

The McAlester City Council met in a Regular session on Tuesday, June 11, 2019, at 6:00 P.M. after proper notice and agenda was posted, June 7, 2019 at 1:25 P.M.

Call to Order

Mayor Browne called the meeting to order.

Emily Coxsey, Miss McAlester Outstanding Teen and Rykken Brownlee gave the invocation and led the Pledge of Allegiance.

Roll Call

Council Roll Call was as follows:

Present: Cully Stevens, Travis Read, James Brown, Maureen Harrison, Zach Prichard & John Browne

Absent: Weldon Smith

Presiding: John Browne, Mayor

Staff Present: Pete Stasiak, City Manager; Toni Ervin, Asst. City Manager; An-Chen Lai, CFO; Kirk Ridenour, Economic Development Director; Jayme Clifton, Community Development Director; Stephanie Giacomo, Grant Writer/Public Information Officer; William J. Ervin, City Attorney and Karen Boatright, Deputy City Clerk

Recognition and Awards

Mayor Browne read and issued a proclamation in observance of the Juneteenth Celebration.

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 May 14, 2019, Regular Meeting of the McAlester City Council. (Cora Middleton, City Clerk)

- B. Approval of the Minutes from the May 23, 2019 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for May 22, 2019 through June 4, 2019. *(An-Chen Lai, Chief Finance Officer)* In the following amounts: General Fund - \$88,488.22; Nutrition - \$1,865.82; Police Grant Fund - \$11,235.00; Tourism Fund - \$21,616.59; SE Expo Center - \$9,064.39; E-911 - \$12,472.36; Economic Development - \$9,086.64; CDBG Grants Fund - \$73,542.96; Fleet Maintenance - \$9,288.39; Worker's Compensation - \$1,750.00; CIP Fund - \$34,978.80 and Stormwater Fund - \$28,752.53.
- D. Consider and act upon, an agreement between McAlester Public Schools and the City of McAlester in regard to a school resource officer. *(Gary Wansick, Police Chief)*
- E. Consider and act upon, a request from the Pittsburg County Chapter NAACP to use the Michael J. Hunter Park, 14th and Chickasaw, Oklahoma on Saturday, June 15, 2019 from 9:00 a.m. until 5:00 p.m. to hold the Juneteenth Celebration. *(Cora Middleton, City Clerk)*
- F. Concur with the Mayor's reappointments of Frank Phillips, Steve Cox, and Susan Kanard to the Planning Commission for terms to expire on May 31, 2022. *(John Browne, Mayor)*
- G. Consider and act upon, to authorize the Mayor to sign a Memorandum of Understanding between the City of McAlester and Eastern Oklahoma State College to continue employing a small business advisor through the Oklahoma Small Business Development Center. *(Kirk Ridenour, Economic Development Director)*
- H. Consider and act upon, to authorize the execution of a professional services agreement with The Spectrum Group to provide technical and logistical assistance to establish the goals, objectives, and timing of the 2019 Annual Stampede Event and to provide Legislative/Department of Defense monitoring and advocacy services. *(Kirk Ridenour, Economic Development Director)*
- I. Consider and act upon, renewal of a Contract with American Municipal Services for the collection of monies owed to the City for Citations and/or Warrants. *(Toni Ervin, Assistant City Manager)*

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

A motion to approve the Consent Agenda items "A through C and E through I" was made by Councilman Read. The motion was seconded by Councilman Brown.

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

AYE: Councilmembers Read, Brown, Stevens, Harrison, Prichard & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

Items Removed From Consent Agenda

- D. Consider and act upon, an agreement between McAlester Public Schools and the City of McAlester in regard to a school resource officer. (*Gary Wansick, Police Chief*)

Councilman Read expressed concern with the possibility of the accrual of comp time, the compensation rate and the number of days that the officer would be working for the school system according to the agreement. He stated that he believed City should be compensated for time the officer put in. he recommended that the agreement be changed from 185 days to 1080 hours and change the language to “the Officer will work the hours that the children are in attendance in the school”.

Chief Wansick commented that he could not address those figures but was scheduled to meet with the District Superintendent.

Superintendent Hughes addressed the Council explaining that 1080 hours was the minimum hours of attendance and the students attended many more and did not include any activities.

There was discussion concerning the number of hours that the school was in session, why having an officer in the schools was important, managing the officer’s accrual of comp time, and if having him in the district if it had lowered the number of calls to the school.

Councilman Read moved to approve the agreement between McAlester Public Schools and the City of McAlester in regard to a school resource officer, with the change from 185 days to 1080 hours and include the language that the officer only works the hours that the students are in attendance.

The motion dies for lack of a second.

Mayor Browne moved to approve an agreement between McAlester Public Schools and the City of McAlester in regard to a school resource officer, as written. The motion was seconded by Councilman Brown.

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

AYE: Councilmembers Brown, Harrison, Prichard, Stevens & Mayor Browne

NAY: Councilman Read

Mayor Browne declared the motion carried.

A motion to open a Public Hearing to address two (2) ordinances was made by Councilman Prichard and seconded by Councilman Read. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Prichard, Read, Brown, Harrison, Stevens & Mayor Browne
NAY: None

Mayor Browne declared the motion carried and the Public Hearing was opened at 6:20 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 ADOPTING THE BUDGET OF THE CITY OF McALESTER, OKLAHOMA FOR THE FISCAL YEAR 2019-2020.

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

AYE: Councilmembers Harrison, Read, Prichard, Stevens, Brown & Mayor Browne
NAY: None

Mayor Browne declared the motion carried and the Public Hearing was closed at 6:20 P.M.

Scheduled Business

1. Consider and act upon, adoption of the City of McAlester Council Handbook. (*Cora Middleton, City Clerk*)

Executive Summary

Motion to adopt the Council Handbook for the City of McAlester City Council.

Manager Stasiak explained that the handbook was a very good tool for the Council.

A motion to approve the City of McAlester Council Handbook was made by Councilman Read, and seconded by Councilman Brown. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Read, Brown, Stevens, Harrison, Prichard & Mayor Browne
NAY: None

Mayor Browne declared the motion carried.

2. Consider and act upon, approval of a resolution requesting participation in the OMAG Recognition Program. (*Cora Middleton, City Clerk*)

Executive Summary

Motion to approve a resolution requesting participation in the OMAG Recognition Program.

Manager Stasiak addressed the Council explaining that this was requesting participation in the OMAG Recognition Program.

A motion to approve RESOLUTION NO. 19-09 was made by Councilman Read and seconded by Councilman Brown. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Read, Brown, Stevens, Harrison, Prichard & Mayor Browne
NAY: None

Mayor Browne declared the motion carried.

3. 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 to the amendment. She explained that this amendment would appropriate additional funds for the FAA Airport Grant, Capital Improvements, an Animal Control vehicle, a Dump Truck for MPWA, Connally Park, and a Round-About on Washington Avenue.

There was a brief discussion concerning what purchases were made with the funds in the Council's budget. Councilman Prichard asked for clarification of what was being done with Exhibit A-41.

Assistant Manager Ervin explained that the purchase of the Dump Truck that had been approved had to have funds in the proper account. She stated that the purchase might not happen until after the beginning of Fiscal Year 19/20 and funds had to be there to make that purchase. She added that with this amendment the City was covered in either fiscal year.

ORDINANCE NO. 2655

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 to approve **ORDINANCE NO. 2655** was made by Councilman Brown and seconded by Councilwoman Harrison. There was no further discussion, and the vote was taken as follows:

AYE: Councilmembers Brown, Harrison, Prichard, Stevens, Read & Mayor Browne
NAY: None

Mayor Browne declared the motion carried.

A motion to approve the EMERGENCY CLAUSE was made by Councilman Prichard and seconded by Councilman Brown. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Prichard, Brown, Stevens, Read, Harrison & Mayor Browne
NAY: None

Mayor Browne declared the motion carried.

4. Consider and act upon, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2019-2020; providing for severability clause; and declaring an emergency. (*An-Chen Lai, Chief Financial Officer*)

Executive Summary

Motion to approve an Ordinance adopting the budget for fiscal year 2019-2020 and declaring an emergency.

Assistant Manager Ervin addressed the Council asking if they had any questions regarding the Budget. She explained that the handout was part of the budget and was supposed to go with the ordinance to the State Auditor and for some reason it had not printed.

Councilman Read asked how much was in the Emergency Fund. Assistant Manager Ervin stated that there was \$3.4 million.

Councilwoman Harrison asked about the effective date. Mayor Browne stated that the effective date was July 1st.

Councilman Prichard suggested a different use for the "Hotel/Motel Tax". He suggested transferring \$100,000.00 to the General Fund for park maintenance and urban landscaping improvements and maintenance. He then suggested transferring \$100,000.00 from Tourism to Economic Development and calling it "Private Development Assistance".

There was discussion regarding how much money had been spent on the Street Scape project, if the Expo Center made or lost money, and what options the City might have.

Councilman Prichard commented that he was not proposing to close the Expo and he would transfer \$313,623.00 to the Expo from the Hotel/Motel Tax, and increase the concession prices. He commented that this would be inline with what had been transferred in the past. But with the increases in the parks department would help with Tourism.

There was discussion concerning how much had been spent on the Streetscape Project, how funds could be used on the parks straight out of Tourism funds, the language in the Hotel/Motel Tax ordinance, events or projects that were already in the Tourism Fund, earmarking funds for specific projects, the conditions of some, more information on the proposed transfers and adopting the Budget as presented and coming back to Council with a Budget amendment.

Councilwoman Harrison asked for clarification of Councilman Prichard's suggestions.

ORDINANCE NO. 2656

AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF McALESTER, OKLAHOMA FOR THE FISCAL YEAR 2019-2020.

A motion to approve **ORDINANCE NO. 2656**, adopting FY 2019/20220 Budget was made by Councilman Prichard and seconded by Vice-Mayor Stevens. There was no further discussion, and the vote was taken as follows:

AYE: Councilmembers Prichard, Stevens, Read, Brown, Harrison & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

5. Consider and act upon, a resolution of the City of McAlester to implement a Clean Slate Program for outstanding delinquent city warrants due to the municipal court. (*Gary Wansick, Police Chief, Karen Boatright, Court Clerk*)

Executive Summary

Motion to approve the resolution implanting the Clean Slate Program.

Chief Wansick addressed the Council explaining that this had been discussed for some time to help clean up some of the old warrants. He commented that they had wanted to implement this during tax season but with the move of the Court Clerk's office it had been delayed until now. He added that the City had people in a downward spiral with thousands of dollars in fines and warrants and he could not see how they would ever get out of debt for various reasons.

Court Clerk Boatright addressed explaining how individuals can end up in the routine of receiving a fine, not paying the fine, receiving a warrant, appearing in court, setting up a pay plan then not following through with the pay plan and the circle starts all over. She reviewed the different levels of debt and how the idea was that during the Summer individuals could get extra jobs to help pay their fines.

There was discussion concerning the "Community Service" program, how it was working, the issues that some of the interested individuals had in participating, where those individuals could go to perform Community Service, the cost of a warrant, looking at adjusting the cost of the fines, how court costs increase the amount owed, how far back this would go back on the fines owed, how long this program would be active, how it is ensured that someone that has paid their fine is not arrested, what area this would cover, how this could help decrease the amount of old warrants and fines that were owed to the City and how this would remove a liability from the City's Balance Sheet.

A motion to approve RESOLUTION NO. 19-10, implementing the "Clean Slate Program" with the addition of individuals paying on a Warrant Pay Plan was made by Vice-Mayor Stevens. The motion was seconded by Councilman Brown, and the vote was taken as follows:

AYE: Councilmembers Stevens, Brown, Read, Harrison, Prichard & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

6. Consider and act upon, approval to purchase a new and unused 2019 Ford F-150 XL pickup.
(Gary Wansick, Police Chief)

Executive Summary

Motion to approve the purchase of a new 2019 F-150 pickup.

Chief Wansick addressed the Council explaining that the police department needed to replace the animal control vehicle. The current vehicle was a 2006 Chevrolet pickup that had become unreliable. He added that the pickup that was proposed to be purchased was priced to match the State's purchase price of \$26,243.00. He explained that a box would be purchased for animal separation and mounted to the bed of the pickup.

There was a brief discussion concerning that number of animal control officers.

A motion to approve the purchase of a new and unused 2019 Ford F-150 XL pickup from Sam Wampler's Freedom Ford was made by Councilman Prichard. The motion was seconded by Vice-Mayor Stevens, and the vote was taken as follows:

AYE: Councilmembers Prichard, Stevens, Brown, Harrison, Read & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

7. Consider and act upon, approval of a Contract with American Municipal Services for the collection of monies owed to the City for Utility Services. (Toni Ervin, Asst. City Manager)

Executive Summary

Motion to approve a Contract with American Municipal Services.

Assistant Manager Ervin addressed the Council explaining that AMS currently provided collection services for the City's Court and had approached the City regarding those services for the Utility billing. She stated that one difference was that the fee for Court collections was twenty-five percent (25%) and the fee for Utility collections would be thirty-five (35%).

There was a brief discussion concerning the fee, how it could deter the debtor from paying, how that was the average rate charged and what work was performed for the fee that was charged, how the fee was calculated, what the average debt was that the City tried to collect, what the total dollar amount that was owed to the City, if this included individuals and businesses, if the "Share with a Neighbor" donations could be used for this and if this company would be using Social Media in their attempts to locate debtors.

A motion to approve a contract with American Municipal Services for the collection services of Utility services was made by Councilman Prichard and seconded by Councilman Read. there was no further discussion, and the vote was taken as follows:

AYE: Councilmembers Prichard, Read, Harrison, Stevens, Brown & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

8. Consider and act upon, approval of a Contract with U.S. payments, LLC to install and operate kiosks to accept court and utilities payments. (*Toni Ervin, Asst. City Manager*)

Executive Summary

Motion to approve a Contract with U.S. Payments, LLC.

Assistant Manager Ervin addressed the Council explaining that she had been looking for a company that could furnish this type of service but until now none had furnished the needed services. She stated that there were two locations already serviced by this company that would be free to the City. She added that she was looking for a drive through location that would be convenient for individuals that needed to remain in their vehicle for various reasons.

After a brief discussion regarding what these current kiosks did a motion to approve a Contract with U.S. Payments, LLC to install and operate kiosks to accept court and utilities payments was made by Councilman Read. The motion was seconded by Councilman Brown, and the vote was taken as follows:

AYE: Councilmembers Read, Brown, Prichard, Stevens, Harrison & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

9. Discussion and possible action on recommendations to the Downtown Area Reinvestment Review Committee. (*Zach Prichard, Councilman Ward Six*)

Executive Summary

Discussion.

Councilman Prichard addressed the Council explaining that he had requested this back before the Council to receive their suggestions on changes.

Mayor Browne commented that he had handout that listed his recommendations and would present them to the TIF Committee.

Councilman Read commented that the reason for the need for the TIF had been presented well and he did not have any problem with it. He stated that he had four problems with the plan itself which were the northern boundary needed to be moved back to Washington, remove all language regarding the School receiving funds, specifically state what type of projects would be allowed and reduce the length of the TIF.

There was a brief discussion regarding any changes that Councilman Prichard might have made, taking it back to the Review Committee, the Committee making another recommendation to the Council, and reducing the length of the TIF.

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 informed the Council that the final Comp Plan was being issued, the comment period would end June 28th. He stated that Connally Park was getting new playground equipment and estimate it should be installed by mid-July. He commented on the Thunder Basketball Court that was being built in Chadick Park and recognized the Thunder Cares Organization and Enable Energy for their part in making this happen. he stated that there was additional land at the Archery Range and the City was moving forward with the installation of a 3-D Archery Range at that location.

Remarks and Inquiries by City Council

Vice-Mayor Stevens thanked the City for changing out the red and green lights in the Down Town area.

Councilman Read thanked City staff for the work that had been done on the Budget.

Councilman Brown acknowledged the job that the City employees did.

Councilwoman Harrison expressed her appreciation for Hutchison Park being taken care of and for the Fire Department addressing the fires around the City.

Councilman Prichard asked if the City knew the number of homeless in the City and commented that as a community needed to take a more active approach in addressing its homeless population. He also expressed his appreciation for he work that had been done on the budget, he asked if it could be made more user friendly on the website and commented on how much information could be found on the City's website.

Manager Stasiak commented that the City did not track the information.

Mayor Browne commented that the Shelter runs in the twenties (20s) and during cold weather in the fifties (50s). He added that there were homeless villages throughout the City.

Mayor's Comments and Committee Appointments

Mayor Browne stated that the Juneteenth celebration would be this next Saturday starting at 9:00 A.M. at Hunter Park. He commented that Pride had done a great job cleaning the park up. He announced a Town Hall for the next Tuesday at 5:30 P.M. at Kiamichi Technical School to address crime in the area and ways that the citizens could help the authorities. He stated that Officer Busby would be speaking, Chief Wansick, Representative Grego, Senator Boggs and Sherriff Morris would all be in attendance.

He asked about the progress in the City's asphalt overly program.

Manager Stasiak stated that the City was going back to the schedule.

Mayor Browne then wished his wife Christine a Happy Birthday.

Recess Council Meeting

Councilman Brown moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Prichard. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Brown, Prichard, Harrison, Stevens, Read & Mayor Browne
NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 7:41 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:42 P.M.

Councilman Read moved to recess the Regular Meeting for an Executive Session in accordance with Title 25, Section 307.B.2, to discuss negotiations concerning employees and representatives of employee groups: FOP. The motion was seconded by Councilman Brown, and the vote was taken as follows:

AYE: Councilmembers Read, Brown, Stevens, Harrison, Prichard & Mayor Browne
NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 7:43 P.M.

Executive Session

Recess into Executive Session in compliance with Section Title 25 Section 307 B.2 et.seq. Oklahoma Statutes, to wit:

- Proposed Executive Session pursuant to Title 25, Sec. 307 (B) (2), to discuss negotiations concerning employees and representatives of employee groups: FOP

Reconvene into Open Session

Take any action as a result from Executive Session.

The Regular Meeting was reconvened at 8:15 P.M. Mayor Browne reported that the Council had recessed the Regular Meeting for an Executive Session in accordance with Title 25, Section 307.B.2, to discuss negotiations concerning employees and representatives of employee groups: FOP. Only that matter was discussed, no action was taken, and the Council returned to open session at 8:15 P.M., and this constituted the Minutes of the Executive Session.

- Consider and act upon the proposed FOP Contract.

Councilman Read moved to approve the proposed FOP Contract with the change regarding the date a retiring officer could purchase his or her issued firearm at a price of no less than \$10.00. The motion was seconded by Councilman Brown, and the vote was taken as follows:

AYE: Councilmembers Read, Brown, Stevens, Harrison & Mayor Browne
NAY: None

Mayor Browne declared the motion carried.

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 Vice-Mayor Stevens. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Prichard, Stevens, Brown, Harrison, Read & Mayor Browne
NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 8:16 P.M.

ATTEST:

John Browne, Mayor

Cora Middleton, City Clerk