



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, July 14, 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**

*Announce the presence of a Quorum.*

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

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#### **ROLL CALL**

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**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 June 9, 2015, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the June 23, 2015, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for June 17, 2015 through July 7, 2015. *(Toni Ervin, Chief Financial Officer)*
- D. Consider and act upon, the Pride in McAlester Year-End Report for July 2014 through June 2015. *(Elizabeth Megaffin, Executive Director)*
- E. Consider and act upon, authorizing the Mayor to sign an Agreement with Jordan Carris Insurance for Renewal of Excess Worker's Compensation Insurance coverage. The Staff recommendation is for Option 3 at \$53,942.00. *(Toni Ervin, Chief Financial Officer)*
- F. Consider and act upon, authorization of payment to Infrastructure Solutions Group, LLC; dba Mehlburger Brawley, Invoice # MC-14-06-08, in the amount of \$ 10,906.00, for Construction Management and Resident Project Representative Services related to CIP#3 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)*
- G. Consider and act upon, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #8, in the amount of \$91,123.34, for the construction of road and infrastructure improvements related to CIP#3 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)*
- H. Consider and act upon, authorization of payment to EST, Inc., Invoice #34811, in the amount of \$18,630.00 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)*
- I. Consider and act upon, authorization of payment to EST, Inc., Invoice #34813, in the amount of \$25,212.50 for Construction Management Services and Materials Testing

Services related to CIP#1 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)*

- J. Consider and act upon, authorization of payment to EST, Inc., Invoice #34812, in the amount of \$21,859.50 for Construction Management Services and Materials Testing 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)*
- K. Consider and act upon, authorizing the Mayor to sign a Lease Agreement with Canon for a copier to be placed in the Tourism Office. *(James Stanford, IT Computer Support Specialist)*
- L. Consider and act upon, authorizing the Mayor to sign a letter of intent to continue the lease of the office space at 119 E. Choctaw, Suite 101, for Tourism. *(Steve Harrison, Mayor)*

## **ITEMS REMOVED FROM CONSENT AGENDA**

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### **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.*

### **SCHEDULED BUSINESS**

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1. Consider and act upon, accepting the project completed by Bronze Oak, LLC: "Improve Runway 2-20 Safety Areas and Remove Runway 2-20 Approach Surface Obstructions", and authorizing the Mayor to sign the necessary acceptance forms. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

#### **Executive Summary**

The recommendation is to accept the project completed by Bronze Oak, LLC: "Improve Runway 2-20 Safety Areas and Remove Runway 2-20 Approach Surface Obstructions", and to authorize the Mayor to sign the necessary acceptance forms.

2. Consider and act upon, authorizing the Mayor to sign a Professional Services Agreement with Meshek & Associates, PLC for Phase II Stormwater Management Program Assistance for the City of McAlester to meet Oklahoma Department of Environmental Quality (ODEQ) requirements and EPA's National Pollutant Discharge Elimination System (NPDES). *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

**Executive Summary**

Motion to approve authorizing the Mayor to sign a Professional Services Agreement with Meshek & Associates, Inc. for Phase II Stormwater Management Program activities during FY 2015-2016 for a fee not to exceed \$30,000.

3. Discussion on the opportunity to automate the water meter reading process by implementing an automated meter network system, including water meters, computer software and appurtenant infrastructure. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

**Executive Summary**

Discussion, and possible action, on the opportunity to automate the water meter reading process by implementing an automated meter network system, including water meters, computer software and appurtenant infrastructure. .

4. Consider and act upon, Change Order No. 4 to the contract with T. McDonald Construction, Inc. for the construction of Second Street Improvements and authorize the Mayor to sign Change Order No. 4 resulting in the addition of twenty-one (21) days. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

**Executive Summary**

Motion to approve Change Order No. 4 to the contract with T. McDonald Construction, Inc. and authorizing the Mayor to sign the Change Order changing the Contract Substantial Completion to November 22, 2015.

5. Consider and act upon, authorizing the Mayor to sign CIP#4 Amendment between the City of McAlester and Carstensen Contracting, Inc. for the construction of road and infrastructure improvements related to CIP#4, which includes a segment of Sixth Street from Chadick Park to Wyandotte Avenue. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

**Executive Summary**

The recommendation is to approve CIP#4 Amendment with Carstensen Contracting, Inc. for the construction of road and infrastructure improvements related to CIP#4, which includes a segment of Sixth Street from Chadick Park to Wyandotte Avenue.

6. Consider and act upon, rejecting the one bid received for the construction of drainage improvements on Illinois Avenue between Ninth Street and Tenth Street and approve re-advertising the project. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

**Executive Summary**

Motion to approve the rejection of the one bid received for the construction of drainage improvements on Illinois Avenue between Ninth Street and Tenth Street and approve the re-advertising of the project.

7. Consider and act upon, acceptance of Option #1 Proposal from Bears Playground Equipment in the amount of \$87,000.00 for the purchase of playground equipment for Mullen Park. *(Mel Priddy, Community Services Director)*

**Executive Summary**

Staff recommends accepting Option #1 Proposal from Bears Playground Equipment in the amount of \$87,000.00 for the purchase of playground equipment for Mullen Park.

8. Discussion and possible action, on approval of certain costs related to the Fire Department. Funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve the cost of training, funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services. Approx. cost \$4000.00.

9. Discussion and possible action, on approval of certain costs related to the Fire Department. Funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve the funds need for the accessory package for the new support vehicle, which has been approved for the McAlester Fire Department. Funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services. Approx. cost \$12,000.00.

10. Consider and act upon, authorizing the Mayor to sign a lease purchase agreement with Arvest Bank pursuant to section 2-275 of the McAlester City Code, for 6 new and unused work trucks. *(Peter Stasiak, City Manager, Sheila Norman, Purchasing)*

Executive Summary

Staff recommends authorizing the lease purchase agreement with Arvest Bank for 6 new and unused work trucks.

11. Consider and act upon, approval and acceptance of the revised Safety Manual. *(Doug Basinger, Safety Officer/Risk Management)*

Executive Summary

Staff recommends approval of the revised Manual.

12. Consider and act upon, acceptance of the letter and adoption of the amendment submitted to Internal Revenue Service amending Section 4.9 of the City of McAlester Defined Benefit Retirement Plan. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Staff recommendation is to accept the letter submitted on our behalf by McAfee & Taft to the Internal Revenue Service and to adopt the amendment as per their instructions.

13. **TABLED FROM JUNE 9TH MEETING:** Discussion on the purchase of the FAA Building located at the McAlester Airport by Pittsburg County Economic Development Authority. *(Peter Stasiak, City Manager)*

Executive Summary

Discussion to proceed with appraisal and preparatory information to have the building released by FAA for purchase by Pittsburg County Economic Development Authority.

**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 June 23, 2015, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending July 7, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item E, authorizing the Mayor to sign an Agreement with Jordan Carris Insurance for Renewal of Excess Worker's Compensation Insurance coverage. The Staff recommendation is for Option 3 at \$53,942.00. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, accepting the project completed by Bronze Oak, LLC: "Improve Runway 2-20 Safety Areas and Remove Runway 2-20 Approach Surface Obstructions", and authorizing the Mayor to sign the necessary acceptance forms. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 11, approval and acceptance of the revised Safety Manual. *(Doug Basinger, Safety Officer/Risk Management)*
- Confirm action taken on City Council Agenda Item 12, acceptance of the letter and adoption of the amendments submitted to Internal Revenue Service affecting the City of McAlester Defined Benefit Retirement Plan. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 13, discussion on the purchase of the FAA Building located at the McAlester Airport by Pittsburg County Economic Development Authority. *(Peter Stasiak, City Manager)*

## ADJOURN MAA

## CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

*Majority of a Quorum required for approval*

- Approval of the Minutes from the June 23, 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 June 2, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item E, authorizing the Mayor to sign an Agreement with Jordan Carris Insurance for Renewal of Excess Worker's Compensation Insurance coverage. The Staff recommendation is for Option 3 at \$53,942.00. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item F, authorization of payment to Infrastructure Solutions Group, LLC; dba Mehlburger Brawley, Invoice # MC-14-06-08, in the amount of \$ 10,906.00, for Construction Management and Resident Project Representative Services related to CIP#3 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 G, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #8, in the amount of \$91,123.34, for the construction of road and infrastructure improvements related to CIP#3 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 H, authorization of payment to EST, Inc., Invoice #34811, in the amount of \$18,630.00 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 I, authorization of payment to EST, Inc., Invoice #34813, in the amount of \$25,212.50 for Construction Management Services and Materials Testing Services related to CIP#1 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 J, authorization of payment to EST, Inc., Invoice #34812, in the amount of \$21,859.50 for Construction Management Services and Materials Testing 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 2, authorizing the Mayor to sign a Professional Services Agreement with Meshek & Associates, PLC for Phase II Stormwater Management Program Assistance for the City of McAlester to meet Oklahoma Department of Environmental Quality (ODEQ) requirements and EPA's National Pollutant Discharge Elimination System (NPDES). *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 3, discussion on the opportunity to automate the water meter reading process by implementing an automated meter network system, including water meters, computer software and appurtenant infrastructure. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 4, Change Order No. 4 to the contract with T. McDonald Construction, Inc for the construction of Second Street Improvements and authorize the Mayor to sign Change Order No. 4 resulting in the addition of twenty-one (21) days. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign CIP#4 Amendment between the City of McAlester and Carstensen Contracting, Inc. for the construction of road and infrastructure improvements related to CIP#4, which includes a segment of Sixth Street from Chadick Park to Wyandotte Avenue. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 6, rejecting the one bid received for the construction of drainage improvements on Illinois Avenue between Ninth Street and Tenth Street and approve re-advertising the project. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 10, authorizing the Mayor to sign a lease purchase agreement with Arvest Bank pursuant to section 2-275 of the McAlester City Code, for 6 new and unused work trucks. *(Peter Stasiak, City Manager, Sheila Norman, Purchasing)*
- Confirm action taken on City Council Agenda Item 11, approval and acceptance of the revised Safety Manual. *(Doug Basinger, Safety Officer/Risk Management)*
- Confirm action taken on City Council Agenda Item 12, acceptance of the letter and adoption of the amendment submitted to Internal Revenue Service amending Section 4.9

of the City of McAlester Defined Benefit Retirement Plan. *(Toni Ervin, Chief Financial Officer)*

**ADJOURN MPWA**

**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:*

- 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**

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

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**Cora M. Middleton, City Clerk**