



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, April 28, 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

ROLL CALL

RECOGNITION AWARDS

2015 Prudential Spirit of the Community Award

Alexandria Lerblance

2015 Prudential Spirit of the Community Award, Distinguished Finalist

Alana Wynn

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 April 14, 2015, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the April 14, 2015, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for April 8, 2015 through April 21, 2015. *(Toni Ervin, Chief Financial Officer)*
- D. Discussion and possible action, on approval of an agreement for mutual aid emergency medical services between Hughes County EMS and the McAlester Fire/EMS Department. *(Brett Brewer, Fire Chief)*
- E. Consider and act upon, authorization of payment to Poe and Associates, Inc. Invoice #0-102096-9578, in the amount of \$10,012.56 for Engineering Design Services related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John E. Modzelewski, P.E., City Engineer and Public Works Director)*
- F. Consider and act upon, receipt of permit No. WL000061150279 from the Oklahoma Department of Environment Quality (ODEQ) for the construction of 2,100 linear feet of six (6) inch PVC potable water line and all appurtenances to serve the City of McAlester's 2014 CDBG project, which includes portions of Walker Avenue and Pine Street. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

- G. Consideration and action, to accept a 2015 OSMPC Incentive Fund Award in the amount of \$204,504.33 from the Oklahoma Strategic Military Planning Commission and to authorize the execution and submittal of Invoice No. 20150428-001 to the Oklahoma Department of Commerce to draw down the \$204,504.33 of Funds. *(Leroy Alsup, Community & Economic Development Director)*

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. Accept and place on file, the Status Report on 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. for the months of January 2015 through March 2015.

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. Consider and act upon, awarding bid in the amount of \$50,064.50, for one new and unused ISO Compliant 60kW Diesel Fueled Generator for 911 Center to Evans Enterprises, Inc. of Tulsa, Ok. *(Shawn Smith, E911 Manager)*

Executive Summary

Motion to approve the award of bid to Evans Enterprises, Inc.

4. Consider and act upon, a Memorandum of Understanding between the McAlester Public Works Authority and the Board of Education of Independent School District No. 80, Pittsburg County, Oklahoma that authorizes the release of funds derived from City

Ordinance 2159, for the acquisition, construction or equipment of educational facilities.
(*Peter Stasiak, City Manager*)

Executive Summary

Motion to approve the Memorandum of Understanding that conveys to ISDA80 the sum of \$129,814.30 to be used for the construction of a driveway behind Will Rogers Elementary School.

5. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and J.D. Thomas Construction to Repair Street Cuts; Repair and/or Replace Concrete Panels, Curbs and Gutters and Driveway Approaches (Miscellaneous Contract Project#1). (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

The recommendation is to enter into an agreement with J.D. Thomas Construction for a Total Bid equal to \$47,470.00 to Repair Street Cuts; Repair and/or Replace Concrete Panels, Curbs and Gutters and Driveway Approaches (Miscellaneous Contract Project#1).

6. Consider and act upon, authorizing the Mayor to sign a Professional Services Agreement with EST, Inc., for Construction Management Services related to CIP#4 which includes a segment of South Avenue from a point, two hundred feet west of Strong Boulevard, to a point one hundred eighty feet east of Franklin Street. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

Motion to approve authorizing the Mayor to sign a Professional Services Agreement with EST, Inc. to provide Construction Management Services related to CIP#4 which includes a segment of South Avenue from a point, two hundred feet west of Strong Boulevard, to a point one hundred eighty feet east of Franklin Street.

7. Determination of project for Community Development Block Grant (CDBG) funding. This funding is available through the (CDBG) 2015 State Small Cities Program. (*Peter Stasiak, City Manager*)

Executive Summary

It is recommended that the Mayor and City Council of the City of McAlester approve the staff recommendation to develop a water and or sewer line replacement project in the North Town area.

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 April 14, 2015, Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item C, regarding claims ending April 21, 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 April 14, 2015, Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item C, regarding claims ending April 21, 2015. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item E, authorization of payment to Poe & Associates, Inc. Invoice #0-102096-9578, in the amount of \$10,012.56 for Engineering Design Services 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 F, receipt of permit No. WL000061150279 from the Oklahoma Department of Environment Quality (ODEQ) for the construction of 2,100 linear feet of six (6) inch PVC potable water line and all appurtenances to serve the City of McAlester's 2014 CDBG project, which includes portions of Walker Avenue and Pine Street. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item 4, a Memorandum of Understanding between the McAlester Public Works Authority and the Board of Education of Independent School District No. 80, Pittsburg County, Oklahoma that authorizes the release of funds derived from City Ordinance 2159, for the acquisition, construction or equipment of educational facilities. (*Peter Stasiak, City Manager*)

- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign a contract between the City of McAlester and J.D. Thomas Construction to Repair Street Cuts; Repair and/or Replace Concrete Panels, Curbs and Gutters and Driveway Approaches (Miscellaneous Contract Project#1). (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item 6, authorizing the Mayor to sign a Professional Services Agreement with EST, Inc., for Construction Management Services related to CIP#4 which includes a segment of South Avenue from a point, two hundred feet west of Strong Boulevard, to a point one hundred eighty feet east of Franklin Street. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item 7, the determination of a project for Community Development Block Grant (CDBG) funding. This funding is available through the (CDBG) 2015 State Small Cities Program. (*Peter Stasiak, City Manager*)

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the Tuesday, March 24, 2015 Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of April, 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 pending investigations, claims, or actions, more particularly:
 - City of McAlester vs Randy Green (suit)
 - City of McAlester vs Austin Paving (claim)
 - Leflore-Mills vs City of McAlester (suit)
 - Simpson vs City of McAlester (suit)
 - Two way properties vs City of McAlester (suit)
 - IAFF vs PERB and 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