

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 25, 2019 at 10:09 A.M.

Call to Order

Mayor Browne called the meeting to order.

Former Ward Two Councilman John Titsworth gave the invocation and led the Pledge of Allegiance.

Roll Call

Council Roll Call was as follows:

Present: Weldon Smith, Cully Stevens, James Brown, Zach Prichard & John Browne
Absent: Travis Read
Presiding: John Browne, Mayor

Staff Present: Pete Stasiak, City Manager; Toni Ervin, Asst. City Manager; Stephanie Giacomo, Grant Writer/Public Information Officer; Kirk Ridenour, Economic Development Director; Dalton Carlton, Utility Maintenance Superintendent; An-Chen Lai, CFO; Eddie Gray, Tourism Assistant; 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.

John Titsworth, 1010 Douglas addressed the Council regarding the McAlester Community Theatre and the difficulty the group was having finding a venue. He asked the Council to consider developing a Performing Arts Center in the Down Town area.

There was a brief discussion concerning options for the McAlester Community Theatre.

Alyssa Latty, 119 E. Choctaw addressed the Council introducing herself as the new Executive Director of McAlester Main Street. Ms. Latty then updated the Council on activities that Main Street was involved with and changes that were in process for the organization.

Mike Carpenter, Warden Oklahoma State Penitentiary addressed the Council introducing himself and expressing his thoughts on the City and the Penitentiary working together.

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, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of the Minutes from the February 12, 2019, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- C. Approval of Claims for February 6, 2019 through February 20, 2019. (*Toni Ervin, Assistant City Manager*) In the following amounts: General Fund - \$150,427.13; Parking Authority - \$133.67; Nutrition - \$2,002.35; Landfill Res./Sub-Title D - \$3,155.12; Tourism Fund - \$3,175.04; SE Expo Center - \$13,395.53; E-911 - \$12,523.92; Economic Development - \$13,301.48; Grants & Contributions - \$300.00; CDBG Grants Fund - \$23,360.50; Fleet Maintenance - \$16,314.02; Worker's Compensation - \$1,750.00; Dedicated Sales Tax Fund-MPWA - \$500.00; CIP Fund - \$4,364.66; Technology Fund - \$528.69; Stormwater Fund - \$11,684.75 and Infrastructure Fund - \$77,949.04.
- D. Consider and act upon, a request by Charles Everett, on behalf of Savanna High School, to partner with them for the rental fee and use of Room #101 of the McAlester Expo Center, for their annual ACT Prep Testing. (*Billy Sumner, Expo Manager*)

Councilman Brown requested that Item "D" be removed for individual consideration.

A motion to approve the Consent Agenda items "A, B and C" was made by Councilman Prichard. The motion was seconded by Vice-Mayor Stevens.

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

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

NAY: None

Mayor Browne declared the motion carried.

Items Removed from Consent Agenda

- D. Consider and act upon, a request by Charles Everett, on behalf of Savanna High School, to partner with them for the rental fee and use of Room #101 of the McAlester Expo Center, for their annual ACT Prep Testing. (*Billy Sumner, Expo Manager*)

Councilman Brown asked if the City charged schools to use the rooms at the Expo.

Manager Stasiak stated that the City partners with the schools and Mayor Browne explained that even though there was an amount on the agreement the City waived the fees through its' partnership with the schools.

There was no further discussion, and Councilman Brown moved to approve a request by Charles Everett, on behalf of Savanna High School, to partner with them for the rental fee and use of Room #101 of the McAlester Expo Center, for their annual ACT Prep Testing. The motion was seconded by Councilman Smith, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

A motion was made by Councilman Brown and seconded by Councilman Prichard to open a Public Hearing to address an ordinance proposing the creation of a local economic advancement and development committee.

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

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

NAY: None

Mayor Browne declared the motion carried and the Public Hearing was opened at 6:15 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 COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA, PROVIDING FOR THE CREATION OF THE LOCAL ECONOMIC ADVANCEMENT AND DEVELOPMENT COMMITTEE; PROVIDING FOR THE PURPOSE, AUTHORITY AND DUTIES OF SUCH COMMITTEE; PROVIDING FOR THE MEMBERSHIP, TERMS AND METHOD OF APPOINTMENT OF ITS GENERAL MEMBERSHIP AND ELECTION OF ITS CHAIRMAN, AND DECLARING AN EMERGENCY.

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

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

NAY: None

Mayor Browne declared the motion carried and the Public Hearing was closed at 6:15 P.M.

Scheduled Business

1. Presentation and discussion by Inframark. (*Steven Sears, Inframark Western Region Area Manager*)

Executive Summary
Presentation.

Steven Sears, Inframark Western Region Area Manager addressed the Council presenting them with an overview of the City's "Notices of Violations". He explained that TTHM's were a by-product of the disinfection process that was used by the Plant. He stated that chlorine was used to disinfect the City's drinking water and when chlorine came in contact with organic matter TTHM's were formed. He added that the age and temperature of the water would also factor into this problem. Mr. Sears stated that the reason that cities are required to test for disinfection by-products (DBP) is because they are a known carcinogenic. He added that the EPA approves locations within the City to be tested. Mr. Sears then reviewed the locations that had been approved by the EPA.

There was discussion concerning any fines when the City was in violation, why the industrial park was having issues, how age of the water in the water storage tower at the industrial park, how that age was determined, if the City could pick other sites to test, if the water treatment plant was oversized for the community, the projected growth of the community, the meaning of the different stages of testing, who is responsible for the purchase of the chemicals used in the treatment process, options for addressing the issues at the industrial park, what issues were at the Stockyards, what a realistic goal was for the communities TTHM levels, what chemicals worked better, the cost of the other chemicals, the improvements at the Water Treatment Plant, and a line flushing program.

Councilman Prichard asked if the City had a map of the whole system. Manager Stasiak commented that he would get that information to him.

There was no action taken on this item.

2. Consider and act upon, approval of the annual Utility Rate Increase based on this year's Consumer Price Index of 2.4%. (*Toni Ervin, Assistant City Manager*)

Executive Summary
Staff recommendation is to accept the implementation of the Utility Rate Increases based on this year's CPI.

Manager Stasiak addressed the Council explaining that these increases were set by Ordinance and did not need a separate vote.

Councilman Prichard stated that he did not think any action needed to be taken due to the way the increases were set up.

There was no action taken on this item.

3. Consider and act upon, authorizing the purchase of one new and unused 50G Compact Excavator on State of Oklahoma contract SW192 pursuant to Section 2-382 of the McAlester City Code. (*Dalton Carlton, Utility Maintenance Superintendent*)

Executive Summary

Motion to approve the purchase of one new and unused 50G Compact Excavator on State of Oklahoma contract.

Utility Maintenance Superintendent Carlton addressed the Council explaining that this would be used to help equip one of the UTM crews.

Councilman Brown inquired about the warranty on the equipment.

Superintendent Carlton stated that he would have to verify but he thought it would have the full warranty.

There was no further discussion, and a motion was made by Councilman Smith to approve the purchase of one new and unused 50G Compact Excavator on State of Oklahoma contract SW192 pursuant to Section 2-382 of the McAlester City Code. The motion was seconded by Councilman Brown, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

4. Consider and act upon, authorizing the Mayor to sign Change Order # 1 from BizTel Communications, LLC in the amount of \$5,160.00. This is for an additional 24 Cat 6a Cable Drops inside the Federal Building for the Police Department transition. (*James Stanford, IT Specialist*)

Executive Summary

Motion to authorize the Mayor to sign Change Order #1 from BizTel Communications, LLC in the amount of \$5,160.00. This is for an additional 24 Cat 6a Cable Drops inside the Federal Building for the Police Department transition. There will be no additional days added to the completion time.

Manager Stasiak addressed the Council explaining that after design and the contract was let, it was determined by the Police Department that twelve (12) more locations that needed computer access. He added that those twelve (12) locations would add twenty-four (24) drops.

There was a brief discussion about when the Police Department would be moving into the building.

A motion was made by Councilman Smith and seconded by Councilman Prichard to authorize the Mayor to sign Change Order # 1 from BizTel Communications, LLC in the amount of \$5,160.00. This is for an additional 24 Cat 6a Cable Drops inside the Federal Building for the Police Department transition. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

5. Consider and act upon, acceptance of a bid from Utility Supply Company in the amount of \$127,381.00 for the Lake McAlester Raw Water Relocation Project. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to accept the bid from Utility Supply Company in the amount of \$127,381.00.

Utility Maintenance Superintendent Carlton addressed the Council explaining that the City was planning to replace 440 feet of raw water line at the dam on Lake McAlester. He distributed photos of the water line stating that this was the most critical section of the line. He explained that all work would be done by Utility Maintenance Employees.

There was discussion concerning the price of the bid, what the bid was for, if the replacement pipe would be underground, and how long it would take for this work to be done.

A motion to accept a bid from Utility Supply Company in the amount of \$127,381.00 for the Lake McAlester Raw Water Relocation Project was made by Councilman Smith. The motion was seconded by Councilman Prichard, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

6. Consider and act upon, an ordinance of the City Council of the City of McAlester, Oklahoma, providing for the creation of the Local Economic Advancement and Development Committee; providing for the purpose, authority and duties of such committee; providing for the membership, terms and method of appointment of its general membership and election of its chairman, and declaring an emergency. (*Zach Prichard, Councilman Ward 6*)

Executive Summary

Motion to act upon and approve the above ordinance for the creation of the Local Economic Advancement and Development Committee.

Councilman Prichard commented that the City had a history of doing different types of economic development programs. He stated that the City had a good program now but it was limited to what one (1) person could do. He explained that the LEAD Committee would create a broad-based section of this community that worked on a volunteer basis to discover opportunities. He clarified that the committee would look more at smaller projects. He reviewed the make up of the committee, how it was formed, and how the committee would work.

There was discussion regarding the number of members, if this would create any conflict with the Economic Director's program, how small projects do not come to the City, how the previous

groups worked toward economic development, and how this could compliment what the City was already doing.

Mayor Browne stated that he liked the idea of having an Economic Development Advisory board but he preferred a different makeup. He added that having a representative from Finance, Real state, Education, Small Business, Industrial Park, Medical, and Chamber of Commerce would be a better mix and the two (2) city members be non-voting.

Councilman Prichard stated that Council members could appoint anyone from any area and citizen members could even be non-residents.

Councilman Smith commented that it was important to have expertise in areas and he inquired about tabling to consider how to develop the committee.

Councilman Prichard commented that if it was voted on and approved tonight that would be good but if it could be improved that would be okay too.

A motion was made by Councilman Brown and seconded by Councilman Smith to postpone the consideration of an ordinance creating a Local Economic Advancement and Development Committee.

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

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

NAY: None

Mayor Browne declared the motion carried.

7. Discussion on Monthly Financial update. (*An-chen Lai, Chief Financial Officer*)

Executive Summary

Discussion on City of McAlester's Financial update.

CFO Lai addressed the Council reviewing the City's financial status as of January 31, 2019. During her review she commented that even with the increase in Sales Tax revenues over last year's amount most of that money was appropriated to various funds.

She reviewed the General Fund stating that revenues were above budget and expenditures were below budget. In her review of the Public Works Authority she stated that revenues were slightly below budget but expenditures were below budget. So, the two (2) funds were doing okay.

CFO Lai reviewed the Sales and Use Tax graphs commenting that Use Tax was curving slightly upward. She reviewed the Public Works Water sales and finished with the Treasury Report.

There was a brief discussion concerning Use Tax receipts.

No action was 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 progress at the Federal Building since the last meeting. He stated that CID would be moving boxes this week and should be in the building next week. He commented that the 911 Center would move the middle of March and he explained how that move would have someone manning the phone at all times. He added that everything was coming together very well and the backup systems were in place.

Remarks and Inquiries by City Council

Vice-Mayor Stevens inquired about the 14th Street project.

Manager Stasiak stated that a conference call was going to be schedule later this week and he would have an update at that time.

Councilman Prichard asked what the Federal Building would be called.

Manager Stasiak stated that they had not thought about it but Carl Albert had to remain in the name. He commented about coming up with something.

Councilman Prichard commented that at the last Down Town Area TIF meeting the committee made a recommendation to approve the project plan. He added that it would be going to the Planning Commission next and should be coming before the Council sometime in April. He informed the Council that one of the members had asked Infrastructure Solutions Group to put together a projected infrastructure cost to replace the public infrastructure in the project area and that projected cost was about \$28 million in todays dollars and that area was approximately a quarter of a square mile. He commented that the City was about eight (8) square miles and if the City's infrastructure needs were proportionately the same that cost could be \$900 million.

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

Mayor's Comments and Committee Appointments

Mayor Browne informed the Council that the local Boys Scouts were wanting to get involved with the invocation and pledge at the Council meetings. He then thanked all of the City employees for the work that they do.

Recess Council Meeting

Councilman Smith moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Vice-Mayor Stevens. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 7:22 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:23 P.M.

Adjournment

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

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

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 7:24 P.M.

ATTEST:

John Browne, Mayor

Cora Middleton, City Clerk