



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, June 14, 2016 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

John Browne .....	Mayor
Weldon Smith .....	Ward One
Vacant .....	Ward Two
Travis Read .....	Ward Three
Robert Karr, Vice Mayor .....	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**

*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 May 24, 2016, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for May 18, 2016 through June 7, 2016. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service Samsung iDCS Digital and Analog Telephone sets located at City Hall. *(James Stanford, IT Computer Support Specialists)*
- D. Consider and act upon, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service all 1 and 2 line non-system telephones and associated wiring owned by the City of McAlester within various locations of the City of McAlester. *(James Stanford, IT Computer Support Specialists)*
- E. Consider and act upon, authorizing the Mayor to ratify and approve an agreement between the City of McAlester and MegaPath for providing local and long distance calling services. *(James Stanford, IT Computer Support Specialists)*
- F. Consider and act upon, authorizing the Mayor to ratify and approve a Master Agreement between the City of McAlester and AT&T for Internet Services. *(James Stanford, IT Computer Support Specialists)*
- G. Consider and act upon, authorizing the Mayor to ratify and approve an annual Service Maintenance & License Agreement between the City of McAlester and CivicPlus for the City website. *(James Stanford, IT Computer Support Specialists)*
- H. Consider and act upon, authorizing the Mayor to sign an Agreement between Oklahomans for Independent Living and the City of McAlester for funding in the amount of \$24,000. *(Peter J. Stasiak, City Manager)*
- I. Consider and act upon, authorizing the Mayor to sign an Agreement between Old Town and the City of McAlester for funding in the amount of \$12,800. *(Peter J. Stasiak, City Manager)*
- J. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Pittsburg County Emergency Management for Fiscal Year 2016/2017 funding in the amount of \$50,000. *(Peter J. Stasiak, City Manager)*

- K. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Pride-in-McAlester for funding in the amount of \$60,000. *(Peter J. Stasiak, City Manager)*
- L. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and McAlester Main Street for funding in the amount of \$30,000. *(Peter J. Stasiak, City Manager)*
- M. Consider and act upon, receipt of the Permit No. WL000061160310 from the Oklahoma Department of Environmental Quality (ODEQ) for the construction of 1,740 linear feet of six (6) inch PVC potable water line and all appurtenances to serve the City of McAlester Project #1, Short Stonewall and Project #2, East Court Ave. *(Peter J. Stasiak, City Manager)*
- N. Consider and act upon, a request from the Pittsburg County Chapter NAACP to use the Michael J. Hunter Park, 14<sup>th</sup> and Chickasaw, Oklahoma on Saturday, June 18, 2016 from 8:00am until 5:00 p.m. to hold the Juneteenth Celebration. *(Miller Newman, President, Pittsburg County Chapter NAACP)*
- O. Concur with the Mayor's appointment of Peter Stasiak to Director of the Association for Landfill Financial Assurance's Board. *(John Browne, Mayor)*
- P. Consider and act upon, approval and adoption of the Leasing Guidelines and Waiver of Liability Release Form to be implemented for the use of the Fox-Sheehan Memorial Firing Range. *(Gary Wansick, Chief of Police)*
- Q. Consider and act upon, authorizing the Mayor to ratify and approve Agreement between McAlester Public Works Authority and Severn Trent Environmental Services, Inc. to Manage, Operate and Maintain the Water Treatment Plant. *(Peter Stasiak, City Manager)*
- R. Consideration and action to approve and to authorize the execution of a Professional Economic Development Consulting Services Agreement with Retail Attractions, LLC for a twelve month term from July 1, 2016 through June 30, 2017. *(Kirk Ridenour/Leroy Alsop, Community & Economic Development)*
- S. Concur with Oklahoma Municipal Assurance Group on the denial of Claim No. 201994-ME. *(Cora Middleton, City Clerk)*

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## 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.*

**A PUBLIC HEARING ON FY-14 CDBG GRANT #16083 CDBG 14, WATER LINE REPLACEMENT PROJECT; FINAL PERFORMANCE REPORT.**

**A PUBLIC HEARING ON FY-16 CDBG SMALL CITIES GRANT; FOR PROPOSED WATERLINE REPLACEMENTS PROJECT.**

**AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF McALESTER, OKLAHOMA FOR THE FISCAL YEAR 2016-2017.**

**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.**

**SCHEDULED BUSINESS**

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1. Consider and act upon, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2016-2017; providing for severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve an Ordinance adopting the budget for fiscal year 2016-2017 and declaring an emergency.

2. 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.

3. Consider and take action on final acceptance of 2014 CDBG Waterline Replacement Project and authorizing the Mayor to sign the closeout documents. *(Millie Vance, Millie Vance, Inc.)*

Executive Summary

Motion to accept 2014 CDBG Waterline Replacement Project as complete and authorize the Mayor to sign the closeout documents.

4. Consider and act upon, accepting the bid for the 2015 CDBG Waterline Replacement Project in the amount of \$111,700.00 from Cook's Consulting, LLC and authorizing the Mayor to sign the Award of Contract. *(Millie Vance, Millie Vance, Inc.)*

Executive Summary

Motion to approve the bid of \$111,700.00 from Cook's Consulting, LLC for the 2015 CDBG Waterline Replacement Project and authorizing the Mayor to sign the Award of Contract.

5. Consider and act upon, adopting a Resolution to Apply for FY-2016 CDBG Grant. *(Millie Vance, Millie Vance, Inc.)*

Executive Summary

Motion to approve adopting the resolution to Apply for the FY-2016 CDBG Grant.

6. Consider and act upon, adopting a Resolution to Leverage (Matching) funds for FY-2016 CDBG Water Line Replacement Project. *(Millie Vance, Millie Vance, Inc.)*

Executive Summary

Motion to approve to Leverage (Matching) funds for FY-2016 CDBG Water Line Replacement Project.

7. Consider and act upon, adopting a Residential Anti-Displacement Plan for FY-2016 CDBG Water Line Replacement Project. *(Millie Vance, Millie Vance, Inc.)*

Executive Summary

Motion to approve a Residential Anti-Displacement Plan for FY-2016 CDBG Water Line Replacement Project.

8. Consider and act upon, adopting a Contract with Millie Vance Incorporated to prepare FY-2016 CDBG grant application and administer project. *(Millie Vance, Millie Vance, Inc.)*

Executive Summary

Motion to approve and authorizing the Mayor to sign a Contract with Millie Vance Incorporated to prepare FY-2016 CDBG grant application and administer project.

9. Consider and act upon, Building Demolition & Site Clearance Contracts with Dill Transport, Inc. in the sum of \$4,500, XL Construction, LLC in the sum of \$8,700, and Moss Trucking DBA as Henry Moss in the sum of \$13,400. *(George Estrada/Leroy Alsup, Community & Economic Development)*

Executive Summary

Motion to award Building Demolition & Site Clearance Contracts to Dill Transport, Inc. in the sum of \$4,500, XL Construction, LLC in the sum of \$8,700, and Moss Trucking DBA as Henry Moss in the sum of \$13,400 and to authorize the Mayor to execute the respective Notice of Awards and Building Demolition & Site Clearance Contracts with Dill Transport Inc., XL Construction, LLC., and Moss Trucking DBA as Henry Moss.

10. Consider and act upon, accepting the bid amount of \$449,984.00 from Katcon, Inc. for the Washington Ave. Street Reconstruction Project and authorizing the Mayor to sign the Notice of Award to Katcon, Inc. *(Peter Stasiak, City Manager)*

Executive Summary

The recommendation is to enter into an agreement with Katcon, Inc. for the bid equal to \$449,984.00 for the Washington Ave. Street Reconstruction Project.

11. Consider and act upon, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2-286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2-287. *(Toni Ervin, Chief Financial Officer)*

**Executive Summary**

Motion to declare certain vehicles and equipment surplus property and authorize the sale of said vehicles and equipment.

12. Consider and act upon, declaring 137 bicycles surplus property in accordance with the Code of Ordinances Sec 2-286 and authorize the City Manager to donate them to the Boys and Girls Club. *(Gary Wansick, Chief of Police)*

**Executive Summary**

Motion to declare certain 137 bicycles surplus property and authorize the City Manager to donate them to the Boys and Girls Club.

13. Consider and act upon, authorizing the Mayor to sign a contract with Chillie Joe Bills, Auctioneer, for the sale of surplus items. *(Toni Ervin, Chief Financial Officer)*

**Executive Summary**

Motion to approve authorizing the Mayor to sign a contract with Chillie Joe Bills, Auctioneer, for the sale of surplus items.

14. Consider and act upon, rejection of all bids received for the 500 N. Main Drainage Improvements. *(Peter Stasiak, City Manager)*

**Executive Summary**

Motion to approve rejection of all three bids received for the 500 N. Main Drainage Improvement Project.

15. Consider and act upon, the Application for Obtaining Real Property for Historic Monument Purposes for the acquisition of the Carl F. Albert Federal Building & U.S. Courthouse. *(Peter Stasiak, City Manager)*

**Executive Summary**

Motion to approve application to acquire the Carl F. Albert Federal Building & U.S. Courthouse.

**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**

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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 May 24, 2016, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending June 7, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service Samsung iDCS Digital and Analog Telephone sets located at City Hall. *(James Stanford, IT Computer Support Specialists)*
- Confirm action taken on City Council Agenda Item D, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service all 1 and 2 line non-system telephones and associated wiring owned by the City of McAlester within various locations of the City of McAlester. *(James Stanford, IT Computer Support Specialists)*
- Confirm action taken on City Council Agenda Item E, authorizing the Mayor to ratify and approve an agreement between the City of McAlester and MegaPath for providing local and long distance calling services. *(James Stanford, IT Computer Support Specialists)*
- Confirm action taken on City Council Agenda Item F, authorizing the Mayor to ratify and approve a Master Agreement between the City of McAlester and AT&T for Internet Services. *(James Stanford, IT Computer Support Specialists)*
- Confirm action taken on City Council Agenda Item G, authorizing the Mayor to ratify and approve an annual Service Maintenance & License Agreement between the City of McAlester and CivicPlus for the City website. *(James Stanford, IT Computer Support Specialists)*
- Confirm action taken on City Council Agenda Item 1, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2016-2017; providing for severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

### **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 May 24, 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 June 7, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service Samsung iDCS Digital and Analog Telephone sets located at City Hall. *(James Stanford, IT Computer Support Specialists)*
- Confirm action taken on City Council Agenda Item D, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service all 1 and 2 line non-system telephones and associated wiring owned by the City of McAlester within various locations of the City of McAlester. *(James Stanford, IT Computer Support Specialists)*
- Confirm action taken on City Council Agenda Item E, authorizing the Mayor to ratify and approve an agreement between the City of McAlester and MegaPath for providing local and long distance calling services. *(James Stanford, IT Computer Support Specialists)*
- Confirm action taken on City Council Agenda Item F, authorizing the Mayor to ratify and approve a Master Agreement between the City of McAlester and AT&T for Internet Services. *(James Stanford, IT Computer Support Specialists)*
- Confirm action taken on City Council Agenda Item G, authorizing the Mayor to ratify and approve an annual Service Maintenance & License Agreement between the City of McAlester and CivicPlus for the City website. *(James Stanford, IT Computer Support Specialists)*
- Confirm action taken on City Council Agenda Item M, receipt of the Permit No. WL000061160310 from the Oklahoma Department of Environmental Quality (ODEQ) for the construction of 1,740 linear feet of six (6) inch PVC potable water line and all appurtenances to serve the City of McAlester Project #1, Short Stonewall and Project #2, East Court Ave. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item O, concur with the Mayor's appointment of Peter Stasiak to Director of the Association for Landfill Financial Assurance's Board. *(John Browne, Mayor)*
- Confirm action taken on City Council Agenda Item Q, authorizing the Mayor to ratify and approve an Agreement between McAlester Public Works Authority and Severn Trent Environmental Services, Inc. to Manage, Operate and Maintain the Water Treatment Plant. *(Peter Stasiak, City Manager)*

- Confirm action taken on City Council Agenda Item S, concurrence with Oklahoma Municipal Assurance Group on the denial of Claim No. 201994-ME. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 1, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2016-2017; providing for severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3, consideration and action on final acceptance of 2014 CDBG Waterline Replacement Project and authorizing the Mayor to sign the closeout documents. *(Millie Vance, Millie Vance, Inc.)*
- Confirm action taken on City Council Agenda Item 4, acceptance of the bid for the 2015 CDBG Waterline Replacement Project in the amount of \$111,700.00 from Cook's Consulting, LLC and authorizing the Mayor to sign the Award of Contract. *(Millie Vance, Millie Vance, Inc.)*
- Confirm action taken on City Council Agenda Item 5, adoption of a Resolution to Apply for FY-2016 CDBG Grant. *(Millie Vance, Millie Vance, Inc.)*
- Confirm action taken on City Council Agenda Item 6, adoption of a Resolution to Leverage (Matching) funds for FY-2016 CDBG Water Line Replacement Project. *(Millie Vance, Millie Vance, Inc.)*
- Confirm action taken on City Council Agenda Item 7, adoption of a Residential Anti-Displacement Plan for FY-2016 CDBG Water Line Replacement Project. *(Millie Vance, Millie Vance, Inc.)*
- Confirm action taken on City Council Agenda Item 8, adoption of a Contract with Millie Vance Incorporated to prepare FY-2016 CDBG grant application and administer project. *(Millie Vance, Millie Vance, Inc.)*
- Confirm action taken on City Council Agenda Item 10, acceptance of the bid amount of \$449,984.00 from Katcon, Inc. for the Washington Ave. Street Reconstruction Project and authorizing the Mayor to sign the Notice of Award to Katcon, Inc. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 11, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2-286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2-287. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 13, authorization for the Mayor to sign a contract with Chillie Joe Bills, Auctioneer, for the sale of surplus items. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 14, rejection of all bids received for the 500 N. Main Drainage Improvements. *(Peter Stasiak, City Manager)*

ADJOURN MPWA

**RECONVENE COUNCIL MEETING**

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**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:*

1. Proposed Executive Session pursuant to Title 25, Sec. 307 (B) (1), to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Clerk, Cora Middleton
2. Proposed Executive Session pursuant to Title 25, Sec. 307 (B) (1), to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Manager, Peter Stasiak

**RECONVENE INTO OPEN SESSION**

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- Consider and act upon, the City Clerk’s Contract.
- Consider and act upon, the City Manager’s Contract.

**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