



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, October 9, 2012 – 6:00 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.

INVOCATION & PLEDGE OF ALLEGIANCE

Robert Tate, First Indian Baptist Church

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 September 25, 2012 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the September 25, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for September 26 through October 2, 2012. *(Toni Ervin, Chief Financial Officer)*
- D. Consider, and Act Upon, the expenditure of \$35.00 Registration Fee for the Mayor to attend the Oklahoma Municipal League 2012 District Dinner Meeting on October 11, 2012 in Krebs. *(Toni Ervin, Chief Financial Officer)*
- E. Concur with Mayor's Re-appointment of Robert Way, 1701 Redbud Lane to the Planning Commission Board for a term to expire May, 2015. *(Steve Harrison, Mayor)*
- F. Concur with Mayor's Re-appointment of Betty Pickle, 526 Settlers Drive to the McAlester Housing Authority Board for a term to expire July, 2016. *(Steve Harrison, Mayor)*
- G. Concur with Mayor's Re-appointment of Mary Ellen Keeter, 926 S. 6th Street to the McAlester Housing Authority Board for a term to expire July, 2016. *(Steve Harrison, 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. 2425 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2012-2013; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. a. Presentation by Dr. Kelly Hurtz, Department of Agriculture on the Oklahoma Forestry Services Community Wildfire Protection Plan Grant.
- b. Consider, and act upon, authorizing the Mayor to sign an application for the Oklahoma Forestry Service Community Wildfire Protection Plan Grant in the funding amount of \$8,000. *(Pam Kirby, Human Resource Manager)*

Executive Summary

Motion to approve the authorization of the Mayor to sign the Oklahoma Forestry Service Community Wildfire Protection Plan Grant in the funding amount of \$8,000.

2. Update and grant opportunities for the City of McAlester. *(Danny Baldwin, Executive Director, Kiamichi Economic Development District of Oklahoma (KEDDO))*

Executive Summary

Update and grant opportunities for the City of McAlester.

3. Consider, and act upon, authorizing the Mayor to sign and read the 2012 Fair Housing Proclamation. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve the Mayor to sign and read the 2012 Fair Housing Proclamation.

4. Consider, and act upon, a Resolution supporting Berry Plastics Application with the Oklahoma Department of Commerce to use the Pooled Finance Program. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve Resolution supporting Berry Plastics Application with the Oklahoma Department of Commerce to use the Pooled Finance Program.

5. Consider, and act upon, an Ordinance amending Ordinance No. 2425 which established the budget for fiscal year 2012-2013; 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.

6. Consider, and act upon, a Resolution establishing the City of McAlester's Policy and formula for discretionary bill adjustment for a customer water leak. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Staff recommends approval of a Resolution to establish a formal water leak adjustment policy.

7. Consider and act upon Final Plat for "Hickory Ridge III". *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve the Final Plat for the proposed subdivision "Hickory Ridge III" and authorize the Mayor to sign the documents.

8. 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 ANSI Safety Vest with funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services.

9. Consider, and act upon, award of bid to C.S. Day & Associates, LLC for the construction of 2010 CDBG Water Improvements (REBID) in an amount of \$141,340.00. *(David Medley, PE, Utility Director)*

Executive Summary

Motion to award the bid received on September 27, 2012 by C.S. Day & Associates of Tahlequah, Oklahoma for the 2010 CDBG Water Improvements (REBID) and authorizing the Mayor to enter a construction contract, after review and approval by the City Attorney's Office, in the amount of \$141,340.00.

10. Consider, and act upon, award of bid to R & M Utilities, Inc. for the construction of Steven Taylor Industrial Park 8" Water Main Improvements in an amount of \$150,130.00. *(David Medley, PE, Utility Director)*

Executive Summary

Motion to award the bid received on September 27, 2012 by R & M Utilities, Inc. of Prague, Oklahoma for the Steven Taylor Industrial Park 8" Water Main Improvements and authorizing the Mayor to enter a construction contract, after review and approval by the City Attorney's Office, in the amount of \$150,130.00.

11. Consider, and act upon, award of bid to C.S. Day & Associates, LLC for the construction of 14th Street / U.S. 69 Sewer Extension in an amount of \$410,488.00. *(David Medley, PE, Utility Director)*

Executive Summary

Motion to award the bid received on September 11, 2012 by C.S. Day & Associates of Tahlequah, Oklahoma for the 14th Street / U.S. 69 Sewer Extension and authorizing the Mayor to enter a construction contract, after review and approval by the City Attorney's Office, in the amount of \$410,488.00.

12. Consider, and act upon, Oklahoma Department of Environmental Quality (ODEQ) Consent Order, Case No.07-233, Addendum A for permit violations at the McAlester Water Treatment Plant for Disinfection By-products. *(David Medley, PE, Utility Director)*

Executive Summary

Motion to approve and authorizing the Mayor to sign ODEQ Consent Order, Case No. 07-233, Addendum A for the McAlester Water Treatment Plant Disinfection By-products.

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 September 25, 2012 Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending October 2, 2012. *(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 September 25, 2012 Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending October 2, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 6, a Resolution establishing the City of McAlester's Policy and formula for discretionary bill adjustment for a customer water leak. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 7, upon Final Plat for "Hickory Ridge III".
- Confirm action taken on City Council Agenda Item 9, award of bid to C.S. Day & Associates, LLC for the construction of 2010 CDBG Water Improvements (REBID) in an amount of \$141,340.00. *(David Medley, PE, Utility Director)*

- Confirm action taken on City Council Agenda Item 10, award of bid to R & M Utilities, Inc. for the construction of Steven Taylor Industrial Park 8” Water Main Improvements in an amount of \$150,130.00. *(David Medley, PE, Utility Director)*
- Confirm action taken on City Council Agenda Item 11, award of bid to C.S. Day & Associates, LLC for the construction of 14th Street / U.S. 69 Sewer Extension in an amount of \$410,488.00. *(David Medley, PE, Utility Director)*
- Confirm action taken on City Council Agenda Item 12, Oklahoma Department of Environmental Quality (ODEQ) Consent Order, Case No.07-233, Addendum A for permit violations at the McAlester Water Treatment Plant for Disinfection By-products. *(David Medley, PE, Utility Director)*

ADJOURN MPWA

RECONVENE COUNCIL MEETING

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