



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, September 13, 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 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

ROLL CALL

SWEARING-IN CEREMONY

Judge Deborah Hackler will administer the Oath of Office to the Council Member:

- Oath of Office – Council Member
Ward Two – Cully Stevens

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 23, 2016, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for August 17, 2016 through September 6, 2016. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, authorization of payment to HD Supply Waterworks, Invoice F980605, in the amount of \$ 2,100.00, for water line items related to Washington Avenue Pavement Reconstruction Project and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- D. Consider and act upon, authorization of payment to HD Supply Waterworks, Invoice F954699, in the amount of \$ 126.00, for water line items related to Washington Avenue Pavement Reconstruction Project and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- E. Consider and act upon, authorization of payment to KATCON, Inc., Invoice Payment #2, in the amount of \$ 88,685.11, for Construction Services related to Washington Avenue Pavement Reconstruction Project and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- F. Consider and act upon, authorization of payment to GC Rental & Sales, Invoice 42095, in the amount of \$ 4,000.00, for equipment rental for Washington Avenue Pavement Reconstruction Project and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- G. Consider and act upon, authorization of payment to HD Supply Waterworks, Invoice F990852, in the amount of \$ 133.28 for water line items related to Washington Avenue Pavement Reconstruction Project and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- H. Consider and act upon, authorization of payment to Infrastructure Solutions Group, LLC, Invoice MC-15-02A-02, in the amount of \$ 8,860.00 for Professional Services related to Washington Avenue Pavement Reconstruction Project and funded through the McAlester

Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*

- I. Consider and act upon, a request from Eastern Oklahoma State College, E.O.S.C., McAlester Campus, to partner with them for the rental fee for the use of the Southeast Expo Center for the 10th Annual Career & College Tour set for October 11-12, 2016 in the amount of \$2,000.00. *(Jerry Lynn Wilson, EXPO Center Manager)*
- J. Consider and act upon, authorizing the Mayor to sign an Amendment to Contract No. 2016-0110 with Tyler Technologies reducing the existing contact value by \$7,500.00. *(Gary Wansick, Chief of Police)*
- K. Consider and act upon, the McAlester Airport Authority renewing First National Bank Loan #119817 in the amount of \$143,978.16 for an additional 2 years at 4.25% interest with a monthly payment of \$5,000.00. *(Toni Ervin, Chief Financial Officer)*
- L. Consider and act upon, approval and authorizing the Mayor to sign a lease in the amount of \$1,295.00 per month for space to relocate the City of McAlester Tourism Office at 119 E. Choctaw Street, Suite 103. *(Peter Stasiak, City Manager)*
- M. Discussion and possible action on approval of an agreement between Oklahoma State University, Fire Service Training and McAlester Fire Department to authorize McAlester Fire Department as a Community Training Site for emergency cardiovascular care training. *(Brett Brewer, Fire Chief)*

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. 2568 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2016-17; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

AN ORDINANCE AMENDING ARTICLE IX, SECTION 18-533 OF THE McALESTER "BUILDINGS AND BUILDING REGULATIONS" CITY CODE; PROVIDING THE EFFECTIVE DATE; PROVIDING FOR SEVERABILITY.

SCHEDULED BUSINESS

1. Presentation of Financial Reporting Under GSB Statements (Actuarial Report) for the City of McAlester Defined Benefit Retirement Plan and Trust as of June 30, 2016 and adoption of a resolution amending actuarial assumption from 30 years to 20 years.
(Bruce Nordstrom, Senior Consulting Actuary, McQueary Henry Bowles Troy, L.L.P.)

Executive Summary

Motion to accept and place on file the Actuarial Report for period ending June 30, 2016 and adoption of the resolution amending the actuarial assumption from 30 years to 20 years.

2. Consider and act upon, an Ordinance amending Article IX, Section 18-378 (now Section 18-533) of the McAlester Building and Building Regulations City Code; Providing the effective date; Providing for severability. *(William J. Ervin, City Attorney)*

Executive Summary

Mayor and City Council to pass and approve Section 18-533 amended ordinance allowing for an extension of the Special Remodeling Permit.

3. Consider and act upon, a request from the property owner for a 180 day extension of Special Remodel Permit No. 16050 for the condemned property at 1516 Park Drive.
(Leroy Alsup, Community & Economic Development Director)

Executive Summary

Motion to grant a 180 day extension of Special Remodel Permit No. 16050 for the condemned property at 1516 Park Drive, effective September 13, 2016.

4. Consider and act upon, a Resolution relating to Indigenous Peoples' Day; declaring the second Monday in October as Indigenous Peoples' Day in the City of McAlester, Oklahoma; encouraging other Institutions to recognize the day; and reaffirming the City's commitment to promote the well-being and growth of McAlester's Native American Indian and Indigenous Community. *(Robert Karr, Vice-Mayor, Councilman Ward Four)*

Executive Summary

Motion to pass and approve the Resolution relating to Indigenous Peoples' Day; declaring the second Monday in October as Indigenous Peoples' Day in the City of McAlester.

5. Consider and act upon, adopting a resolution opposing State Question 779 which initiates an additional one percent sales tax for education funding in the State of Oklahoma.
(Mayor John Browne)

Executive Summary

Motion to approve and authorize the Mayor to sign the resolution opposing State Question 779.

6. Presentation and discussion on a Residuals Handling Program. *(Dale Burke, Robert Vaughan, Infrastructure Solutions Group, LLC)*

Executive Summary

Presentation and discussion.

7. Consider and act upon, an Ordinance amending Ordinance No. 2568 which established the budget for fiscal year 2016-17; 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.

8. Consider and act upon, accepting Federal Aviation Grant #3-40-0057-014-2016 for the replacement of the Rotating Beacon at the McAlester Regional Airport. *(Peter Stasiak, City Manager)*

Executive Summary

Motion to approve and act upon accepting Federal Aviation Grant #3-40-0057-014-2016 for the replacement of the Rotating Beacon and authorizing the Mayor to sign the agreement.

9. Consider and act upon, accepting the bid from Electric Power Solutions for the Installation of the New Rotating Beacon and authorizing the Mayor to sign all documents required for this project. *(Peter Stasiak, City Manager)*

Executive Summary

Motion to accept the bid from Electric Power Solutions and authorize the Mayor to sign all documents required for this project.

10. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay Estimate No. 3 for the contract with L&L Construction, Inc. for the replacement of media and underdrain of Filter #5 at the MPWA Water Treatment Plant and accept the project as completed. *(Peter Stasiak, City Manager)*

Executive Summary

Motion to approve final payment of \$21,680.35 for the replacement of media and underdrain of Filter #5 at the MPWA Water Treatment Plant and accept the project as completed.

11. Consider and act upon, authorizing the Mayor to sign a Professional Services Agreement with Meshek & Associates, PLC for Phase II Stormwater Management Program Assistance for the City of McAlester to meet Oklahoma Department of Environmental Quality (ODEQ) requirements and EPA's National Pollutant Discharge Elimination System (NPDES). *(Peter Stasiak, City Manager)*

Executive Summary

Motion to approve authorizing the Mayor to sign a Professional Services Agreement with Meshek & Associates, Inc. for Phase II Stormwater Management Program activities during FY 2016-2017 for a fee not to exceed \$72,500.

12. Consider and act upon, authorization of an Acknowledgement and Release of Liability for the donation of McAlester Police Department expired bullet proof vests to Hartshorne Police Department. *(Gary Wansick, Chief of Police)*

Executive Summary

Motion to authorize an Acknowledgement and Release of Liability for the donation of McAlester Police Department expired bullet proof vests to Hartshorne Police Department.

13. 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 purchase of 6, 5" to 4" storz reducers, to be place on the ladder truck. Approx. cost 870.00
Purchases to be made with funds from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services.

14. Discussion and possible action, on approval of an agreement with Oklahoma Department of Agriculture, Food and Forestry, Department of Defense to accept the release and transfer of one used 2010 freightliner semi tractor. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve the agreement.

15. Consider, discuss and act upon, list of significant changes to the City of McAlester Code of Ordinances recommended by MuniCode during the required recodification. Final draft to be included. *(Cora Middleton, City Clerk)*

Executive Summary

For discussion and possible action.

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 23, 2016, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*

- Confirm action taken on City Council Agenda Item B, regarding claims ending September 6, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item K, the McAlester Airport Authority renewing First National Bank Loan #119817 in the amount of \$143,978.16 for an additional 2 years at 4.25% interest with a monthly payment of \$5,000.00. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, a presentation of Financial Reporting Under GSB Statements (Actuarial Report) for the City of McAlester Defined Benefit Retirement Plan and Trust as of June 30, 2016 and adoption of a resolution amending actuarial assumption from 30 years to 20 years. *(Bruce Nordstrom, Senior Consulting Actuary, McQueary Henry Bowles Troy, L.L.P.)*
- Confirm action taken on City Council Agenda Item 7, an Ordinance amending Ordinance No. 2568 which established the budget for fiscal year 2016-17; 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 8, acceptance of Federal Aviation Grant #3-40-0057-014-2016 for the replacement of the Rotating Beacon at the McAlester Regional Airport. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 9, acceptance of the bid from Electric Power Solutions for the Installation of the New Rotating Beacon and authorizing the Mayor to sign all documents required for this project. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 15, a list of significant changes to the City of McAlester Code of Ordinances recommended by MuniCode during the required recodification. Final draft to be included. *(Cora Middleton, City Clerk)*

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the August 23, 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 September 6, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C, authorization of payment to HD Supply Waterworks, Invoice F980605, in the amount of \$ 2,100.00, for water line items

related to Washington Avenue Pavement Reconstruction Project 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, authorization of payment to HD Supply Waterworks, Invoice F954699, in the amount of \$ 126.00, for water line items related to Washington Avenue Pavement Reconstruction Project 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 E, authorization of payment to KATCON, Inc., Invoice Payment #2, in the amount of \$ 88,685.11, for Construction Services related to Washington Avenue Pavement Reconstruction Project 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 GC Rental & Sales, Invoice 42095, in the amount of \$ 4,000.00, for equipment rental for Washington Avenue Pavement Reconstruction Project 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 G, authorization of payment to HD Supply Waterworks, Invoice F990852, in the amount of \$ 133.28 for water line items related to Washington Avenue Pavement Reconstruction Project 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 H, authorization of payment to Infrastructure Solutions Group, LLC, Invoice MC-15-02A-02, in the amount of \$ 8,860.00 for Professional Services related to Washington Avenue Pavement Reconstruction Project 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, a presentation of Financial Reporting Under GSB Statements (Actuarial Report) for the City of McAlester Defined Benefit Retirement Plan and Trust as of June 30, 2016 and adoption of a resolution amending actuarial assumption from 30 years to 20 years. *(Bruce Nordstrom, Senior Consulting Actuary, McQueary Henry Bowles Troy, L.L.P.)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending Article IX, Section 18-378 (now Section 18-533) of the McAlester Building and Building Regulations City Code; Providing the effective date; Providing for severability. *(William J. Ervin, City Attorney)*

- Confirm action taken on City Council Agenda Item 3, a request from the property owner for a 180 day extension of Special Remodel Permit No. 16050 for the condemned property at 1516 Park Drive. *(Leroy Alsup, Community & Economic Development Director)*
- Confirm action taken on City Council Agenda Item 6, a presentation and discussion on a Residuals Handling Program. *(Dale Burke, Robert Vaughan, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 7, an Ordinance amending Ordinance No. 2568 which established the budget for fiscal year 2016-17; 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 10, authorizing the Mayor to sign the Contractor's Final Pay Estimate No. 3 for the contract with L&L Construction, Inc. for the replacement of media and underdrain of Filter #5 at the MPWA Water Treatment Plant and accept the project as completed. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 11, authorizing the Mayor to sign a Professional Services Agreement with Meshek & Associates, PLC for Phase II Stormwater Management Program Assistance for the City of McAlester to meet Oklahoma Department of Environmental Quality (ODEQ) requirements and EPA's National Pollutant Discharge elimination System (NPDES). *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 15, a list of significant changes to the City of McAlester Code of Ordinances recommended by MuniCode during the required recodification. Final draft to be included. *(Cora Middleton, City Clerk)*

ADJOURN MPWA

RECONVENE COUNCIL MEETING

ADJOURNMENT

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.

Cora M. Middleton, City Clerk