



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, May 22, 2012 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

- Steve Harrison Mayor
- Weldon Smith Ward One
- Vacant Ward Two
- Travis Read Ward Three
- Robert Karr Ward Four
- Buddy Garvin Ward Five
- Sam Mason, Vice Mayor 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

Pastor, Robert L. Tate, First Indian Baptist Church

ROLL CALL

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 24, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the May 8, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for May 1-15, 2012. *(Toni Ervin, Chief Financial Officer)*
- D. Accept and place on file the 1st Quarter Report for Oklahomans for Independent Living. *(Cora Middleton, City Clerk)*
- E. Concur with Mayor's Re-Appointment of Walter Bethune to the Audit and Finance Advisory Committee for a term to expire March 2014. *(Mayor Steve Harrison)*
- F. Authorize the Mayor to sign an Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2012 through June 30, 2013. *(Cora Middleton, City Clerk)*
- G. Approve and Authorize the Mayor to sign a One (1) year Fire Alarm and Sprinkler inspection agreement with SimplexGrinnell for the period of June 1, 2012 through May 31, 2013, for the Southeast Expo Center. *(Cora Middleton, City Clerk)*
- H. Approve and Authorize the Mayor to sign a Billing and Collection Agreement with Aetna Health Management, LLC. *(Peter J. Stasiak, City 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 AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: THE EASTERLY 37 FEET OF THE SOUTHERLY 85 FEET OF LOT 15 AND THE SOUTHERLY 85 FEET OF LOT 16, IN BLOCK 240, CITY OF MCALESTER, FORMERLY KNOWN AS SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-2 (DUPLEX DISTRICT).

- AN ORDINANCE TO CLOSE THE FOLLOWING PLATTED ROADWAY: THE ROADWAY LYING BETWEEN LOTS 55 AND 77, IN TOWNSITE ADDITION NO. 4, PITTSBURG COUNTY, STATE OF OKLAHOMA AND TO RETAIN A TWENTY (20) FOOT UTILITY EASEMENT.
- AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2392 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2011-2012; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Consider and act upon, Proposed Budget for the CDBG-EDIF Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project. *(Peter J. Stasiak, City Manager and Millie Vance, Private Consultant)*

Executive Summary

Motion to approve Proposed Budget for the CDBG-EDIF Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project.

2. Consider, and act upon, a Resolution on Leverage Funds for CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project. *(Peter J. Stasiak, City Manager and Millie Vance, Private Consultant)*

Executive Summary

Motion to approve Resolution on Leverage Funds for CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project.

3. Consider, and act upon, approval of contract with Millie Vance, Inc. to prepare CDBG-EDIF grant application and provide Administrative Services for the CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project and authorize Mayor to sign related documents.

Executive Summary

Motion to approve contract with Millie Vance, Inc. to prepare CDBG-EDIF grant application and provide Administrative Services for the CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project and authorize Mayor to sign related documents.

4. Discussion with Allegiance Communications on services and reliability. *(Peter J. Stasiak, City Manager)*

Executive Summary

Discussion regarding the services and reliability with Allegiance Communications.

5. Consider, and act upon, an Ordinance amending Ordinance No. 2392 which established the budget for fiscal year 2011-2012; 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.

6. Consider, and act upon, a change in zoning from R1-B (Single Family Residential District) to R-2 (Duplex District). *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve and act upon changing the existing zoning R1-B (Single Family Residential District) to R-2 (Duplex District) and authorizing the Mayor to sign the attached Ordinance.

7. Consider, and act upon, closing the Roadway lying between Lots 55 and 77, in Townsite Addition No. 4 and to retain a twenty (20) foot utility easement. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve and act upon closing the Roadway lying between Lots 55 and 77, in Townsite Addition No. 4 and to retain a twenty (20) foot utility easement and authorizing the Mayor to sign the attached Ordinance.

8. Consider, and act upon, authorizing the Mayor to sign a resolution adopting the Pittsburg County Mitigation Plan for the City of McAlester. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*

Executive Summary

Motion to approve a resolution adopting the Pittsburg County Mitigation Plan for the City of McAlester.

9. Consider, and act upon, an Agreement for Engineering Services with IMS Infrastructure Management Services for the development of a Pavement Management Program for the lump sum fee of \$24,700. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*

Executive Summary

Motion to approve authorizing the Mayor to sign an Agreement for Engineering Services with IMS Infrastructure Management Services for the development of a Pavement Management Program for the lump sum fee of \$24,700.

10. Consider, and act upon, an Agreement for Engineering Services with Meshek & Associates, PLC for the development of construction plans, specifications and estimates related to the 2012 Proposed CIP Projects for the lumps sum fee of \$24,500. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*

Executive Summary

Motion to approve authorizing the Mayor to sign an Agreement for Engineering Services with Meshek & Associates, PLC for the development of construction plans, specifications and estimates for the 2012 Proposed CIP Projects.

11. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Traffic Signals, Inc. to construct the Traffic Signal Improvements at the

intersection of Wyandotte Avenue and Strong Boulevard for the bid price of \$130,076.94. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*

Executive Summary

The recommendation is to enter into an agreement with Traffic Signals, Inc to construct the Traffic Signal Improvements at the intersection of Wyandotte Avenue and Strong Boulevard for the bid price of \$130,076.94. The funding source for this project is Account Number 41-5863401.

- 12. Consider, and act upon, Change Order No. 1 – Final and Contractor’s Pay Estimate No. 3– Final for the Highway 69 Utility Relocation Sewer Project. Change Order No. 1 reconciles the final quantities and results for an addition of \$9,687.50 to the contract amount resulting in a final contract amount of \$209,552.50. *(David Medley, PE, Utilities Director)*

Executive Summary

Motion to approve final payment for the Highway 69 Utility Relocation Sewer Project to Pittard Construction Company of Allen, Texas authorization for the Mayor to sign Change Order No. 1 and the Final Application of Payment.

- 13. Consider, and act upon, Final and Contractor’s Pay Estimate No. 4A & 4B - Final for the Highway 69 Utility Relocation Water Project. Change Order No. 2 reconciles the final quantities and results for an addition of \$8,765.00 to the contract amount resulting in a final contract amount of \$572,215.00. *(David Medley, PE, Utilities Director)*

Executive Summary

Motion to approve final payment for the Highway 69 Utility Relocation Sewer Project to Pittard Construction Company of Allen, Texas authorization for the Mayor to sign Change Order No. 2 and the Final Application of Payment.

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 May 8, 2012 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending May 15, 2012. *(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 May 8, 2012 Regular Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending May 15, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, Proposed Budget for the CDBG-EDIF Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project. *(Peter J. Stasiak, City Manager and Millie Vance, Private Consultant)*
- Confirm action taken on City Council Agenda Item 2, a Resolution on Leverage Funds for CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project. *(Peter J. Stasiak, City Manager and Millie Vance, Private Consultant)*
- Confirm action taken on City Council Agenda Item 3, approval of contract with Millie Vance, Inc. to prepare CDBG-EDIF grant application and provide Administrative Services for the CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project and authorize Mayor to sign related documents.
- Confirm action taken on City Council Agenda Item 5, an Ordinance amending Ordinance No. 2392 which established the budget for fiscal year 2011-2012; 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 6, a change in zoning from R1-B (Single Family Residential District) to R-2 (Duplex District). *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 7, closing the Roadway lying between Lots 55 and 77, in Townsite Addition No. 4 and to retain a twenty (20) foot utility easement. *(Peter J. Stasiak, City Manager)*

- Confirm action taken on City Council Agenda Item 8, authorizing the Mayor to sign a resolution adopting the Pittsburg County Mitigation Plan for the City of McAlester. (*John C. Modzelewski, PE, City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item 9, Agreement for Engineering Services with IMS Infrastructure Management Services for the development of a Pavement Management Program for the lump sum fee of \$24,700. (*John C. Modzelewski, PE, City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item 10, an Agreement for Engineering Services with Meshek & Associates, PLC for the development of construction plans, specifications and estimates related to the 2012 Proposed CIP Projects for the lumps sum fee of \$24,500. (*John C. Modzelewski, PE, City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item 11, authorizing the Mayor to sign a contract between the City of McAlester and Traffic Signals, Inc. to construct the Traffic Signal Improvements at the intersection of Wyandotte Avenue and Strong Boulevard for the bid price of \$130,076.94. (*John C. Modzelewski, PE, City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item 12, Change Order No. 1 – Final and Contractor’s Pay Estimate No. 3– Final for the Highway 69 Utility Relocation Sewer Project. Change Order No. 1 reconciles the final quantities and results for an addition of \$9,687.50 to the contract amount resulting in a final contract amount of \$209,552.50. (*David Medley, P.E., Utilities Director*)
- Confirm action taken on City Council Agenda Item 13, Final and Contractor’s Pay Estimate No. 4A & 4B - Final for the Highway 69 Utility Relocation Water Project. Change Order No. 2 reconciles the final quantities and results for an addition of \$8,765.00 to the contract amount resulting in a final contract amount of \$572,215.00. (*David Medley, P.E., Utilities Director*)

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the April 24, 2012, Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of May 2012. (*Toni Ervin, Interim Chief Financial Officer*)

ADJOURN MRTA

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2012 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