



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, October 27, 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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#### **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 October 6, 2015, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the October 12, 2015, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the October 13, 2015, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Approval of Claims for October 7, 2015 through October 20, 2015. *(Toni Ervin, Chief Financial Officer)*
- E. Consider and act upon, authorization of payment to Carstensen Construction, Inc., Contractor's Application for Payment #1, in the amount of \$97,137.70, for the construction of road and infrastructure improvements related to CIP#4A 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, authorization of payment to Carstensen Construction, Inc., Contractor's Application for Payment #5, in the amount of \$579,276.80, 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)*
- G. Consider and act upon, authorization of payment to Collins Waterworks, LLC., Invoice No. 1028, in the amount of \$11,350.00, for the construction of water improvements related to Economic Development and funded through the McAlester Public Works Authority Construction Fund Series Note Indenture, dated as of December 1, 2011, Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- H. Consider and act upon, authorizing the Mayor to sign a "Planned Maintenance (PM) Agreement" between the City of McAlester and Clifford Power System, Inc. (CPS) to perform periodic Planned Maintenance on eight generators located in various City-owned facilities. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

- I. Consider and act upon, authorizing the Mayor to sign a five (5) year lease agreement with Med-Trans Corporation for hangar and land lease at McAlester Regional Airport. *(Peter Stasiak, City Manager)*
- J. Concur with the Mayor's reappointment of Mr. David Cantrell to serve on the Community Tree Board for a term ending September, 2017. *(Steve Harrison, Mayor)*
- K. Concur with the Mayor's reappointment of Ms. Tedi Graham to serve on the Community Tree Board for a term ending September, 2017. *(Steve Harrison, Mayor)*
- L. Concur with the Mayor's reappointment of Ms. Sabra Tate to serve on the Community Tree Board for a term ending September, 2017. *(Steve Harrison, Mayor)*
- M. Concur with the Mayor's appointment of Ms. Stephanie Giacomo to serve on the Community Tree Board for a term ending September, 2017. *(Steve Harrison, Mayor)*
- N. Consider and act upon, to authorize the Mayor to cast his vote on the proposed Oklahoma Municipal League By-Laws Amendments dated September 24, 2015. *(Cora Middleton, City Clerk)*

## **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. Discussion and update on Financials. *(Toni Ervin, Chief Financial Officer)*

Executive Summary  
Discussion.

- 2. Consider and act upon, authorizing the Mayor to sign the McAlester Regional Airport (MLC) Five Year Capital Improvement Plan. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

Executive Summary  
Motion to authorize the Mayor to sign the McAlester Regional Airport (MLC) Five Year Capital Improvement Plan.

- 3. Consider and act upon, a Professional Services Agreement with Infrastructure Solutions Group, LLC dba Mehlburger Brawley for engineering services required for the design of the 2015 Community Development Block Grant (CDBG) Small Cities Water

*Improvements. (John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

Executive Summary

Motion to approve and authorize the Mayor to sign the Professional Services Agreement with, Infrastructure Solutions Group, LLC dba Mehlburger Brawley for Professional Engineering Services to complete work required for the 2015 Community Development Block Grant (CDBG) Small Cities Water Improvements. The Lump Sum fee for Engineering design is \$23,500 and Resident Project Representative during construction is \$8,900.00.

- 4. Consider and act upon, Change Order No. 7 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Improvements and authorize the Mayor to sign Change Order No. 7. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

Executive Summary

Motion to approve Change Order No. 7 to the contract with Carstensen Contracting, Inc and authorizing the Mayor to sign Change Order No. 7 which increases the Contract Price from \$3,030,346.23 to \$3, 041,288.49.

- 5. Discussion of the possible redrawing of the current ward boundaries. *(Steve Harrison, Mayor)*

Executive Summary

Discussion.

- 6. Consider and act to provide written notice of termination of the Professional Services Agreements with EST, Inc. for Construction Management Services related to CIP #2, CIP#4, and CIP #4A. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommends written notice of termination be forwarded to EST, Inc.

**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**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the October 13, 2015, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending October 20, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item I, authorizing the Mayor to sign a five (5) year lease agreement with Med-Trans Corporation for hangar and land lease at McAlester Regional Airport. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 1, discussion and update on Financials. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign the McAlester Regional Airport (MLC) Five Year Capital Improvement Plan. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

**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 October 12, 2015, Special Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Approval of the Minutes from the October 13, 2015, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending October 20, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item E, authorization of payment to Carstensen Construction, Inc., Contractor's Application for Payment #1, in the amount of \$97,137.70, for the construction of road and infrastructure improvements related to CIP#4A 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, authorization of payment to Carstensen Construction, Inc., Contractor's Application for Payment #5, in the amount of \$579,276.80, 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 G, authorization of payment to Collins Waterworks, LLC., Invoice No. 1028, in the amount of \$11,350.00, for the construction of water improvements related to Economic Development and funded through the McAlester Public Works Authority Construction Fund Series Note Indenture, dated as of December 1, 2011, Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item H, authorizing the Mayor to sign a “Planned Maintenance (PM) Agreement” between the City of McAlester and Clifford Power System, Inc. (CPS) to perform periodic Planned Maintenance on eight generators located in various City-owned facilities. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 1, discussion and update on Financials. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign the McAlester Regional Airport (MLC) Five Year Capital Improvement Plan. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 3, a Professional Services Agreement with Infrastructure Solutions Group, LLC dba Mehlburger Brawley for engineering services required for the design of the 2015 Community Development Block Grant (CDBG) Small Cities Water Improvements. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 4, Change Order No. 7 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Improvements and authorize the Mayor to sign Change Order No. 7. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 6, consideration and act to provide written notice of termination of the Professional Services Agreements with EST, Inc. for Construction Management Services related to CIP #2, CIP#4, and CIP #4A. *(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 September 22, 2015 Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of October, 2015. (*Toni Ervin, CFO*)

ADJOURN MRTA

RECONVENE COUNCIL MEETING

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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**