



McAlester City Council

NOTICE OF MEETING

Special City Council Meeting Agenda

Tuesday, July 17, 2012 – 5:30 pm
McAlester City Hall – Council Chambers
28 E. Washington

- Steve Harrison Mayor
Weldon Smith Ward One
John Titsworth Ward Two
Travis Read Ward Three
Robert Karr Ward Four
Buddy Garvin Ward Five
Sam Mason, Vice Mayor 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.

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. Authorize the Mayor to sign an Agent of Record Designation letter appointing MC & H Life Agency Inc., as the City of McAlester exclusive insurance broker and Agent of Record for the City's employee benefits insurance program for plan year 2012-2013. *(Cora Middleton, City Clerk)*

ITEMS REMOVED FROM CONSENT AGENDA

SCHEDULED BUSINESS

1. Consider and act upon authorizing the City of McAlester to implement a Citizen Participation Plan for the application process for its 2012 Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce. *(David Medley, P.E, Director of Utilities)*

Executive Summary

Motion to approve implementing a Citizen Participation Plan for the application process to seek funding from the Oklahoma Department of Commerce through the Community Development Block Grant (CDBG) 2010 State Small Cities Program and authorize the Mayor to sign the Citizen Participation Plan.

2. Consider and act upon a Resolution authorizing the City of McAlester to seek a Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce. *(David Medley, P.E, Director of Utilities)*

Executive Summary

Motion to approve a Resolution to seek funding from the Oklahoma Department of Commerce through the Community Development Block Grant (CDBG) 2012 State Small Cities Program and authorize the Mayor to sign the CDBG application.

3. Consider, and act upon a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction of 14th Street/US 69 Sewer Extension. *(David Medley, P.E, Director of Utilities)*

Executive Summary

Motion to approve and authorize the Mayor to sign the work order for Mehlburger Brawley to complete engineering services required for 14th Street/US 69 Sewer Extension for an estimated fee of \$30,400, surveying services for a fee of \$1,500 and inspection services for \$11,300 upon review and approval of by the City Attorney's Office.

4. Discussion and presentation by John Abbate of Marketing Alliance intended to help the city develop a vision and marketing plan in connection with a rebranding effort for McAlester. *(Mayor Steve Harrison)*

Executive Summary

Develop a vision and marketing plan in connection with a rebranding effort for McAlester.

RECESS COUNCIL MEETING

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Confirm action taken on City Council Agenda Item 1, authorizing the City of McAlester to implement a Citizen Participation Plan for the application process for its 2012 Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce. *(David Medley, P.E, Director of Utilities)*
- Confirm action taken on City Council Agenda Item 2, a Resolution authorizing the City of McAlester to seek a Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce. *(David Medley, P.E, Director of Utilities)*
- Confirm action taken on City Council Agenda Item 3, a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction of 14th Street/US 69 Sewer Extension. *(David Medley, P.E, Director of Utilities)*

ADJOURN MPWA**RECONVENE COUNCIL MEETING**

EXECUTIVE SESSION

Recess into Executive Session in compliance with Section Title 25 Section 307 C (10) et.seq. Oklahoma Statutes, to wit:

- 1) Proposed executive session pursuant to Title 25, Sec. 307 (C) (10): All nonprofit foundations, boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts, task forces or study groups, supported in whole or part by public funds or entrusted with the expenditure of public funds for purposes of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within their jurisdiction if public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business. More specifically a proposed expansion of an existing McAlester employer/business: (Project Spider).

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2012 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

CONSENT AGENDA

JULY 17, 2012



To: All Health and Welfare Vendors ("Vendors")
Re: Agent of Record Designation
Effective: July 1, 2012

To Whom It May Concern:

This letter is to confirm that effective immediately, City of McAlester ("City") and/or any of its subsidiaries, affiliates, or assigns, hereby appoints MC & H Life Agency Inc ., and/or Colin McNeese, (collectively and/or individually, "MC&H") as our exclusive insurance broker and Agent of Record with respect to City's employee benefits insurance program. This appointment of MC&H shall rescind any and all previous appointments and the authority contained herein shall remain in full force and effect until: (i) the later of the end of the plan year or a consecutive 12 month period in which MC&H becomes Agent of Record for City, (ii) each plan year thereafter in which MC&H develops, negotiates and implements coverage and services, or (iii) after initial 12 month period, City appoints a successor Agent of Record and notifies MC&H of such change in Agent of Record in writing with 90 days notice.

Furthermore, MC&H, represented by Colin M. McNeese and their respective representatives, is hereby authorized to negotiate directly with any interested companies with respect to changes in the insurance policies. City understands, however, that MC&H shall have no responsibility for any deficiencies in the insurance program for which this letter applies until MC&H shall have had a reasonable opportunity to make a review and to provide City recommendations.

This letter also constitutes City's authorization to Vendors to immediately furnish to MC&H or their designees and representatives, with any and all information they may request, from time to time, as it pertains to City's insurance contracts, rates, rating schedules, surveys, reserves, retentions, brokerage compensation and any and all other financial data they may wish to obtain for their study of City's present and future requirements in connection with the insurance program to which this letter applies. City respectfully requires that you do not communicate or make available such information to anyone else without the prior written consent of City.

If you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,

Steve Harrison, Mayor
City of McAlester
cc: Peter J. Stasiak, City Manager

SCHEDULED BUSINESS

JULY 17, 2012



McAlester City Council

AGENDA REPORT

Meeting Date:	<u>July 17, 2012</u>	Item Number:	<u>1</u>
Department:	<u>Utilities</u>	Account Code:	<u>N/A</u>
Prepared By:	<u>David Medley, P.E.</u>	Budgeted Amount:	<u>N/A</u>
Date Prepared:	<u>July 10, 2012</u>	Exhibits:	<u>Citizen Participation Plan</u>

Subject

Consider and act upon authorizing the City of McAlester to implement a Citizen Participation Plan for the application process for its 2012 Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce.

Recommendation

Motion to approve implementing a Citizen Participation Plan for the application process to seek funding from the Oklahoma Department of Commerce through the Community Development Block Grant (CDBG) 2010 State Small Cities Program and authorize the Mayor to sign the Citizen Participation Plan.

Discussion

The Oklahoma Department of Commerce has certain requirements for citizen participation in the CDBG program. The attached Participation Plan outlines these requirements which will be followed during the implementation of the 2012 Community Development Block Grant (CDBG).

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	DRM	07/10/12
City Manager	P. Stasiak 	07/11/12

***Community Development Block Grant (CDBG)
2012 SMALL CITIES PROGRAM
CITIZEN PARTICIPATION PLAN***

City of McAlester CITIZEN PARTICIPATION PLAN

The City of McAlester intends to implement a citizen participation program for its 2012 application process to accomplish the following objectives:

- A. Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in areas where Community Development Block Grant (CDBG) funds are proposed to be used. This will be accomplished by:
 1. Providing frequent and timely public notice of CDBG program activities in the local newspaper and by posting at City/County Office.
 2. Adopting a comprehensive CDBG Statement of Needs.
 3. Conducting a Special Public Hearing to inform citizens of the proposed 2012 CDBG project and authorizing the Mayor to sign a CDBG application in a formal Council/Board of Commissioners meeting.

- B. Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to proposed and actual use of funds, including, but not be limited to:
 1. The amount of CDBG funds to be made available for the current fiscal year, if the proposed project is approved.
 2. The range of activities that may be undertaken with those funds.
 3. The estimated amount of those funds proposed to be used for activities that will benefit low and moderate income persons.
 4. The proposed CDBG activities likely to result in displacement and any anti-displacement and relocation plans developed by the City of McAlester in accordance with Section 104(d)(1) and (2) of the Act.
 5. The basis on which the City of McAlester may provide technical assistance to groups representative of persons of low and moderate income that may request assistance in developing proposals. The level and type of assistance to be provided is at the discretion of the City of McAlester and does not necessarily include providing funding to such groups.

**Community Development Block Grant (CDBG)
2012 SMALL CITIES PROGRAM
CITIZEN PARTICIPATION PLAN**

6. This requirement will be accomplished by discussing the CDBG proposal during regular Council/Board of Commissioners meetings and in one formal public hearing prior to the submittal of the City of McAlster's 2012 CDBG application. During the hearing the five (5) items listed above will be explained to the public. Records of the 2012 CDBG process will be maintained in the City/County Office of the City of McAlester by the Clerk and will be available upon request for review by the public. A brief summary of the proposed 2012 CDBG project will be available for public review after the Council/Board of Commissioners has made its final selection.
- C. Provide for a minimum of two (2) public hearings; one (1) prior to submission of the application for funding of the project for the purpose of obtaining citizen views and formulating or responding to proposals and questions, and the other end of the grant period if the City of McAlester receives funding, that discusses the City's accomplishments in relation to initial plans. The application stage hearing will include discussion of CDBG needs, and the development of activities being proposed for CDBG funding. There will be reasonable notice of all hearings, which will be scheduled for times and locations convenient to the potential and actual beneficiaries and which will accommodate the handicapped. Regularly scheduled Council/Board of Commissioners meetings will not be used for this purpose.
1. This requirement will be met through scheduling a Special Public Hearing to discuss the City of McAlester's 2012 CDBG proposal. At this hearing, the proposed project will be reviewed for the public and further citizen input will be solicited. Notice will be given seven (7) to ten (10) days in advance of this hearing in the newspaper and by posting at the City/County Office. The hearing will be held in the early evening so those citizens who work may attend. A second hearing will be held at the end of the grant period if the City of McAlester is funded in the 2012 CDBG process.
- D. Meet the needs of non-English speaking residents in those instances where a significant number of non-English speaking residents can reasonably be expected to participate in the 2012 CDBG process. For example: The City of McAlester does not currently have a significant population of non-English speaking citizens. However, every effort will be made to accommodate the needs of any non-English speaking citizens who wish to participate.
- E. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities not previously described in the City of McAlester's funding request and on activities which are proposed to be deleted or substantially changed in terms of purpose, scope, location or beneficiaries.

**Community Development Block Grant (CDBG)
2012 SMALL CITIES PROGRAM
CITIZEN PARTICIPATION PLAN**

The proposed seven (7) to ten (10) day notice for all public meetings and hearings in connection with the City of McAlester's 2012 CDBG application process is believed by the City of McAlester to afford citizens with reasonable advance notice. In addition, if any change is proposed to the purpose, scope, location, or beneficiaries of the proposed project or if the CDBG project budget changes by more than 25%, the public will be notified and afforded an opportunity for additional input.

- F. Provide the place, telephone number, and times when citizens are able to submit written complaints or grievances and the process the City of McAlester will use to provide a timely, written response to such complaints or grievances. For example: Citizens with comments or grievances on the 2012 CDBG process may submit them in writing or in person at the City/County Office during regular business hours or may call 918-423-9300. The City of McAlester will respond to such comments or grievances within fifteen (15) working days, where practicable.

By formally adopting this Citizen Participation Plan, the McAlester City Council/Board of Commissioners accepts the responsibility for implementing its provisions. The Council/Board of Commissioners further charges all employees and contractors with the responsibility of implementing this plan and living up to the spirit of the citizen participation requirements of the 2012 CDBG program.

Adopted this _____ day of _____, 20____ by the City Council/Board of Commissioners of _____.

Chief Elected Official

ATTEST:

Clerk's Signature



McAlester City Council

AGENDA REPORT

Meeting Date:	<u>July 17, 2012</u>	Item Number:	<u>2</u>
Department:	<u>Utilities</u>	Account Code:	<u>N/A</u>
Prepared By:	<u>David Medley, P.E.</u>	Budgeted Amount:	<u>N/A</u>
Date Prepared:	<u>July 10, 2012</u>	Exhibits:	<u>Resolution Project Cost Estimate</u>

Subject

Consider and act upon a Resolution authorizing the City of McAlester to seek a Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce.

Recommendation

Motion to approve a Resolution to seek funding from the Oklahoma Department of Commerce through the Community Development Block Grant (CDBG) 2012 State Small Cities Program and authorize the Mayor to sign the CDBG application.

Discussion

The Oklahoma Department of Commerce has funding available in the amount of \$78,081.00 for a 1:1 community match for improvements in low to moderate income areas. The City Utilities Department has identified eligible projects in McAlester as follows:

1700 linear feet of 6" water line along the South side of Short Stonewall, from Short Stonewall and West Street to North D Street. This Project will replace an existing 1 ½" galvanized line which is in need of upgrading. This will provide better water service to 14 residences which experience low water pressure and occasionally discolored water from the small galvanized water line.

930 linear feet of 6" water line along Birch Street on the east side from Park Avenue to Townsend Street. This Project will replace an existing 1 ½" galvanized water line which is in need of upgrading. This will provide better water service to 11 residences.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	DRM	<u>7/11/12</u>
City Manager P. Stasiak	<u><i>PJS</i></u>	<u>7/11/12</u>

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
2012 SMALL CITIES PROGRAM

RESOLUTION

WHEREAS, Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended, authorized by the Secretary of Housing and Urban Development, as representative of the United States of America, to grant to the State of Oklahoma funds and administrative responsibility for the "Small Cities Community Development Block Grant" program; and

WHEREAS, the Oklahoma Department of Commerce, pursuant to designation by the Governor as the administering agency of the Community Development Block Grant Program for Small Cities in Oklahoma, is directed to further the purposes of community development in the State, and is authorized and empowered to accept funds from the Federal Government or its agencies and to enter into such contracts and agreements as are necessary to carry out the functions of the Department; and

WHEREAS, the City of McAlester (Unit of Government) is a local unit of general purpose government that will provide opportunity for input by residents in determining and prioritizing community development needs through its written Citizen Participation Plan; and

NOW THEREFORE, BE IT RESOLVED by the (Governing Body) City Council that the City of McAlester (Government Subdivision) desires to obtain assistance in community development and hereby requests the Oklahoma Department of Commerce to provide assistance under the policies, regulations, and procedures applicable to local communities in Oklahoma.

NOW THEREFORE, BE IT RESOLVED by the City Council (Governing Body) that the City of McAlester (Government Subdivision) affirms its commitment to take all action within its power to facilitate the receipt of the assistance of community development funds if the City of McAlester (Government Subdivision) is awarded a Community Development Block Grant, and upon receipt to administer said grant by the rules and regulations established by the United States of America, the State of Oklahoma, and all empowered agencies thereof.

ADOPTED this ___ day of ___, 20___, at a (regularly or specially) scheduled meeting of the governing body, in compliance with the Open Meeting Act, 25 O.S. §§ 301-314 (2001).

Steve Harrison, Mayor (Type) Name and Title of Chief Elected Official Date

Signature of Chief Elected Official (S E A L)

Attest: Subscribed and sworn to before me ___, 20___ My commission expires ___, 20___ Commission No. _____

Clerk Signature

Project Cost Estimate

City of McAlester

McAlester Utilities Department

July-12

2012 CDBG WATER IMPROVEMENTS

Description of Item	QTY	Unit	Unit Cost	Cost	
1	Short Stonewall from West Street to North D Street				
1.1	6" C900 Class 200 PVC Water line	2,200	LF	\$23.00	\$ 50,600.00
1.3	6" Connection to Existing 14" Water Line	1	LS @	\$6,000.00	\$ 6,000.00
1.4	6" Connection to Existing 12" Water Line	1	LS @	\$5,500.00	\$ 5,500.00
1.5	6" Gate Valve Assembly	2	EA @	\$2,000.00	\$ 4,000.00
1.6	Fire Hydrant Assembly	2	EA @	\$2,500.00	\$ 5,000.00
1.7	Asphalt Driveway Repair	54	LF @	\$20.00	\$ 1,080.00
1.8	Water Service Reconnection	14	EA @	\$625.00	\$ 8,750.00
1.9	Gravel Drive Repair	120	LF	\$15.00	\$ 1,800.00
1.9	Concrete Drive Repair	15	LF	\$25.00	\$ 375.00
2	Landscaping and Sodding	1	LS @	\$5,000.00	\$ 5,000.00
	Subtotal			\$	88,105.00
2	Birch Street from Park Avenue to Townsend Street				
2.1	6" C900 Class 200 PVC Water line	930	LF	\$23.00	\$ 21,390.00
2.2	6" Connection to Existing 6" Water Line	2	LS @	\$4,500.00	\$ 9,000.00
2.3	6" Gate Valve Assembly	2	EA @	\$2,000.00	\$ 4,000.00
1.7	Asphalt Street Repair	27	LF @	\$25.00	\$ 675.00
2.4	Fire Hydrant Assembly	2	LS @	\$2,500.00	\$ 5,000.00
2.5	Water Service Reconnection	11	EA @	\$625.00	\$ 6,875.00
2.6	Asphalt Driveway Repair	54	LF @	\$20.00	\$ 1,080.00
2.6	Concrete Driveway Repair	15	LF @	\$25.00	\$ 375.00
	Subtotal			\$	48,395.00
	Subtotal			\$	136,500.00
	Engineering			\$	16,000.00
	Resident Project Representative			\$	7,000.00
	ODEQ Permit			\$	450.00
	CDBG Administration			\$	4,200.00
	TOTAL ESTIMATED PROJECT COST				\$164,150.00

CDBG Funds	\$78,081.00
City of McAlester Funds Required	\$86,069.00



McAlester City Council

AGENDA REPORT

Meeting Date:	<u>July 17, 2012</u>	Item Number:	<u>3</u>
Department:	<u>Utilities</u>	Account Code:	<u></u>
Prepared By:	<u>David Medley</u>	Budgeted Amount:	<u>\$348,000</u>
Date Prepared:	<u>July 11, 2012</u>	Exhibits:	<u>2</u>

Subject

Consider, and act upon a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction of 14th Street/US 69 Sewer Extension.

Recommendation

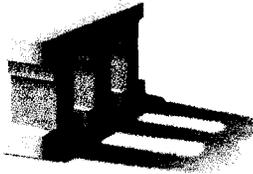
Motion to approve and authorize the Mayor to sign the work order for Mehlburger Brawley to complete engineering services required for 14th Street/US 69 Sewer Extension for an estimated fee of \$30,400, surveying services for a fee of \$1,500 and inspection services for \$11,300 upon review and approval of by the City Attorney's Office.

Discussion

Per the attached copy of Mehlburger Brawley's Work Order for professional services for the 14th Street/US 69 Sewer Extension, the fee for engineering services is based on a percentage of projected construction costs. The total estimated construction cost will be \$296,650 as shown on the attached Engineering Cost Estimate and the engineering, inspection costs, surveying costs, easement acquisition, and ODEQ permit fees is estimated at \$51,350. This project will provide for replacing installing an 8 inch PVC sanitary sewer main from 14th Street along the south side of Highway 69.

Approved By

		<i>Initial</i>	<i>Date</i>
Department Head		DRM	07/11/12
City Manager	P. Stasiak	<i>PJS</i>	07/11/12



MEHLBURGER BRAWLEY

THE MERGING OF NRS, INC.
THE MEHLBURGER FIRM - BRAWLEY ENGINEERING CORP.

WORK ORDER FOR PROFESSIONAL SERVICES CITY OF MCALESTER / MCALESTER PUBLIC WORKS AUTHORITY Project Number MC-12-01

This will constitute authorization by the City of McAlester / McAlester Public Works Authority (Owner) for Mehlburger Brawley, Inc. (Engineer) to proceed with the following described as "Project":

Project Name: 14th Street / US 69 Sewer Extension

Project Description: Approximately 2,225 linear feet of 8-inch sewer main extension, including crossing US Highway to serve area on south side of Highway 69.

- Prepare Engineering Plans and Specifications, for the referenced project.
- Prepare Application for "Permit to Construct" and Coordinate Submittal of P&S to the Oklahoma Department of Environmental Quality for approval.
- Prepare Application for ODOT utility permit for US Highway 69 Crossing.
- Assist Owner with easement acquisition.
- Prepare bid packages, and assist owner in obtaining bids from contractors for the construction of the improvements.
- Prepare contract documents, coordinate contract execution and perform preconstruction conference.
- Provide construction management services including review and approve material submittals, shop drawings, contractors pay estimates, change order requests, and work performed by the contractor.
- Provide Resident Project Representative Services during Construction.
- Perform all work in accordance with STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES as prepared by ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE (EJCDC).

For performing the services described, the Engineer is to be paid based on a lump sum basis. The engineering fee is \$30,400.00, surveying fee is \$1,500 and the resident project representative fee is \$11,300.00.

It should be noted that if any special surveys are needed for easement acquisition, a written quote will be provided to Owner for approval.

APPROVED:
City of McAlester

ACCEPTED:
Mehlburger Brawley, Inc.

By: _____
Steve Harrison
Mayor

By: _____
Dale Burke, P.E.
Vice President

ATTEST:

ATTEST:

_____ Robert Vaughan, P.E.
Project Manager

DATE: _____



McAlester City Council

AGENDA REPORT

Meeting Date: July 17, 2012 Item Number: 4
Department: Council
Prepared By: Mayor Steve Harrison Account Code: _____
Date Prepared: July 10, 2012 Budgeted Amount: _____
Exhibits: _____

Subject

Discussion and presentation by John Abbate of Marketing Alliance intended to help the city develop a vision and marketing plan in connection with a rebranding effort for McAlester. *(Mayor Steve Harrison)*

Recommendation

Discussion

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head		
City Manager	P. Stasiak <u>PJS</u>	<u>07/10/12</u>