



McAlester City Council

NOTICE OF MEETING

REVISED Regular Meeting Agenda

Tuesday, January 14, 2014 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

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

J. T. Carnell of the First Church of the Nazarene

ROLL CALL

SWEARING-IN CERMONY

Judge Deborah Hackler will administer the Oath of Office to the Council member:

- Oath of Office – Council member, Ward 6, Jason Barnett

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, 2013, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the December 19, 2013, Rescheduled Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for December 13, 2013 through January 7, 2014. *(Toni Ervin, Chief Financial Officer)*
- D. Accept and place on file the McAlester Main Street and Old Town Association, 2013 Wild West Festival Report. *(Eddie Gray, Old Town Association and Ginny Webb, Executive Director, McAlester Main Street)*
- E. Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 135426-KW. *(Cora Middleton, City Clerk)*
- F. Accept and place on file the Oklahomans for Independent Living (OIL) report for October, November and December 2013. *(Pam Pulchny, Executive Director O.I.L.)*

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 AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: LOTS 1 AND 2, ACCORDING TO THE SUBDIVIDED PLAT OF BLOCK 246 RECORDED IN PLAT BOOK 2 AT PAGE 11, FORMERLY DESCRIBED AS THE EASTERLY 50 FEET OF LOT 1 IN THE ORIGINAL PLAT, AND ALSO THE WESTERLY HALF OF VACATED 12TH STREET ADJACENT TO SAID LOT 1, ALL IN BLOCK 246, IN THE CITY OF MCALESTER, FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA, FROM R1-B (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO H-1 (HEALTH FACILITIES DISTRICT).

AN ORDINANCE AMENDING SECTION 2.67, OF THE McALESTER CODE OF ORDINANCES; MORE PARTICULARLY BY AMENDING SECTION 1, "APPLICATION FOR USE OF SICK LEAVE BANK", ITEM "A" AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Consider and act upon exercising the City of McAlester's forty-five (45) day option to purchase a 1.2 acre tract of land at 3101 Elks Road (USDA Building), and as more particular described below, pursuant to paragraph "f" of the deed restrictions attached as Exhibit A to the November 14, 2011 Correction Warranty Deed conveying ownership of the property from the City of McAlester to A.R.M., Inc. The provisions of paragraph "f" have been triggered by a December 20, 2013 notice from A.R.M., Inc. documenting their proposed "transfer of business interest" in the property to a third party. *(Leroy Alsup, Director, Community and Economic Development)*

Executive Summary

Motion to approve and act upon either exercising or not exercising the City of McAlester's forty-five (45) day option to purchase the 1.2 acre tract of land at 3101 Elks Road (USDA Building), and as more particular described in the agenda report, pursuant to paragraph "f" of the deed restrictions attached as Exhibit A to November 14, 2011 Correction Warranty Deed conveying ownership of the property from the City of McAlester to A.R.M., Inc.

2. Consider, and act upon authorizing the execution and submittal of Purchase Order No. 1609012483 to the Oklahoma Department of Commerce for a \$260,000 award to the City of McAlester from the Oklahoma Strategic Military Planning Commission for a study/assessment and a comprehensive plan for the BRAC/funding decreases and how the McAlester Army Ammunition Plant will adapt to the cuts. *(Leroy Alsup, Director, Community and Economic Development)*

Executive Summary

Motion to approve and act upon authorizing the Mayor to sign and submit Purchase Order No. 1609012483 and any other related documents to the Oklahoma Department of Commerce to secure the \$260,000 award to the City of McAlester from the Oklahoma Strategic Military Planning Commission.

3. Consider and act upon a change in the zoning of Lots 1 and 2, Block 246, as more particularly described in the ordinance, from R-1B single-family residential district to H-1 health facilities district. *(Leroy Alsup, Director, Community and Economic Development)*

Executive Summary

Motion to approve and act upon changing the existing zoning of Lots 1 and 2, Block 246, as more particularly described in the ordinance, from R-1B single-family residential district to H-1 health facilities district and authorizing the Mayor to sign the attached ordinance.

4. 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 firefighting equipment to be used on the Fire Engines. Purchases to be made with funds from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services.

5. Discussion, and possible action, on acceptance of a Homeland Security sub-grant award, in the amount of \$2,238.32. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve and accept a Homeland Security Sub-Grant Award in the amount of \$2,238.32, to be used to purchase MSA Millennium Gas Masks for the Haz-Mat unit.

6. Consider and act upon a bid award to Tyler Technologies, Inc. to purchase and install new Electronic Citations System, including all supporting hardware, software, installation and training. *(James Stanford, IT Computer Specialist)*

Executive Summary

Motion to approve \$54,210.00 bid to Tyler Technologies, Inc. to purchase and install new Electronic Citations System, including all supporting hardware, software, installation and training.

7. Consider, and act upon, Contractor's Application for Final Payment Pay for the "Water Treatment Plant Residuals Handling Improvements" Project. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

Motion to approve final payment to Northern Equipment Co. Inc. for the "Water Treatment Plant Residuals Handling Improvements" Project and authorize the Mayor to sign the Final Application of Payment to Northern Equipment Co., Inc. in the amount of \$86,096.27.

8. Consider, and act upon, a Professional Services Agreement with a Poe & Associates, Inc. consulting engineers, for the design of road and infrastructure improvements for a segment of A Street from Comanche Avenue to Miami Avenue, and a segment of Sixth Street from a point approximately 100' north of Jefferson Avenue to Monroe Avenue. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

Motion to approve authorizing the Mayor to sign a Professional Services Agreement with a consultant, Poe & Associates, Inc. consulting Engineers, for the design of road and infrastructure improvements for a segment of A Street from Comanche Avenue to Miami Avenue, and a segment of Sixth Street from a point approximately 100' north of Jefferson Avenue to Monroe Avenue. The Fee Proposal is a lump sum amount of \$180,000.

9. Consider and act upon awarding bid in the amount of \$43,890.31, for one new and unused One Ton Work Truck with Snow Plow and Salt Spreader for the Streets Department to Freedom Ford. *(Sheila Norman, Purchasing Fixed Assets)*

Executive Summary

Motion to approve the award of bid to Freedom Ford, McAlester, Oklahoma, for the purchase of one (1) New and Unused 2014 F-350 1 Ton Truck with Snow Plow and Salt Spreader

10. Consider and Act Upon, amending Section 2.67 of the McAlester Code of Ordinances; Personnel Policies Section 1, Application for use of Sick Leave Bank, Item "A" of the non-uniform Personnel Policies for the City of McAlester, dated January 2000 and Declaring an Emergency. *(Cora Middleton, City Clerk)*

Executive Summary

Staff recommends motion to approve policy and Emergency Clause as presented.

11. Consider and act upon a lease agreement between Bill and Ann Parrott and the City of McAlester for rental office space to house the McAlester Tourism Department.
(Peter J. Stasiak, City Manager)

Executive Summary

Motion to approve Lease Agreement.

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

MAYOR'S COMMENTS AND COMMITTEE APPOINTMENTS (Steve Harrison)

RECESS COUNCIL MEETING

CONVENE AS McALESTER AIRPORT AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the, 2013 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, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 10, amending Section 2.67 of the McAlester Code of Ordinances; Personnel Policies Section 1, Application for use of Sick Leave Bank, Item "A" of the non-uniform Personnel Policies for the City of McAlester, dated January 2000 and Declaring an Emergency. *(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, 2013 Rescheduled 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, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item E, to Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 135426-KW. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 1, exercising the City of McAlester's forty-five (45) day option to purchase a 1.2 acre tract of land at 3101 Elks Road (USDA Building), and as more particular described below, pursuant to paragraph "f" of the deed restrictions attached as Exhibit A to the November 14, 2011 Correction Warranty Deed conveying ownership of the property from the City of McAlester to A.R.M., Inc. The provisions of paragraph "f" have been triggered by a December 20, 2013 notice from A.R.M., Inc. documenting their proposed "transfer of business interest" in the property to a third party. *(Leroy Alsup, Director, Community and Economic Development)*
- Confirm action taken on City Council Agenda Item 3, a change in the zoning of Lots 1 and 2, Block 246, as more particularly described in the ordinance, from R-1B single-family residential district to H-1 health facilities district. *(Leroy Alsup, Director, Community and Economic Development)*
- Confirm action taken on City Council Agenda Item 7, Contractor's Application for Final Payment Pay for the "Water Treatment Plant Residuals Handling Improvements" Project. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 8, a Professional Services Agreement with a consultant to be named for the design of road and infrastructure improvements for a segment of A Street from Comanche Avenue to Miami Avenue, and a segment of Sixth Street from a point approximately 100' north of Jefferson Avenue to Monroe Avenue. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 9, awarding bid in the amount of \$43,890.31 for one new and unused One Ton Work Truck with Snow Plow and Salt Spreader for the Streets Department to Freedom Ford. *(Sheila Norman, Purchasing Fixed Assets)*

- Confirm action taken on City Council Agenda Item 10, amending Section 2.67 of the McAlester Code of Ordinances; Personnel Policies Section 1, Application for use of Sick Leave Bank, Item “A” of the non-uniform Personnel Policies for the City of McAlester, dated January 2000 and Declaring an Emergency. *(Cora Middleton, City Clerk)*

ADJOURN MPWA

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2013 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