

The McAlester City Council met in a Regular session on Tuesday, May 12, 2020, at 6:00 P.M. after proper notice and agenda was posted, May 7, 2020 at 4:42 P.M.

Call to Order

Mayor Browne called the meeting to order.

Roll Call

Council Roll Call was as follows:

Present in Person: Weldon Smith, Maureen Harrison & John Browne
Present via Teleconference: Cully Stevens, Steve Cox, James Brown & Zach Prichard
Absent: None
Presiding: John Browne, Mayor

Staff Present: Pete Stasiak, City Manager, Sherri Swift, CFO; and Cora Middleton, City Clerk
Staff Attending via Teleconference: William J. Ervin, City Attorney

Councilwoman Harrison gave the invocation and led the Pledge of Allegiance.

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 April 28, 2020, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for April 22, 2020 through May 5, 2020. *(Sherri Swift, Chief Financial Officer)* In the following amounts: General Fund - \$72,103.46; Nutrition - \$951.11; State Forfeiture Fund - \$4,359.23; Tourism Fund - \$5,220.07; SE Expo Center - \$3,946.08; E-911 - \$19,868.98; Economic Development - \$13,104.43; Grants & Contributions - \$4,729.98; CDBG Grants Fund - \$5,555.00; Fleet Maintenance -

\$3,943.81; CIP Fund - \$26,305.28; Stormwater Fund - \$31,670.13 and Infrastructure Fund - \$26,370.85.

- C. Consider and act upon, a “Pledge and Guarantee” document which authorizes the annual renewal of the City of McAlester’s Participation Agreement with the Association for Landfill Financial Assurance (ALFA). *(Dalton Carlton, Public Works Director)*
- D. Consider and act upon, ratifying the attached Contract with AMS Collections to renew for the 2020-2021 fiscal year. *(Toni Ervin, Assistant City Manager)*
- E. Consider and act upon, ratifying the attached Contract with AMS Collections to renew for the 2020-2021 fiscal year. *(Toni Ervin, Assistant City Manager)*
- F. Consider and act upon, approval to ratify a Contract, for the 2020-2021 fiscal year, with Miller Office Equipment for the rental of 3 copiers. *(Toni Ervin, Assistant City Manager)*
- G. Consider and act upon, approval to ratify a Contract, for the 2020-2021 fiscal year, with Miller Office Equipment for maintenance of City copiers. *(Toni Ervin, Assistant City Manager)*
- H. Consider and act upon, approval to continue a Contract with U.S. Payments, LLC for installed kiosks in operation and accepting payments for court and utilities payments. *(Toni Ervin, Assistant City Manager)*
- I. Concur with the Mayor’s appointment of Mr. Gary Wansick to the McAlester Ethics Board to replace Mr. Jimmy Williams for a term to expire February, 2023. *(John Browne, Mayor)*
- J. Concur with City Manager’s recommendation for selection of three (3) nominees for the OMAG Board of Trustees. *(Cora Middleton, City Clerk)*

Councilwoman Harrison requested that items “B and E” be removed for individual consideration.

A motion to approve the Consent Agenda items “A, C, D and F through J” was made by Councilman Smith and seconded by Mayor Browne.

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

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

NAY: None

Mayor Browne declared the motion carried.

Items removed from Consent Agenda

- B. Approval of Claims for April 22, 2020 through May 5, 2020. (*Sherri Swift, Chief Financial Officer*) In the following amounts: General Fund - \$72,103.46; Nutrition - \$951.11; State Forfeiture Fund - \$4,359.23; Tourism Fund - \$5,220.07; SE Expo Center - \$3,946.08; E-911 - \$19,868.98; Economic Development - \$13,104.43; Grants & Contributions - \$4,729.98; CDBG Grants Fund - \$5,555.00; Fleet Maintenance - \$3,943.81; CIP Fund - \$26,305.28; Stormwater Fund - \$31,670.13 and Infrastructure Fund - \$26,370.85.

Councilwoman asked Manager Stasiak to clarify what FAO USACE was, what Water Holdings Acquisitions was, what the expense paid out of the State Forfeiture Fund was, the payment from Tourism Fund for McAlester Main Street ad Pride In McAlester and the loan with First National Bank.

Manager Stasiak stated that FAO USACE was for water rights at Lake McAlester, Water Holdings Acquisitions was Inframark the contractor at the Water Treatment Plant, the State Forfeiture Fund was for body armor for the Police Department, the payments from Tourism were the monthly payments to the two (2) organizations and the loan with First National Bank was the monthly payment for the automated meter system.

- E. Consider and act upon, ratifying the attached Contract with AMS Collections to renew for the 2020-2021 fiscal year. (*Toni Ervin, Assistant City Manager*)

Councilwoman Harrison inquired about the AMS Collection agreement renewal and asked how it would impact the water bills and stormwater fees.

Manager Stasiak explained that this agreement was for delinquent utility bills that were turned over to them for collection.

There was no further discussion, and a motion to approve Consent Agenda Items “B and E” was made by Councilman Smith. The motion was seconded by Mayor Browne, and the vote was taken as follows:

AYE: Councilmembers Smith, Stevens, Cox, Brown, Prichard & Mayor Browne
NAY: Councilmember Harrison

Mayor Browne declared the motion carried.

Scheduled Business

- 1. Consider and act upon, authorizing the Mayor to sign the Contractor’s Final Pay No. 4 and Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the 5th and Miami Sewer Improvements and accept the project as completed. (*Dalton Carlton, Public Works Director*)

Executive Summary

Motion to authorize the Mayor to sign the Contractor's Final pay No. 4 in the amount of \$3,603.75 and the Certificate of Substantial Completion for the contract with Built Right Construction, LLC for 5th and Miami Sewer Improvements and accept the project as completed.

Manager Stasiak addressed the Council explaining that this project was complete, the inspections had been done and the two (2) year warranty period would begin on the completion date of February 3, 2020.

There was no further discussion, and a motion to authorize the Mayor to sign the Contractor's Final pay No. 4 in the amount of \$3,603.75, the Certificate of Substantial Completion for the contract with Built Right Construction, LLC for 5th and Miami Sewer Improvements and accept the project as completed was made by Councilman Smith. The motion was seconded by Mayor Browne, and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

2. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay No. 3 and Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the 745 W. Adams Sewer Relocation and accept the project as completed.
(Dalton Carlton, Public Works Director)

Executive Summary

Motion to authorize the Mayor to sign the Contractor's Final pay No. 3 in the amount of \$1,990.60 and the Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the 745 W. Adams Sewer Relocation and accept the project as completed.

Manager Stasiak addressed the Council explaining that this project was complete, the final inspection had been performed on March 6, 2020, and the two (2) year warranty period would begin on the on the effective date of completion, March 2, 2020.

There was no further discussion, and a motion to authorize the Mayor to sign the Contractor's Final pay No. 3 in the amount of \$1,990.60 and the Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the 745 W. Adams Sewer Relocation and accept the project as completed was made by Councilman Smith. The motion was seconded by Councilman Brown, and the vote was taken as follows:

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

Mayor Browne declared the motion carried.

3. Consider and act upon, authorizing the Mayor to sign and accept a grant award from the Federal Aviation Administration (FAA) in the amount of \$69,000.00 as part of the Coronavirus Aid, Relief, and Economic Security "CARES" Act of 2020 funding.
(Stephanie Giacomo, Grant Administrator)

Executive Summary

Staff recommends acceptance of the grant award and conditions and authorizing the Mayor to execute the agreement with the Federal Aviation Administration.

Stephanie Giacomo, Grant Administrator addressed the Council explaining that the \$69,000.00 grant award was part of the Coronavirus Aid, Relief, and Economic Safety (CAES) Act of 2020 funding. She added that an application to the Federal Aviation Administration CARES Act Funding Grant had been submitted in April, 2020, requesting funding for the McAlester Regional Airport and that the awarded funds could be used for any legal operations at the airport.

There was no other discussion, and a motion to accept the grant award and conditions and authorize the Mayor to execute the agreement with the Federal Aviation Administration for a grant in the amount of \$69,000.00 was made by Councilman Smith. The motion was seconded by Councilman Brown, and the vote was taken as follows:

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

NAY: None

Mayor Browne declared the motion carried.

New Business

Any matter not known, or which could not have been reasonably foreseen prior to the time of posting the Agenda in accordance with Sec. 311.9, Title 25, Oklahoma State Statutes.

There was no new business.

City Manager's Report

- Report on activities for the past two weeks.

Manager Stasiak reported that the Fiscal Year 2020/2021 Budget included fourteen (14) furlough days for all Non-Uniformed employees and the first day would be Friday, May 22, 2020. He stated that each furlough day would be treated like a holiday with City Hall shut down, except for essential services. He commented on the windstorm that came through on Friday, May 8, 2020, and stated that the landfill had received a record amount of trees and brush over last Friday, Saturday and Sunday. He added that the landfill would be open again this coming Friday, Saturday, and Sunday from 8:00 A.M. to 5:00 P.M. He reported that next week staff would be brought back to City Hall and the following week, beginning May 26, 2020, City Hall would be open to the Public by appointment only. He added that this information would be posted on the City's website and Face Book page and signage would be posted. He reported that the future of the Utility Billing office was being discussed with plans to set it up similar to how PSO and CenterPoint Energy operated. He added that he did not see it being opened to the public in the future and it would become a call center to assist the public. He reported that the Stipe Center would reopen on May 26, 2020 with limited activity, but would not open it for the Senior Nutrition meals. He added that the gym could possibly be opened for social distancing exercises. He informed the Council that he had met with the Municipal Judge, E-911, the Court clerk and the Interim Police Chief and they were looking at early June for bringing back the

court system. He added that they were looking at how to limit the number of people in the building and the additional staff they would be needed.

Remarks and Inquiries by City Council

Councilman Smith explained that it was time for the City Manager's performance evaluation and that the City Clerk had emailed the Council a copy of the evaluation form. He asked that the form be completed and returned to him by Thursday, May 21st. He added if there were any questions to call him and if anyone needed another copy to contact the City Clerk.

Vice-Mayor Stevens asked if the City was planning to revise the ordinance that regulated how citizens obtained water, sewer, and trash services. He stated that he would like to be involved in that discussion.

Manager Stasiak stated that they had met with the Real Estate Association and would be incorporating the information received in that meeting going forward.

Councilwoman Harrison thanked the City for opening the landfill to the citizens to help with the storm cleanup. She commended McAlester Public Schools System for their work on holding a graduation ceremony for the Class of 2020 and she inquired about the ability of citizens to obtain garage sale permits.

CFO Swift stated that citizens could call the Utility Office and they were putting the application on the City's website.

Manager Stasiak stated that the City was looking into eliminating the fees for paying with a credit card and should have that set within the next thirty (30) days.

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

Mayor's Comments and Committee Appointments

Mayor Browne commented that there were currently no set rules for garage sales.

Manager Stasiak stated that social distancing and no groups over ten (10).

Mayor Browne asked if the Police Department could patrol the area of South 10th and Illinois. He commented that Pride In McAlester/Keep McAlester Clean would be helping to mow the City's parks and the Spring Cleanup had been rescheduled for July. He then congratulated Manager Stasiak and staff for putting together the proposed budget.

Recess Council Meeting

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

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

Mayor Browne declared the motion carried and the meeting was recessed at 6:31 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 6:31 P.M.

A motion to recess the Regular meeting for an Executive Session pursuant to Title 25 O.S. § 307(B)(1) for confidential communications between a public body and its attorney to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, more particularly City Manager, Peter Stasiak, was made by Councilman Smith. The motion was seconded by Mayor Browne.

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

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

Mayor Browne declared the motion carried and the meeting was recessed at 6:32 P.M.

Executive Session

Recess into Executive Session in compliance with Section Title 25 Section 307 B.1 et.seq. Oklahoma Statutes, to wit:

- Consider and Act to convene in executive session pursuant to Title 25 O.S. § 307(B)(1) for confidential communications between a public body and its attorney to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, more particularly City Manager, Peter Stasiak.

Reconvene into Open Session

The Council returned to Open session at 7:06 P.M. Mayor Browne stated that the Council had recessed the Regular meeting for an Executive Session in accordance with Title 25 O.S. § 307(B)(1) for confidential communications between a public body and its attorney to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, more particularly City Manager, Peter Stasiak. Only that matter was discussed, no action was taken, and the Council returned to Open session at 7:06 P.M., and that constitutes the minutes of the Executive Session.

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 Councilwoman Harrison.

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

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

Mayor Browne declared the motion carried, and the meeting was adjourned at 7:07 P.M.

ATTEST:

John Browne, Mayor

Cora Middleton, City Clerk