



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, June 23, 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](http://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**

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*Announce the presence of a Quorum.*

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

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Ms. Betty Shelby

#### **ROLL CALL**

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## **CEREMONY AND AWARDS**

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Presentation by Mr. Bill Tackette from Oklahoma Municipal Assurance Group to the McAlester Police Department for a \$10,000 Award towards the purchase of Body Cameras for the Officers.

## **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

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*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**

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*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 Claims for June 3, 2015 through June 16, 2015. *(Toni Ervin, Chief Financial Officer)*
- B. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #6", in the amount of \$350,272.48, 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., CFM, City Engineer and Public Works Director)*
- C. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #1", in the amount of \$244,253.41, for the construction of road and infrastructure improvements related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- D. Consider and act upon, authorization of payment to EST, Inc., Invoice # 34617, in the amount of \$ \$9,660.00, for Construction Management Services and Materials Testing Services related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- E. Consider and act upon, authorization of payment to Poe & Associates, Inc., Invoice # WIC 9593, in the amount of \$3,430.89, for engineering services related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- F. Consider and act upon, receipt of the following permits from the Oklahoma Department of Environmental Quality (ODEQ) to serve the City of McAlester's CIP#4 on South Avenue: Permit No. WL 000061150411 for the construction of 90 linear feet of two (2) inch PVC potable water line, 240 linear feet of four (4) inch PVC potable water line, 1,255 linear feet of six (6) inch PVC potable water line, 2,185 linear feet of eight (8) inch PVC potable water line, 140 linear feet of twelve (12) inch PVC potable water line, and all

appurtenances; Permit No. SL000061150412 for the construction of 591 linear feet of eight (8) inch PVC sanitary sewer line, 797 linear feet of ten (10) inch PVC sanitary sewer line, 274 linear feet of twelve (12) inch PVC sanitary sewer line, and all appurtenances. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

- G. Consider and act upon, authorizing the Mayor to ratify and approve Agreement between McAlester Public Works Authority and Severn Trent Environmental Services, Inc. to Manage, Operate and Maintain the Water Treatment Plant. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- H. Consider and act upon, to concur with Oklahoma Municipal Assurance Group denial of Claim No. 200470-LR. *(Cora Middleton, City Clerk)*
- I. Consider and act upon, to concur with Oklahoma Municipal Assurance Group denial of Claim No. 200324-KW. *(Cora Middleton, City Clerk)*
- J. Consider and act upon, authorizing the Mayor to sign an agreement with “Feed the Need Foundation for Rural Oklahoma” (KEDDO) for funding of the City of McAlester’s Title III nutrition centers. *(Mel Priddy, Community Services Director)*
- K. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Pittsburg County Emergency Management for Fiscal Year 2014/2015 funding in the amount of \$42,500. *(Peter J. Stasiak, City Manager)*
- L. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Pittsburg County Emergency Management for Fiscal Year 2015/2016 funding in the amount of \$50,000. *(Peter J. Stasiak, City Manager)*
- M. Concur with the Mayor’s re-appointment of Ms. Susan Kanard, 3501 S. Peaceable Road, McAlester, Ok 74501, to the McAlester Regional Board of Trustees, for a term to end February 28, 2021. *(Steve Harrison, Mayor)*
- N. Consider and act upon, an Adoption Agreement between American Fidelity Assurance Company and the City of McAlester for Administrative Services for the Section 125 Cafeteria Plan. *(Toni Ervin, CFO)*

## **ITEMS REMOVED FROM CONSENT AGENDA**

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## **PUBLIC HEARING**

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*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.*

## **SCHEDULED BUSINESS**

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1. Consider and act upon, authorizing the Mayor to sign the Second Amendment to the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority, Dated April 22, 2014. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

### Executive Summary

Motion to authorize the Mayor to sign the Second Amendment to the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority, Dated April 22, 2014.

2. Consider and act upon, authorizing the Mayor to sign a letter from the McAlester Public Works Authority to Severn Trent Environmental Services, Inc. requesting a transfer of \$35,000 from "Chemicals" to "Repair & Maintenance" , in accordance with the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority dated April 22, 2014. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

### Executive Summary

Consider and act upon, authorizing the Mayor to sign a letter from the McAlester Public Works Authority to Severn Trent Environmental Services, Inc. requesting a transfer of \$35,000 from Line No. 2 "Chemicals" to Line No. 3 "Repair & Maintenance" as shown in the attached Fee Schedule.

3. Consider and act upon, a resolution amending the City's Police pay scale, Fire pay scale, and Non-Uniform pay scale to reflect a 3.5% Cost of Living (COLA) increase for Fiscal Year 2015/2016. (*Toni Ervin, CFO, Peter Stasiak, City Manager*)

### Executive Summary

Staff recommends motion to approve resolution amending the City's Police pay scale, Fire pay scale, and Non-Uniform pay scale to reflect a 3.5% Cost of Living (COLA) increase for Fiscal Year 2015/2016.

## **NEW BUSINESS**

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*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)**

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- Report on activities for the past two weeks.

## **REMARKS AND INQUIRIES BY CITY COUNCIL**

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## **MAYORS COMMENTS AND COMMITTEE APPOINTMENTS**

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## **RECESS COUNCIL MEETING**

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### **CONVENE AS McALESTER AIRPORT AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the June 9, 2015, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item A, regarding claims ending June 16, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item N, an Adoption Agreement between American Fidelity Assurance Company and the City of McAlester for Administrative Services for the Section 125 Cafeteria Plan. *(Toni Ervin, CFO)*
- Confirm action taken on City Council Agenda Item 3, a resolution amending the City's Police pay scale, Fire pay scale, and Non-Uniform pay scale to reflect a 3.5% Cost of Living (COLA) increase for Fiscal Year 2015/2016. *(Toni Ervin, CFO, Peter Stasiak, City Manager)*

### **ADJOURN MAA**

### **CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the June 9, 2015, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item A, regarding claims ending June 16, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item B, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #6", in the amount of \$350,272.48, 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., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item C, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #1", in the amount of \$244,253.41, for the construction of road and infrastructure improvements related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

- Confirm action taken on City Council Agenda Item D, authorization of payment to EST, Inc., Invoice # 34617, in the amount of \$ \$9,660.00, for Construction Management Services and Materials Testing Services related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item E, authorization of payment to Poe & Associates, Inc., Invoice # WIC 9593, in the amount of \$3,430.89, for engineering services related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item F, receipt of the following permits from the Oklahoma Department of Environmental Quality (ODEQ) to serve the City of McAlester's CIP#4 on South Avenue: Permit No. WL 000061150411 for the construction of 90 linear feet of two (2) inch PVC potable water line, 240 linear feet of four (4) inch PVC potable water line, 1,255 linear feet of six (6) inch PVC potable water line, 2,185 linear feet of eight (8) inch PVC potable water line, 140 linear feet of twelve (12) inch PVC potable water line, and all appurtenances; Permit No. SL000061150412 for the construction of 591 linear feet of eight (8) inch PVC sanitary sewer line, 797 linear feet of ten (10) inch PVC sanitary sewer line, 274 linear feet of twelve (12) inch PVC sanitary sewer line, and all appurtenances. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item G, authorizing the Mayor to ratify and approve Agreement between McAlester Public Works Authority and Severn Trent Environmental Services, Inc. to Manage, Operate and Maintain the Water Treatment Plant. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item H, to concur with Oklahoma Municipal Assurance Group denial of Claim No. 200470-LR. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item I, to concur with Oklahoma Municipal Assurance Group denial of Claim No. 200324-KW. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item K, authorizing the Mayor to sign a contract between the City of McAlester and Pittsburg County Emergency Management for Fiscal Year 2014/2015 funding in the amount of \$42,500. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item L, authorizing the Mayor to sign a contract between the City of McAlester and Pittsburg County Emergency Management for Fiscal Year 2015/2016 funding in the amount of \$50,000. *(Peter J. Stasiak, City Manager)*

- Confirm action taken on City Council Agenda Item N, an Adoption Agreement between American Fidelity Assurance Company and the City of McAlester for Administrative Services for the Section 125 Cafeteria Plan. *(Toni Ervin, CFO)*
- Confirm action taken on City Council Agenda Item 1, authorizing the Mayor to sign the Second Amendment to the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority, Dated April 22, 2014. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director )*
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign a letter from the McAlester Public Works Authority to Severn Trent Environmental Services, Inc. requesting a transfer of \$35,000 from "Chemicals" to "Repair & Maintenance" in accordance with the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority dated April 22, 2014. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 3, a resolution amending the City's Police pay scale, Fire pay scale, and Non-Uniform pay scale to reflect a 3.5% Cost of Living (COLA) increase for Fiscal Year 2015/2016. *(Toni Ervin, CFO, Peter Stasiak, City Manager)*

#### ADJOURN MPWA

#### **CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the Tuesday, May 26, 2015 Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of June, 2015. *(Toni Ervin, CFO)*

#### ADJOURN MRTA

#### **RECONVENE COUNCIL MEETING**

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#### **EXECUTIVE SESSION**

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

- 1) Proposed executive session pursuant to Title 25, Sec. 307 (B) (1), to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Manager, Peter Stasiak

**RECONVENE INTO OPEN SESSION**

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- Consider and act upon, the City Manager’s Contract.

**ADJOURNMENT**

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**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](http://www.cityofmcalester.com).*

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**Cora M. Middleton, City Clerk**