



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, January 27, 2015 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

Steve Harrison Mayor
Weldon Smith..... Ward One
John Titsworth Ward Two
Travis Read, Vice Mayor..... Ward Three
Robert Karr Ward Four
Buddy Garvin Ward Five
Jason Barnett Ward Six

Peter J. Stasiak.....City Manager
William J. Ervin.....City Attorney
Cora M. Middleton City Clerk

This agenda has been posted at the McAlester City Hall, distributed to the appropriate news media, and posted on the City website: www.cityofmcalester.com within the required time frame.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.

The McAlester City Hall is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 918.423.9300, Extension 4956.

CALL TO ORDER

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

Mother Stephanie Swinnea, All Saints Episcopal Church

ROLL CALL

RECOGNITION AWARDS

Oklahoma Municipal League, Inc. – Honor Roll of Service. *(Mayor Steve Harrison)*

Recognition of a Quarter Century of Service to the City of McAlester

Shawn Smith

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.

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 13, 2015, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for January 7, 2015 through January 20, 2015. *(Toni Ervin, Chief Financial Officer)*
- C. Concur with the Mayor's reappointment of Mr. Bill McMahan to serve on the McAlester Library Advisory Board for a term ending December, 2019. *(Steve Harrison, Mayor)*
- D. Consider and accept, the third and fourth quarter reports for Oklahomans for Independent Living. *(Pam Pulchny, Executive Director)*
- E. Discussion and possible action, on motion to approve the mutual aid agreement between Haywood-Arpear Volunteer Fire Department and the McAlester Fire Department and authorizing the mayor to sign the agreement. *(Brett Brewer, Fire Chief)*
- F. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #1", in the amount of \$107,902.90 for the construction of road and infrastructure improvements related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- G. Consider and act upon, authorization of payment to Lot Maintenance of Oklahoma, Inc., Invoice # 033396, in the amount of \$17,900.00, for video of sewer mains in Sixth Street and South Avenue, related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

- H. Consider and act upon, a request by Eastern Oklahoma State College – GEAR UP Program to partner with them for the rental fee in the amount of \$945.00 for the use of the Expo Center on March 10-12, 2015. *(Jerry Lynn Wilson, Expo Center Manager)*

ITEMS REMOVED FROM CONSENT AGENDA

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. 2501 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2014-15; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

SCHEDULED BUSINESS

1. Discussion and possible action, with respect to a refunding opportunity pertaining to the Authority's Utility System Revenue Bonds, Series 2002 and calling an election for such purpose and other provisions related thereto. *(Peter Stasiak, City Manager)*

Executive Summary

Discussion and possible action to call an election for refunding purposes for the Revenue Bonds, Series 2002.

2. Consider and act upon, an Ordinance amending Ordinance No. 2501 which established the budget for fiscal year 2014-2015; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve the budget amendment ordinance.

3. Discussion and presentation of the Mid-Year Review of Fiscal year 2014-2015. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Mid-Year Review of Fiscal year 2014-2015.

4. Accept and place on file, the Status Report for the McAlester Public Works Authority's "Water System Operation and Maintenance Agreement" with Severn Trent Environmental Services., Inc. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

Accept the Status Report on the McAlester Public Works Authority's "Water System Operation and Maintenance Agreement" with Severn Trent Environmental Services., Inc.

5. Consider and act upon, authorizing the Mayor to sign an Agreement for Engineering Services with Tetra Tech for the preparation of an engineering computer model of the City's water distribution system. This computer model will be used in conjunction with the Corrective Action Plan being proposed to meet the requirements of a Consent Order issued by the Oklahoma Department of Environmental Quality. (*John Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

Motion to approve authorizing the Mayor to sign an Agreement for Engineering Services with Tetra Tech for the preparation of an engineering computer model for the fee of \$35,000.

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.

CITY MANAGER'S REPORT (Peter J. Stasiak)

- Report on activities for the past two weeks.

REMARKS AND INQUIRIES BY CITY COUNCIL

MAYORS COMMENTS AND COMMITTEE APPOINTMENTS

RECESS COUNCIL MEETING

CONVENE AS McALESTER AIRPORT AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the January 13, 2015, Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, regarding claims ending January 20, 2015. (*Toni Ervin, Chief Financial Officer*)

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the January 13, 2015, Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)

- Confirm action taken on City Council Agenda Item B, regarding claims ending January 20, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item F, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #1", in the amount of \$107,902.90 for the construction of road and infrastructure improvements related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item G, authorization of payment to Lot Maintenance of Oklahoma, Inc., Invoice # 033396, in the amount of \$17,900.00, for video of sewer mains in Sixth Street and South Avenue, related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 1, with respect to a refunding opportunity pertaining to the Authority's Utility System Revenue Bonds, Series 2002 and calling an election for such purpose and other provisions related thereto. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending Ordinance No. 2501 which established the budget for fiscal year 2014-2015; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 4, acceptance of the Status Report for the McAlester Public Works Authority's "Water System Operation and Maintenance Agreement" with Severn Trent Environmental Services., Inc. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign an Agreement for Engineering Services with Tetra Tech for the preparation of an engineering computer model of the City's water distribution system. This computer model will be used in conjunction with the Corrective Action Plan being proposed to meet the requirements of a Consent Order issued by the Oklahoma Department of Environmental Quality. *(John Modzelewski, P.E., City Engineer and Public Works Director)*

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the December 23, 2014, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*

- Approval of Retirement Benefit Payments for the Period of January, 2015. *(Toni Ervin, CFO)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING

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) (4) for Confidential communications between a public body and its attorney concerning a pending investigations, claims, or actions, more particularly:
 - a. City of McAlester vs Randy Green (suit)
 - b. City of McAlester vs Austin Paving (claim)
 - c. Katcon, Inc. vs City of McAlester (suit)
 - d. Fender vs Munholland (suit)
 - e. Wagner vs City of McAlester (suit)
 - f. Davis vs City of McAlester (claim)
 - g. Two Way Properties vs City of McAlester (suit)

RECONVENE INTO OPEN SESSION

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2015 at _____ a.m./p.m. as required by law in accordance with Section 303 of the Oklahoma Statutes and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of McAlester website: www.cityofmcalester.com.

Cora M. Middleton, City Clerk