



McAlester City Council

NOTICE OF MEETING

Revised Regular Meeting Agenda

Tuesday, November 27, 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

Linda Lowbar, First 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 November 13, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for November 7, 2012 – November 20, 2012. *(Toni Ervin, Chief Financial Officer)*
- C. Concur with Mayor's Reappointment of Yvonne Wallis, 689 Barnett Rd to the McAlester Library Advisory Board for a term to expire December 2017. *(Steve Harrison, Mayor)*
- D. Accept and Place on File the MPower First Quarterly Report for July-September, 2012. *(Shari Cooper, Executive Director)*

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. Consider and Act Upon, and place on file, a presentation of the City of McAlester Actuarial Valuation Report by Bruce Nordstrom, Senior Consulting Actuary, MHBT, Inc. *(Peter J. Stasiak, CM)*

Executive Summary

Motion to approve and place on file the City of McAlester Actuarial Valuation Report.

2. Consideration and possible action to authorize staff to direct financial advisor and bond counsel to correspond with and seek financing proposals from local, regional and national banks regarding the refunding (refinancing) of McAlester Public Works Authority's outstanding Refunding and Improvement Revenue Bonds, Series 1999A. *(Peter J. Stasiak, CM)*

Executive Summary

Motion to approve refinancing of the McAlester Public Works outstanding Refunding and Improvement Revenue Bonds Series 1999A.

3. 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.

4. Consider and act upon the release of roadway and utility easement. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve and act upon the release of roadway and utility easement and authorizing the Mayor to sign the attached release.

5. Consider, and act upon, declaring two (2) backhoes in the Utility Maintenance Department as surplus. These backhoes are described as Unit W25 1985 Model John Deere 410 (VIN T0410BB723301) and Unit W10 1991 Model John Deere 710 (VIN T0710CJ774471). *(David Medley, PE, Director of Utilities)*

Executive Summary

Approval to declare the two (2) John Deere backhoes as surplus.

6. Consider, and act upon, award of bid to YellowHouse Machinery Co. for the purchase of one (1) New and Unused 2012 Model 410 K Backhoe Loader. *(David Medley, PE, Director of Utilities)*

Executive Summary

Motion to approve a \$110,422.40 bid award to YellowHouse Machinery Co. of McAlester, Oklahoma and utilizing the two (2) surplus backhoes for a trade in value of \$10,620.00. This would bring the purchase price of the backhoe to \$99,802.40.

7. Consider, and act upon, the final Contractor's Pay Estimate No. 9 for the Water Treatment Plant Filter and Clearwell Improvements in the amount of \$15,525.00. *(David Medley, PE, Director of Utilities)*

Executive Summary

Motion to approve final payment to the Water Treatment Plant Filter and Clearwell Improvements Project to J.S. Haren Company of Athens, Tennessee.

8. Consider, and act upon, Change Order No. 1 – Final and Contractor's Pay Estimate No. 3 – Final for the Taylor Industrial Park 12-Inch Main Water Improvements Project. Change Order No. 1 reconciles the final quantities and results for an addition of \$51,075.00 to the contract amount resulting in a final contract amount of \$228,756.00. *(David Medley, PE, Director of Utilities)*

Executive Summary

Motion to approve final payment for the Taylor Industrial Park 12-Inch Main Water Improvements Project to HTM Underground, LLC of Blanchard, Oklahoma and authorization for the Mayor to sign Change Order No.1 and the Final Application of Payment.

9. Consider and act upon award of bid to Northern Equipment Co., Inc for the construction of Water Treatment Plant Residuals Handling Improvements (Rebid) in an amount of \$871,807.00.10. *(David Medley, PE, Director of Utilities)*

Executive Summary

Motion to award the bid received on November 13, 2012 by Northern Equipment Co., Inc. of Grove, Oklahoma for the Water Treatment Plant Residuals Handling Improvements (Rebid) in an amount of \$871,807.00. and authorizing the Mayor to enter a construction contract, after review and approval by the City Attorney's Office, in the amount of \$871,807.00.

10. Consider, and act upon, Change Order No. 1 for the 14th Street / US 69 Sewer Extension with C.S. Day & Associates of Tahlequah, Oklahoma. *(David Medley, PE, Director of Utilities)*

Executive Summary

Motion to approve Change Order No. 1 to the 14th Street / US 69 Sewer Extension to deduct \$20,275.00 from the original Contract Price of \$410,488.00 resulting in a Contract Price of \$390,213.00.

11. Consider, and act upon, the purchase of one new and unused, asphalt paver for approximately \$350,000, and authorize the City to borrow the necessary funds. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*

Executive Summary

Motion to approve the purchase of one new and unused, asphalt paver at the cost of approximately \$350,000, and authorize the City to borrow the necessary funds.

12. Consider, and act upon, a resolution requesting federal funding through the Federal-Aid Surface Transportation Program Urbanized Area Project. The project proposed is the reconstruction of the Washington Avenue bridge deck and roadway from "A" Street to Main Street. *(John C. Modzelewski, PE, City Engineer and Public Works Department)*

Executive Summary

Motion to approve a resolution requesting federal funding for reconstruction of the Washington Avenue bridge deck and roadway from A Street to Main Street.

13. Consider, and act upon, rescheduling the December 25, 2012 Regularly scheduled Council Meeting. *(Cora Middleton, City Clerk)*

Executive Summary

Motion to approve the rescheduling of the December 25, 2012 Regularly scheduled Council Meeting.

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 November 13, 2012 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending November 20, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, a presentation of the City of McAlester Actuarial Valuation Report by Bruce Nordstrom, Senior Consulting Actuary, MHBT, Inc. *(Peter J. Stasiak, CM)*
- Confirm action taken on City Council Item 13, rescheduling the December 25, 2012 Regularly scheduled Council Meeting. *(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 November 13, 2012 Regular Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending November 20, 2012. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 1, a presentation of the City of McAlester Actuarial Valuation Report by Bruce Nordstrom, Senior Consulting Actuary, MHBT, Inc. *(Peter J. Stasiak, CM)*
- Confirm action taken on City Council Agenda Item 2, to authorize staff to direct financial advisor and bond counsel to correspond with and seek financing proposals from local, regional and national banks regarding the refunding (refinancing) of McAlester Public Works Authority's outstanding Refunding and Improvement Revenue Bonds, Series 1999A. *(Peter J. Stasiak, CM)*
- Confirm action taken on City Council Agenda Item 3, 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)*
- Confirm action taken on City Council Agenda Item 4, the release of roadway and utility easement. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 5, declaring two (2) backhoes in the Utility Maintenance Department as surplus. These backhoes are described as Unit W25 1985 Model John Deere 410 (VIN T0410BB723301) and Unit W10 1991 Model John Deere 710 (VIN T0710CJ774471). *(David Medley, PE, Director of Utilities)*
- Confirm action taken on City Council Agenda Item 6, award of bid to YellowHouse Machinery Co. for the purchase of one (1) New and Unused 2012 Model 410 K Backhoe Loader. *(David Medley, PE, Director of Utilities)*
- Confirm action taken on City Council Agenda Item 7, the final Contractor's Pay Estimate No. 9 for the Water Treatment Plant Filter and Clearwell Improvements in the amount of \$15,525.00. *(David Medley, PE, Director of Utilities)*
- Confirm action taken on City Council Agenda Item 8, Change Order No. 1 – Final and Contractor's Pay Estimate No. 3 – Final for the Taylor Industrial Park 12-Inch Main Water Improvements Project. Change Order No. 1 reconciles the final quantities and results for an addition of \$51,075.00 to the contract amount resulting in a final contract amount of \$228,756.00. *(David Medley, PE, Director of Utilities)*
- Confirm action taken on City Council Agenda Item 9, award of bid to Northern Equipment Co., Inc for the construction of Water Treatment Plant Residuals Handling Improvements (Rebid) in an amount of \$871,807.00.10. *(David Medley, PE, Director of Utilities)*
- Confirm action taken on City Council Agenda Item 10, Change Order No. 1 for the 14th Street / US 69 Sewer Extension with C.S. Day & Associates of Tahlequah, Oklahoma. *(David Medley, PE, Director of Utilities)*

- Confirm action taken on City Council Agenda Item 11, the purchase of one new and unused, asphalt paver for approximately \$350,000, and authorize the City to borrow the necessary funds. (*John C. Modzelewski, PE, City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item 12, a resolution requesting federal funding through the Federal-Aid Surface Transportation Program Urbanized Area Project. The project proposed is the reconstruction of the Washington Avenue bridge deck and roadway from "A" Street to Main Street. (*John C. Modzelewski, PE, City Engineer and Public Works Department*)
- Confirm action taken on City Council Agenda Item 13, rescheduling the December 25, 2012 Regularly scheduled Council Meeting. (*Cora Middleton, City Clerk*)

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the October 23, 2012, Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item 13, rescheduling the December 25, 2012 Regularly scheduled Council Meeting. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of November 2012. (*Toni Ervin, Chief Financial Officer*)

ADJOURN MRTA

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