



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, February 23, 2016 – 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**

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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 the Minutes from the February 9, 2016, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for February 3, 2016 through February 17, 2016. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, authorization of payment to Weddle Signs, Invoice 68048, in the amount of \$5,225.00, for the installation of one LED Marquee sign in front of Puterbaugh School and the installation of one double poled sign in front of Will Rodgers School, related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- D. Consider and act upon, to amend and approve the contract for legal services between the City of McAlester, Oklahoma and Ervin & Ervin, Attorneys at Law, L.L.P.. *(Peter Stasiak, City Manager)*
- E. Consider and act upon, authorizing the Mayor to sign the signed Pliant Wholesale Water Purchase Contract. *(Toni Ervin, Chief Financial Officer)*
- F. Accept and place on file, the Oklahomans for Independent Living (OIL) quarterly report for the period of October 1, 2015 through December 31, 2015. *(Pam Pulchny, Executive Director O.I.L.)*

## **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, acceptance of the Utility Easement as more particularly described on the attached survey. *(Peter Stasiak, City Manager)*

**Executive Summary**

Staff recommendation is to accept the Utility Easement as more particularly described on the attached survey.

2. 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 equipment necessary for Wildland firefighting respiratory mask. 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 \$5000.00.

3. Consider and act upon, accepting the Change Order from Katcon, Inc. for eleven (11) weather days only. There is no increase or decrease in the contract price. *(Peter Stasiak, City Manager)*

**Executive Summary**

The recommendation is to accept this Change Order from Katcon, Inc. for eleven (11) weather days only. There is no increase or decrease in the contract price.

4. Discussion on the Storm Water Fee adopted by Ordinance 2554 dated December 22, 2015. *(Councilman John Titsworth)*

**Executive Summary**

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 February 9, 2016, Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, regarding claims ending February 17, 2016. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item D, to amend and approve the contract for legal services between the City of McAlester, Oklahoma and Ervin & Ervin, Attorneys at Law, L.L.P.. (*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 February 9, 2016, Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, regarding claims ending February 17, 2016. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item C, authorization of payment to Weddle Signs, Invoice 68048, in the amount of \$5,225.00, for the installation of one LED Marquee sign in front of Puterbaugh School and the installation of one double poled sign in front of Will Rodgers School, related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. (*Peter Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item D, to amend and approve the contract for legal services between the City of McAlester, Oklahoma and Ervin & Ervin, Attorneys at Law, L.L.P.. (*Peter Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item E, authorization for the Mayor to sign the signed Pliant Wholesale Water Purchase Contract. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item 1, acceptance of the Utility Easement as more particularly described on the attached survey. (*Peter Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item 3, acceptance of the Change Order from Katcon, Inc. for eleven (11) weather days only. There is no increase or decrease in the contract price. (*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 January 26, 2016 Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of February, 2016. (*Toni Ervin, CFO*)

**ADJOURN MRTA****RECONVENE COUNCIL MEETING****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:*

- Consider and act to convene in Executive Session pursuant to Title 25, Sec. 307 (B) (4) for Confidential communications between a public body and its attorney concerning a pending investigations, claims, or actions, more particularly City of McAlester v. Austin Paving (bond claim)".

**RECONVENE INTO OPEN SESSION**

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- Consider and act to settle the remaining bond claims against Austin Paving and its bonding company related to CIP 1.

**ADJOURNMENT**

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**CERTIFICATION**

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*I certify that this Notice of Meeting was posted on this \_\_\_\_\_ day of \_\_\_\_\_ 2016 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**