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:39 P.M.

Adjournment

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, Brown, Prichard, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 7:39 P.M.

ATTEST:

John Browne, Mayor

Cora Middleton, City Clerk