



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, February 24, 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

Linda Lowber, First Baptist Church

ROLL CALL

CEREMONY AND AWARDS

Oklahoma FloodPlain Managers Association Inc. – Certified Floodplain Manager (*Mayor Steve Harrison*)

Jennifer Santino

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 February 3, 2015, Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of Claims for February 4, 2015 through February 17, 2015. (*Toni Ervin, Chief Financial Officer*)
- C. Consider and act upon, approval and signing of a lease with Miller Office Supply and Canon Financial Services, Inc. for one high volume printer for the Utility Billing Office. (*Toni Ervin, Chief Financial Officer*)
- D. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. “Contractor’s Application for Payment #2”, in the amount of \$490,161.35, 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*)
- E. Consider and act upon, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 141642-KW. (*Cora Middleton, City Clerk*)
- F. Concur with the Mayor’s re-appointment of Primus Moore, 417 North 10th Street, to the McAlester Planning Commission for a term to expire on May 31, 2018. (*Steve Harrison, Mayor*)
- G. Concur with the Mayor’s re-appointment of Karl Scifres, 302 Rock Road, to the McAlester Planning Commission for a term to expire on May 31, 2018. (*Steve Harrison, Mayor*)
- H. Concur with the Mayor’s re-appointment of Karen Stobaugh, 1 Miller Road, to the McAlester Planning Commission for a term to expire on May 31, 2018. (*Steve Harrison, Mayor*)

- I. Concur with the Mayor's re-appointment of Carl Gullick, 1425 Timber Lane, to the McAlester Planning Commission for a term to expire on May 31, 2018. *(Steve Harrison, Mayor)*
- J. Concur with the Mayor's re-appointment of Karen Stobaugh, 1 Miller Road, to the McAlester Board of Adjustment for a term to expire on March 31, 2018. *(Steve Harrison, Mayor)*

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 AMENDING CHAPTER 62, LAND DEVELOPMENT CODE, OF THE McALESTER CITY CODE BY AMENDING SECTIONS 62-203, 62-204 AND 62-205 PERTAINING TO AUTOMOBILE SALES AND SERVICE AS A USE PERMITTED AFTER REVIEW IN THE C-3 GENERAL COMMERCIAL DISTRICT, AND AS A PERMITTED USE IN C-4 RESTRICTED COMMERCIAL DISTRICT, AND C-5 HIGHWAY COMMERCIAL AND COMMERCIAL RECREATION DISTRICT; REPEALING ALL CONFLICTING ORDINANCES AND DECLARING AN EMERGENCY.**

SCHEDULED BUSINESS

1. McAlester Regional Health Center discussion concerning Propositions to be voted on in the upcoming election. *(David Keith, CEO, MRHC)*

Executive Summary
Discussion only.

2. Presentation and discussion of a Stormwater Utility Fee. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary
Discussion and possible action, to authorize staff to proceed with development of a Stormwater Utility Fee.

3. Consider and act upon, approval to purchase thirty-nine (39) new and unused compact wearable video systems. *(Gary Wansick, Chief of Police)*

Executive Summary
Motion to approve the purchase of thirty-nine (39) compact wearable video systems from Digital Ally.

4. **TABLED FROM PREVIOUS MEETING:** Consider and act upon, an Ordinance amending Chapter 62, Land Development Code, of the McAlester City Code by amending Sections 62-203, 62-204 and 62-205 pertaining to automobile sales and service as a use permitted after review in the C-3 general commercial district, and as a use permitted in C-4 restricted commercial district, and C-5 highway commercial and commercial recreation district; repealing all conflicting ordinances and declaring an emergency. *(Leroy Alsup, Community & Economic Development Director)*

Executive Summary

Motion to act upon and approve the above ordinance amending Chapter 62, Land Development Code, of the McAlester City Code by amending Sections 62-203, 62-204 and 62-205 pertaining automobile sales and service as a use permitted after review in the C-3 general commercial district, and as a permitted use in C-4 restricted commercial district, and C-5 highway commercial and commercial recreation district; repealing all conflicting ordinances and declaring an emergency and authorizing the Mayor to sign the ordinance.

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 February 10, 2015, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending February 17, 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 February 3, 2015, Special Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Approval of the Minutes from the February 10, 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 February 17, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C, approval and signing a lease with Miller Office Supply and Canon Financial Services, Inc. for one high volume printer for the Utility Billing Office. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item D, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #2", in the amount of \$490,161.35, 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 4, an Ordinance amending Chapter 62, Land Development Code, of the McAlester City Code by amending Sections 62-203, 62-204 and 62-205 pertaining to automobile sales and service as a use permitted after review in the C-3 general commercial district, and as a use permitted in C-4 restricted commercial district, and C-5 highway commercial and commercial recreation district; repealing all conflicting ordinances and declaring an emergency. *(Leroy Alsup, Community & Economic Development Director)*

ADJOURN MPWA**CONVENE AS McALESTER RETIREMENT TRUST AUTHORITY**

Majority of a Quorum required for approval

- Approval of the Minutes from the January 27, 2015, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of February, 2015. *(Toni Ervin, CFO)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING

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