



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, January 14, 2020 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

John Browne Mayor
Weldon Smith Ward One
Cully Stevens, Vice-Mayor Ward Two
Travis Read..... Ward Three
James Brown..... Ward Four
Maureen Harrison..... Ward Five
Zach Prichard 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 December 10, 2019, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the December 17, 2019, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for December 11, 2019 through January 7, 2020. *(Toni Ervin, Assistant City Manager)*
- D. Consider and act upon, a resolution supporting an application to the Recreational Trails Program from the City of McAlester to construct a new Parker Trail. *(Stephanie Giacomo, Grants)*
- E. Consider and act upon, a resolution supporting an application to the Recreational Trails Program from the City of McAlester to refurbish the trail at Rotary Park. *(Stephanie Giacomo, Grants)*
- F. Consider and act upon, to approve and authorize the Mayor to sign a Real Property Lease Agreement with Air Methods Corporation. *(Kirk Ridenour, Economic Development)*
- G. Concur with the Mayor's appointment of Donna Hobbs to the Housing Authority Committee to replace Ms. Betty Pickle. *(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. 2656 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2019-20; 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 606 CITY OF MCALESTER, FORMERLY KNOWN AS SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA, FROM R-1B SINGLE FAMILY RESIDENTIAL DISTRICT TO R-2 TWO FAMILY DWELLING (DUPLEX) DISTRICT.

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 THE WESTERLY 80 FEET OF THE EASTERLY 230 FEET OF LOT 29; AND THE WESTERLY 80 FEET OF THE EASTERLY 230 FEET OF LOT 30; AND THE NORTHERLY 30 FEET OF THE EASTERLY 150 FEET OF LOT 30; AND THE EASTERLY 230 FEET OF LOT 31 LESS THE NORTHERLY 10 FEET THEREOF; ALL IN BLOCK 10, CONNALLY ADDITION, PITTSBURG COUNTY, STATE OF OKLAHOMA, FROM R-1B SINGLE FAMILY RESIDENTIAL DISTRICT TO C-2 NEIGHBORHOOD CONVENIENCE DISTRICT.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA; AMENDING MCALESTER CITY CODE CHAPTER 62, LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS, ARTICLE IV, DIVISION 2, THE USES PERMITTED AFTER REVIEW FOR SEC. 62-255 R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT, SEC. 62-256 R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT, SEC. 62-258 R-2 TWO-FAMILY DWELLING DISTRICT, AND SEC. 62-259 R-3 MULTIPLE-FAMILY DWELLING DISTRICT; AMENDING THE DEVELOPMENT STANDARDS OF SEC. 62-274 COTTAGE HOUSE DEVELOPMENT OVERLAY DISTRICT; AND REPEALING ALL CONFLICTING ORDINANCES.

SCHEDULED BUSINESS

1. Discussion and presentation of the Quarterly Report from the Oklahoma Small Business Development Center. *(Dana Hugle, Business Development Specialist, OSBDC)*

Executive Summary
Presentation.

2. Consider and act upon, authorizing the Mayor to sign an Agreement with Alan Plummer Associates, Inc. for the evaluation of the City of McAlester East and West Wastewater Treatment Plants. *(Peter Stasiak, City Manager)*

Executive Summary

Motion to approve and authorize the Mayor to sign an Agreement with Alan Plummer Associates, Inc. for engineering services to evaluate the City of McAlester East and West Wastewater Treatment Plants.

3. Consider and act upon, authorizing the City Manager to enter into an Interagency Agreement with the Oklahoma Department of Environmental Quality to receive reimbursement up to \$25,000.00 for costs related to the purchase of a new baler for the McAlester Recycling Center. *(Stephanie Giacomo, Grants)*

Executive Summary

Staff recommends acceptance of the conditions and authorizing the City Manager to execute the agreement with the Oklahoma Department of Environmental Quality.

4. Consider and act upon, an Ordinance amending Ordinance No. 2656 which established the budget for fiscal year 2019-2020; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Sherri Swift, Chief Financial Officer)*

Executive Summary

Motion to approve the budget amendment ordinance.

5. Consider and act upon, authorizing the Mayor to sign Change Order #1 from Built Right Construction, LLC in the amount of \$4,075.00. This change order is for removal and replacement of sidewalk and to add 15 days to the completion date for 5th and Miami Sewer Project. *(Dale Burke, Infrastructure Solutions Group, LLC)*

Executive Summary

Motion to authorize the Mayor to sign Change Order #1 from Built Right Construction, LLC in the amount of \$4,075.00. This change order is for removal and replacement of sidewalk and to add 15 days to the completion date for 5th and Miami Sewer Project.

6. Consider and act upon, authorizing the Mayor to sign Change Order #1 from Built Right Construction, LLC in the amount of \$17,000. This change order adds the replacement (labor only) for 4 each existing 16" wall pipes that are failing due to the construction, labor for additional fittings that are required and the addition of the labor to install an additional 30" valve that was added to the plans during the final design review with the city and was mistakenly omitted from the bid schedule. The 30" valve was added to reduce the risk of a water outage by eliminating the need to shut the system down and modifying the system an additional time for the Lake McAlester Raw Water Main Improvements. *(Dale Burke, Infrastructure Solutions Group, LLC)*

Executive Summary

Motion to authorize the Mayor to sign Change Order #1 from Built Right Construction, LLC in the amount of \$17,000. This change order adds the replacement (labor only) for 4 each existing 16" wall pipes that are failing due to the construction, labor for additional fittings that are required and the addition of the labor to install an additional 30" valve that was added to the plans during the final design review with the city and was mistakenly omitted from the bid schedule. The 30" valve was added to reduce the risk of a water outage by eliminating the need to shut the system down and modifying the system an additional time for the Lake McAlester Raw Water Main Improvements.

7. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay Estimate and Certificate of Substantial Completion for the contract with Built Right Construction,

LLC for the Section B – Talawanda Dam 20” Water Main and accept the project as completed. *(Dale Burke, Infrastructure Solutions Group, LLC)*

Executive Summary

Motion to authorize the Mayor to sign the Contractor’s Final Pay Estimate in the amount of \$8,125.00 and the Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the Section B – Talawanda Dam 20” Water Main and accept the project as completed.

8. Consider and act upon, authorizing the Mayor to sign the Contractor’s Final Pay Estimate No. 8 and Certificate of Substantial Completion for the contract with Sunrise Construction, LLC for the 10th Street Canal Bank Stabilization and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

Executive Summary

Motion to authorize the Mayor to sign the Contractor’s Final Pay Estimate No. 8 in the amount of \$12,112.18 and the Certificate of Substantial Completion for the contract Sunrise Construction, LLC for the 10th Street Canal Bank Stabilization and accept the project as completed.

9. Consider and act upon, authorizing the Mayor to sign the Contractor’s Final Pay Estimate No. 4 in the amount of \$10,439.50 and Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the Connally Addition Sewer Improvements and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

Executive Summary

Motion to authorize the Mayor to sign the Contractor’s Final Pay Estimate No. 4 in the amount of \$10,439.50 and Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the Connally Addition Sewer Improvements and accept the project as completed.

10. Consider and act upon, authorizing the Mayor to sign the Contractor’s Final Pay Estimate No. 4 in the amount of \$25,076.20 and Certificate of Substantial Completion for the contract with Built Right Construction, LLC for 2018 CDBG Sewer System Improvements and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

Executive Summary

Motion to authorize the Mayor to sign the Contractor’s Final pay Estimate No. 4 in the amount of \$25,076.20 and Certificate of Substantial Completion for the contract with Built Right Construction, LLC for 2018 CDBG Sewer System Improvements and accept the project as completed.

11. Consider and act upon, accepting the bid amount of \$178,349.00, from Sunrise Construction, LLC and authorize the Mayor to sign the notice of award for the 2019 CDBG Sewer Project. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

Executive Summary

The recommendation is to accept the bid amount of \$178,349.00, from Sunrise Construction, LLC and authorize the Mayor to sign the notice of award for the 2019 CDBG Sewer Project.

12. 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 districts for Lot 6, in Block 606, 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. *(Jayme Clifton, Community Development Director)*

Executive Summary

Motion to act upon and approve the above Ordinance changing the classification of the zoning districts 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.

13. 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 districts for The Westerly 80 feet of the Easterly 230 feet of Lot 29; and The Westerly 80 feet of the Easterly 230 feet of Lot 30; and The Northerly 30 feet of the Easterly 150 feet of Lot 30; and The Easterly 230 feet of Lot 31 less the Northerly 10 feet thereof; All in Block 10, Connally Addition, Pittsburg County, State of Oklahoma, from R-1B Single Family Residential District to C-2 Neighborhood Convenience District. *(Jayme Clifton, Community Development Director)*

Executive Summary

Motion to act upon and approve the above Ordinance changing the classification of the zoning districts for the property identified in the Ordinance from R-1B Single Family Residential District to C-2 Neighborhood Convenience District and authorizing the Mayor to sign the ordinance.

14. **POSTPONED FROM THE DECEMBER 10, 2019 MEETING;** Consider and act upon, an ordinance amending McAlester City Code Chapter 62, Land Development, Planning, Zoning and Subdivisions, Article IV, Division 2, the Uses Permitted After Review for Sec. 62-255 R-1A Single-family Residential District, Sec. 62-256 R-1B Single-family Residential District, Sec. 62-258 R-2 Two-family Dwelling District, and Sec. 62-259 R-3 Multiple-family Dwelling District, amending the development standards of Sec. 62-274 Cottage House Development Overlay District; and repealing all conflicting ordinances. *(Jayme Clifton, Community Development Director)*

Executive Summary

Motion to act upon and approve the above ordinance amending McAlester City Code Chapter 62, Land Development, Planning, Zoning and Subdivisions, Article IV, Division 2, the Uses Permitted After Review for Sec. 62-255 R-1A Single-family Residential District, Sec. 62-256 R-1B Single-family Residential District, Sec. 62-258 R-2 Two-family Dwelling District, and Sec. 62-259 R-3 Multiple-family Dwelling District, amending the development standards of Sec. 62-274 Cottage House Development Overlay District; repealing all conflicting ordinances and authorizing the Mayor to sign the ordinance.

15. Consider and act upon, authorization to purchase a certificate of deposit for \$775,000 to be used as collateral for the purchase of 21 new fleet vehicles. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommends approval and authorization for the Mayor to allow the use of funds to be used to purchase a certificate of deposit.

16. Consider and act upon, authorizing the purchase of 21 new and unused vehicles. This includes 6 Ford pursuit SUVs. Total cost of all 21 vehicles is \$762,906 and includes all aftermarket additions. Vehicles will be purchased with loan proceeds using a certificate of deposit as collateral as mentioned in a separate agenda item. *(Peter Stasiak, City Manager)*

Executive Summary

Motion to approve the purchase of 21 new and unused vehicles.

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 THE 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 December 17, 2019, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending January 7, 2020. *(Toni Ervin, Assistant City Manager)*
- Confirm action taken on City Council Agenda Item F, approval and authorization for the Mayor to sign a Real Property Lease Agreement with Air Methods Corporation. *(Kirk Ridenour, Economic Development)*

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the December 17, 2019, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending January 7, 2020. *(Toni Ervin, Assistant City Manager)*
- Confirm action taken on City Council Agenda Item 2, authorization for the Mayor to sign an Agreement with Alan Plummer Associates, Inc. for the evaluation of the City of McAlester East and West Wastewater Treatment Plants. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 4, an Ordinance amending Ordinance No. 2656 which established the budget for fiscal year 2019-2020; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Sherri Swift, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 5, authorization for the Mayor to sign Change Order #1 from Built Right Construction, LLC in the amount of \$4,075.00. This change order is for removal and replacement of sidewalk and to add 15 days to the completion date for 5th and Miami Sewer Project. *(Dale Burke, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 6, authorization for the Mayor to sign Change Order #1 from Built Right Construction, LLC in the amount of \$17,000. This change order adds the replacement (labor only) for 4 each existing 16” wall pipes that are failing due to the construction, labor for additional fittings that are required and the addition of the labor to install an additional 30” valve that was added to the plans during the final design review with the city and was mistakenly omitted from the bid schedule. The 30” valve was added to reduce the risk of a water outage by eliminating the need to shut the system down and modifying the system an additional time for the Lake McAlester Raw Water Main Improvements. *(Dale Burke, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 7, authorization for the Mayor to sign the Contractor’s Final Pay Estimate and Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the Section B – Talawanda Dam 20” Water Main and accept the project as completed. *(Dale Burke, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 8, authorization for the Mayor to sign the Contractor’s Final Pay Estimate No. 8 and Certificate of Substantial Completion for the contract with Sunrise Construction, LLC for the 10th Street Canal Bank Stabilization and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 9, authorization for the Mayor to sign the Contractor’s Final Pay Estimate No. 4 in the amount of \$10,439.50 and Certificate of

Substantial Completion for the contract with Built Right Construction, LLC for the Connally Addition Sewer Improvements and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

- Confirm action taken on City Council Agenda Item 10, authorization for the Mayor to sign the Contractor's Final Pay Estimate No. 4 in the amount of \$25,076.20 and Certificate of Substantial Completion for the contract with Built Right Construction, LLC for 2018 CDBG Sewer System Improvements and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 11, acceptance of the bid amount of \$178,349.00, from Sunrise Construction, LLC and authorization for the Mayor to sign the notice of award for the 2019 CDBG Sewer Project. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 15, authorization to purchase a certificate of deposit for \$775,000 to be used as collateral for the purchase of 21 new fleet vehicles. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 16, authorization to purchase 21 new and unused vehicles. This includes 6 Ford pursuit SUVs. Total cost of all 21 vehicles is \$762,906 and includes all aftermarket additions. Vehicles will be purchased with loan proceeds using a certificate of deposit as collateral as mentioned in a separate agenda item. *(Peter Stasiak, City Manager)*

ADJOURN MPWA

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2020 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