



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, March 8, 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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Glenn Meyer, Trinity Lutheran Church

#### **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**

*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 Claims for February 18, 2016 through March 1, 2016. *(Toni Ervin, Chief Financial Officer)*
- B. Concur with the Mayor's appointment of Mr. Paul Bishop, to the McAlester Audit & Finance Advisory Committee, for a term to end March 31, 2018. *(Steve Harrison, Mayor)*
- C. Consider and act upon, authorization of payment to Carstensen Construction, Inc., Contractor's Application for Payment #6, in the amount of \$110,476.75, for the construction of road and infrastructure improvements related to CIP#4 6<sup>th</sup> Street and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- D. Discussion and possible action, on approval of an agreement for mutual aid emergency medical services between Checotah Emergency Medical Service and the McAlester Fire/EMS Department. *(Brett Brewer, Fire Chief)*
- E. Discussion and possible action, on approval of an agreement for mutual aid emergency medical services between Coalgate Fire Department EMS and the McAlester Fire/EMS Department. *(Brett Brewer, Fire Chief)*
- F. Consider and act upon, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #16, in the amount of \$125,787.12, for the construction of road and infrastructure improvements related to CIP#3 and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account.. *(Peter 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 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 AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICT FOR LOT 6, IN BLOCK 165, CITY OF MCALESTER, FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-2 TWO-FAMILY DWELLING (DUPLEX) DISTRICT.**

## **SCHEDULED BUSINESS**

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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, authorizing the professional service agreement with the engineering firm of Holloway, Updike, and Bellen, Inc. for bidding, purchase, and implementation of an Automated Meter Reading/Advanced Metering Information System (AMR/AMI). *(Peter Stasiak, City Manager, Toni Ervin, Chief Financial Officer)*

### Executive Summary

Staff recommends that the Council authorize the Mayor to sign the agreements with Holloway, Updike, and Bellen, Inc.

3. Consider and act upon, an Ordinance amending the general zoning ordinance and accompanying map thereto known as General Zoning Ordinance No. 1843 (1989), by changing the classification of the zoning district for Lot 6, in Block 165, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma from R-1B Single-Family Residential District to R-2 Two-Family Dwelling (Duplex) District. *(Leroy Alsup, Community & Economic Development Director)*

### Executive Summary

Motion to act upon and approve the above Ordinance changing the classification of the zoning district for the property identified in the Ordinance from R-1B Single-Family Residential District to R-2 Two-Family Dwelling (Duplex) District and authorizing the Mayor to sign the ordinance.

4. Consider and act upon, authorizing the Mayor to sign the final Change Order No. 7 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 South Sixth Street Improvements. *(Peter Stasiak, City Manager)*

### 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 includes the final cleanup of Quantity ADD/Deducts. The amount of this change order, (\$12,866.36), reduces the contract value to \$1,080,707.77.

5. Consider and act upon, authorization to purchase from Freedom Ford of McAlester one new and unused 2015 F-350 1 Ton Truck with dump bed for the Streets Department on State of Oklahoma Vehicle Contract SW035 pursuant to Section 2-275 of the McAlester City Code. *(Peter Stasiak, City Manager)*

Executive Summary

Motion to approve authorization to purchase one new and unused F-350 1 Ton Truck with dump bed from Freedom Ford of McAlester and authorize payment in the amount of \$46,836.80.

6. Consider and act upon, accepting the bid amount of \$130,500.00 from L&L Construction, Inc. for the replacement of media and underdrain of Filter #5 at the MPWA Water Treatment Plant, and authorizing the Mayor to sign the Notice of Award and the Agreement to complete the project to L&L Construction, Inc. *(Peter Stasiak, City Manager)*

Executive Summary

The recommendation is to enter into an agreement with L&L Construction, Inc. for the Total Bid equal to \$130,500.00, for the replacement of media and underdrain.

7. Consider and act upon, acceptance and authorization for the Mayor to sign Final Change Order No. 4 in the amount of (\$30,056.66) for the contract with Carstensen Contracting, Inc. for construction services under CIP#2, A Street & 6<sup>th</sup> Street, and accept the project as completed. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommends approval of the Final Change Order No. 4 to Carstensen Contracting, Inc. and acceptance of the project as completed.

8. Consider and act upon, Final and Contractor's Pay Estimate No. 9 in the amount of \$113,952.14 for contract with Carstensen Contracting, Inc. for construction services under CIP#2, A Street & 6<sup>th</sup> Street, and accept the project as completed. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommends approval of the Final Pay Estimate No. 9 to Carstensen Contracting, Inc. and acceptance of the project as completed.

9. Submission, and Presentation of the 5-Year Capital Improvements Plan for FY 2016/17-2020/21. *(Peter J. Stasiak, City Manager)*

## **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**

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**MAYORS COMMENTS AND COMMITTEE APPOINTMENTS**

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**RECESS COUNCIL MEETING**

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**CONVENE AS McALESTER AIRPORT AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the February 23, 2016, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item A, regarding claims ending March 1, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item B, concurrence with the Mayor's appointment of Mr. Paul Bishop, to the McAlester Audit & Finance Advisory Committee, for a term to end March 31, 2018. *(Steve Harrison, Mayor)*
- Confirm action taken on City Council Agenda Item 9, submission and presentation of the 5-Year Capital Improvements Plan for FY 2016/17-2020/21. *(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 23, 2016, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item A, regarding claims ending March 1, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item B, concurrence with the Mayor's appointment of Mr. Paul Bishop, to the McAlester Audit & Finance Advisory Committee, for a term to end March 31, 2018. *(Steve Harrison, Mayor)*
- Confirm action taken on City Council Agenda Item C, authorization of payment to Carstensen Construction, Inc., Contractor's Application for Payment #6, in the amount of \$110,476.75, for the construction of road and infrastructure improvements related to

CIP#4 6<sup>th</sup> Street 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 F, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #16, in the amount of \$125,787.12, for the construction of road and infrastructure improvements related to CIP#3 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 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 2, authorizing the professional service agreement with the engineering firm of Holloway, Updike, and Bellen, Inc. for bidding, purchase, and implementation of an Automated Meter Reading/Advanced Metering Information System (AMR/AMI). *(Peter Stasiak, City Manager, Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 4, authorizing the Mayor to sign the final Change Order No. 7 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 South Sixth Street Improvements. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 5, authorization to purchase from Freedom Ford of McAlester one new and unused 2015 F-350 1 Ton Truck with dump bed for the Streets Department on State of Oklahoma Vehicle Contract SW035 pursuant to Section 2-275 of the McAlester City Code. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 6, accepting the bid amount of \$130,500.00 from L&L Construction, Inc. for the replacement of media and underdrain of Filter #5 at the MPWA Water Treatment Plant, and authorizing the Mayor to sign the Notice of Award and the Agreement to complete the project to L&L Construction, Inc. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 7, acceptance and authorization for the Mayor to sign Final Change Order No. 4 in the amount of (\$30,056.66) for the contract with Carstensen Contracting, Inc. for construction services under CIP#2, A Street & 6<sup>th</sup> Street, and accept the project as completed. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 8, Final and Contractor's Pay Estimate No. 9 in the amount of \$113,952.14 for contract with Carstensen Contracting, Inc. for construction services under CIP#2, A Street & 6<sup>th</sup> Street, and accept the project as completed. *(Peter Stasiak, City Manager)*

- Confirm action taken on City Council Agenda Item 9, submission and presentation of the 5-Year Capital Improvements Plan for FY 2016/17-2020/21. (*Peter Stasiak, City Manager*)

## ADJOURN MPWA

## RECONVENE COUNCIL MEETING

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### EXECUTIVE SESSION

*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 final payment of Carstensen Contracting on CIP#1.

### RECONVENE INTO OPEN SESSION

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- Consider and act upon final payment of Carstensen Contracting for CIP#1.

## ADJOURNMENT

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### CERTIFICATION

*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**