



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, September 8, 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

Captain Robert Daniels, Salvation Army

ROLL CALL

CEREMONY AND AWARDS

Employee of the Month for August, 2015 is Robbie Patton, Gardner II for the City of McAlester.
(Steve Harrison, Mayor)

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 August 18, 2015, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the August 25, 2015, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for August 19, 2015 through September 1, 2015. *(Toni Ervin, Chief Financial Officer)*
- D. Consider and act upon, authorization of payment to Infrastructure Solutions Group, LLC; dba Mehlburger Brawley, Invoice # MC-14-06-10, in the amount of \$9,901.50, 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., City Engineer and Public Works Director)*
- E. Consider and act upon, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #10, in the amount of \$192,479.44, 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., City Engineer and Public Works Director)*
- F. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #8", in the amount of \$148,721.79 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)*
- G. Consider and act upon, authorization of payment to EST, Inc., Invoice #35134, in the amount of \$9,330.00 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)*

- H. Consider and act upon, authorization of payment to EST, Inc., Invoice #35135, in the amount of \$32,789.25 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.I., CFM, City Engineer and Public Works Director)*
- I. Consider and act upon, receipt of Permit No. WL 000061150601 from the Oklahoma Department of Environmental Quality (ODEQ) for the construction of 743 linear feet of eight (8) inch PVC sewer line and 766 linear feet of twelve (12) inch PVC sewer line to serve the Cottage Park Phase II, City of McAlester, Pittsburg County, Oklahoma. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- J. Consider and act upon, receipt of Permit No. WL 000061150647 from the Oklahoma Department of Environmental Quality (ODEQ) for the construction of 1,171 linear feet of eight (8) inch sewer line on Adams Street and Miami Avenue to serve the existing customers of City of McAlester, Pittsburg County, Oklahoma.. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- K. Accept and place on file, the Oklahomans for Independent Living (OIL) quarterly report for the period of April 1, 2015 through June 30, 2015. *(Pam Pulchny, Executive Director O.I.L.)*
- L. Consider and act upon, a request by Eastern Oklahoma State College, E.O.S.C., to partner with them for the rental for the use of the Southeast Expo Center for their GEAR UP event, September 29-30, 2015 and the ACT Prep event, December 16, 2015. *(Jerry Lynn Wilson, Expo Center Manager)*
- M. Consider and act upon, authorizing the Mayor to ratify and approve an agreement between the City of McAlester and Xerox Government Systems, LLC for Firehouse Software for Application Hosting and Technology Support Services. *(Brett Brewer, Fire Chief)*
- N. Ratify and approve a Facilities Space Agreement between the City of McAlester and the Oklahoma Department of Environmental Quality. To monitor the impact and extent of industrial pollution from urban areas adjacent to Southeastern Oklahoma. *(Cora Middleton, City Clerk)*
- O. Ratify and approve the Outer Marker Site & Access Road Lease Agreement between the City of McAlester and the U.S. Department of Transportation Federal Aviation Administration. This equipment allows for instrument Landings at the McAlester Airport. *(Cora Middleton, City Clerk)*

- P. Ratify and approve a property lease between the City of McAlester and Jo Ann Crabtree for the purpose of placing and maintaining an “Outer Marker” facility as a component of an instrument landing system. *(Cora Middleton, City Clerk)*
- Q. Ratify and approve an “Emergency Medical Technician Basic, Intermediate & Paramedic Field Clinical Agreement” between the City of McAlester Fire Department EMS and Kiamichi Technology Center, to allow for “Ride Along” privileges for Students in the Emergency Medical Technician Program. *(Cora Middleton, City Clerk)*
- R. Ratify and approve an agreement between the City of McAlester and Advanced Data Processing, Inc., a Subsidiary of Intermedix, for Ambulance billing and related professional services. *(Cora Middleton, City Clerk)*
- S. Ratify and approve a lease and contract between the City of McAlester and the Board of the Pittsburg County Regional Expo Authority for the use of the land where the Archery Park will be located. *(Cora Middleton, City Clerk)*
- T. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. “Contractor’s Application for Payment #2”, in the amount of \$5,715.98, retainage, for the construction of road and infrastructure improvements related to CIP#1 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)*

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. 2538 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2015-16; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

AN ORDINANCE TO CLOSE THE 105’ OF THE 10’ UTILITY EASEMENT IN LOTS 3 AND 4, IN BLOCK 1, EAGLE RIDGE ADDITION TO THE CITY OF McALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA, FROM THE EAST RIGHT-OF-WAY OF WHIPPOORWILL DRIVE TO THE WEST BOUNDARY OF THE 15’ UTILITY EASEMENT IN LOTS 3 AND 4, IN BLOCK 1, EAGLE RIDGE ADDITION.

SCHEDULED BUSINESS

1. Consider and act upon, an Ordinance amending Ordinance No. 2538 which established the budget for fiscal year 2015-16; 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.

2. Consider and act upon, an Ordinance to close 105' of the 10' Utility Easement in Lots 3 and 4, in Block 1, Eagle Ridge Addition to the City of McAlester, Pittsburg County, State of Oklahoma, from the east right-of-way of Whippoorwill Drive to the west boundary of the 15' Utility Easement in Lots 3 and 4, in Block 1, Eagle Ridge Addition. *(Leroy Alsup, Community and Economic Development Director)*

Executive Summary

Motion to approve and act upon the Ordinance to close the easement referenced above and to authorize the Mayor to sign the Ordinance.

3. **PULLED FROM AUGUST 25, 2015 MEETING:** Consider and act upon, awarding bid in the amount of \$74,800.00 to McCabe Crane & Sign, LLC. for a new digital marquee sign for the Southeast Expo. *(Mel Priddy, Community Services Director)*

Executive Summary

Motion to approve the award of bid to McCabe Crane & Sign, LLC.

4. Consider and act upon, authorizing the Mayor to sign Federal Aviation Administration Grant Offer for Airport Improvement Program Project No. 3-40-0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement". *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

The recommendation is to authorize the Mayor to sign Application for Federal Assistance SF-424 to provide funding for: Project 3-40-0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement".

5. **PULLED FROM AUGUST 11, 2015 MEETING:** Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement", Project 3-40-0057-013-2015. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

The recommendation is to authorize the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement", Project 3-40-0057-013-2015, for an amount of \$209,825.50.

6. Consider and act upon, accepting the bid amount of \$86,350.00 from Rocking O Construction, LLC to repair a portion of the Sandy Creek canal wall, and authorizing the Mayor to sign the Notice of Award to Rocking O Construction, LLC, and the Agreement to complete the repair. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

The recommendation is to enter into an agreement with Rocking O Construction, LLC for a Total Bid equal to \$86,350.00, to repair a portion of the Sandy Creek canal wall.

7. Consider and act upon, approving a change order in the amount of \$3,186.08 to the bid price of \$39,811.85 to add a K-9 cage for our new drug dog. (*Gary Wansick, Chief of Police*)

Executive Summary

Motion to approve change order.

8. Consider and act upon, authorizing the Mayor to sign an agreement with American Municipal Services (AMS) for the collection of delinquent fines. (*Karen Boatright, Municipal Court Administrator*)

Executive Summary

Recommendation to authorize and approve contract.

9. Discussion on the installation of Directional Signage along Carl Albert Parkway to increase awareness of various tourist locations in the City of McAlester. (*Buddy Garvin, Councilman Ward Five*)

Executive Summary

For discussion.

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 August 25, 2015, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending September 1, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item O, to ratify and approve the Outer Marker Site & Access Road Lease Agreement between the City of McAlester and the U.S. Department of Transportation Federal Aviation Administration. This equipment allows for instrument Landings at the McAlester Airport. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item P, to ratify and approve a property lease between the City of McAlester and Jo Ann Crabtree for the purpose of placing and maintaining an “Outer Marker” facility as a component of an instrument landing system. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 1, an Ordinance amending Ordinance No. 2538 which established the budget for fiscal year 2015-16; 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 4, authorizing the Mayor to sign Federal Aviation Administration Grant Offer for Airport Improvement Program Project No. 3-40-0057-013-2015 “Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement”. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: “Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement”, Project 3-40-0057-013-2015. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

ADJOURN MAA**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

Majority of a Quorum required for approval

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- Confirm action taken on City Council Agenda Item E, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #10, in the amount of \$192,479.44, 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., City Engineer and Public Works Director)*
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Construction, LLC, and the Agreement to complete the repair. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

ADJOURN MPWA

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