



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, October 25, 2016 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

- John Browne Mayor
- Weldon Smith Ward One
- Cully Stevens 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

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 11, 2016, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for October 5, 2016 through October 18, 2016. *(Toni Ervin, Chief Financial Officer)*
- C. **TABLED FROM THE OCTOBER 11TH MEETING;** Consider and act upon, authorization of payment to Old Town Association, Invoice 536909, in the amount of \$5,443.75 to reimburse the Association for expenses incurred for the Wild West Festival per the agreement dated June 14, 2016. *(Toni Ervin, Chief Financial Officer)*
- D. Consider and act upon, to concur with the Mayor's appointment of Mr. Steve Harrison, 37 Georgetown Circle, McAlester, 74501 to the McAlester Library Advisory Board for a term beginning October 26, 2016 and ending December 31, 2020. *(John Browne, Mayor)*
- E. Consider and act upon, to concur with the Mayor's appointment of Ms. Mozelle Proctor, 308 Eagle Bend, McAlester, 74501 to the McAlester Library Advisory Board for a term beginning January 1, 2017 and ending December 31, 2021. *(John Browne, Mayor)*

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

CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF McALESTER ESTABLISHING THE REGULATION OF UTILITY LINES WITHIN THE CITY OF McALESTER, OKLAHOMA; AMENDING McALESTER CITY CODE CHAPTER 106, UTILITIES, ARTICLE II,

SECTION 106-46, DEFINITIONS; SECTION 106-47, MINIMUM BURIAL DEPTH; SECTION 106-48, VARIANCES; SECTION 106-49, RESTORATION OF PROPERTY; AND, SECTION 106-50, COSTS AND EXPENSES, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, AND DECLARING AN EMERGENCY.

CONSIDER AND ACT UPON AN ORDINANCE TO AMEND AND ADOPT SECTIONS 22-96 AND 22-98. TO BE ADDED TO CHAPTER 22, BUSINESSES, ARTICLE IV, PEDDLERS AND SOLICITORS, OF THE CODE OF THE CITY OF MCALESTER, OKLAHOMA, REPEALING ALL CONFLICTING ORDINANCES, AND DECLARING AN EMERGENCY.

CONSIDER AND ACT UPON AN ORDINANCE AMENDING CHAPTER 48, FEES, CHARGES AND SERVICE RATES, ARTICLE II, LICENSES GENERALLY, FORMERLY LOCATED IN CHAPTER 22, BUSINESSES, OF THE CODE OF THE CITY OF MCALESTER, OKLAHOMA, TO AMEND THE FEE SCHEDULE, AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Presentation of the McAlester Regional Health Center Audit for Fiscal Year 2016. *(David Keith, CEO, Darryl Linnington, CFO, McAlester Regional Health Center)*

Executive Summary
Presentation.

2. 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.

3. Consider and act upon, an Ordinance establishing the regulation of utility lines burial depths within the City of McAlester. *(Peter Stasiak, City Manager)*

Executive Summary
Motion to approve an Ordinance establishing the regulation of utility lines burial depths within the City of McAlester.

4. Consider and act upon, an Ordinance establishing no Solicitor's Permit requirement for charitable contributions, compulsory background check for a Solicitor Permit, and establishing a Peddler or Solicitor to require an invitation to enter a posted premises. *(Toni Ervin, Chief Financial Officer, Gary Wansick, Chief of Police)*

Executive Summary

Motion to approve the Ordinance establishing no Solicitor's Permit requirement for charitable contributions, compulsory background check for a Solicitor Permit, and establishing a Peddler or Solicitor to require an invitation to enter a posted premises.

5. Consider and act upon, an Ordinance to adopt the fee schedule for Peddler and Solicitor permits and add a fee for conducting background checks for Peddler and Solicitor permits. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve the Ordinance amending the fee schedule for Peddler and Solicitor permits and add a fee for conducting background checks for Peddler and Solicitor permits.

6. Consider and act upon, to authorize the Mayor to accept and sign State Contract #0-3703 for a period of one year for the supplies, pavement marking and striping services of city streets pursuant to Section 2-275 of the McAlester City Code. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommends authorization of the Mayor to accept and sign State Contract #0-3703 for the supplies, marking, and striping of city streets per the attached list.

7. Consider and act upon, authorizing the Mayor to sign ACC Business Agreement for managed Internet Service for ISP, 10 mbps Fiber, Southeast Expo Center. *(James Stanford, Computer Technical Support, Joe Breeden, BIZTEL)*

Executive Summary

Motion to approve the ACC Business Agreement for managed Internet service.

8. Consider and act upon, authorizing the Mayor to sign ACC Business Agreement for managed Internet server for ISP, 50 mbps Fiber, City Hall. *(James Stanford, Computer Technical Support, Joe Breeden, BIZTEL)*

Executive Summary

Motion to approve the ACC Business Agreement for managed Internet service.

9. Consider and act upon, accepting Change Order No. 2 from Katcon, Inc. for thirty-three (33) weather days only on the Washington Ave. Street Reconstruction Project. There is no increase or decrease in the contract price. *(Dale Burke, Infrastructure Solutions Group, LLC)*

Executive Summary

The recommendation is to accept this Change Order from Katcon, Inc. for thirty-three (33) weather days. There is no increase or decrease in the contract price.

10. Consider and act upon, a resolution authorizing the creation of a Full Time Position of Residual Handling Operator in the Waste Water Division and placed on the Non Uniform Pay plan on pay grade 117 for the FY 2016-2017. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve resolution for the Full Time Position for the Residual Handling Operator.

- 11. Consider and act upon, a resolution authorizing the creation of a Full Time Position of Groundskeeper in the Recreation Division and placed on the Non Uniform Pay plan on pay grade 112 for the FY 2016-2017. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve resolution for the Full Time Position of Groundskeeper.

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

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 October 11, 2016, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending October 18, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 2, 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 3, an Ordinance establishing the regulation of utility lines burial depths within the City of McAlester. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 11, a resolution authorizing the creation of a Full Time Position of Groundskeeper in the Recreation Division and placed on the Non Uniform Pay plan on pay grade 112 for the FY 2016-2017. *(Toni Ervin, Chief Financial Officer)*

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the October 11, 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 October 18, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 2, 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 3, an Ordinance establishing the regulation of utility lines burial depths within the City of McAlester. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 6, authorization for the Mayor to accept and sign State Contract #0-3703 for a period of one year for the supplies, pavement marking and striping services of city streets pursuant to Section 2-275 of the McAlester City Code. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 8, authorizing the Mayor to sign ACC Business Agreement for managed Internet server for ISP, 50 mbps Fiber, City Hall. *(James Stanford, Computer Technical Support, Joe Breeden, BIZTEL)*
- Confirm action taken on City Council Agenda Item 9, acceptance of Change Order No. 2 from Katcon, Inc. for thirty-three (33) weather days only on the Washington Ave. Street Reconstruction Project. There is no increase or decrease in the contract price. *(Dale Burke, Infrastructure Solutions Group, LLC)*

- Confirm action taken on City Council Agenda Item 10, a resolution authorizing the creation of a Full Time Position of Residual Handling Operator in the Waste Water Division and placed on the Non Uniform Pay plan on pay grade 117 for the FY 2016-2017. *(Toni Ervin, Chief Financial Officer)*

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the September 27, 2016 Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of October, 2016. *(Toni Ervin, CFO)*

ADJOURN MRTA

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