



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda Revised

Tuesday, June 10, 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
Jason Barnet.....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 May 13, 2014, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the May 19, 2014, Special Meeting of the McAlester City Council
- C. Approval of the Minutes from the May 22, 2014, Special Meeting of the McAlester City Council.
- D. Approval of Claims for May 21, 2014 to June 3, 2014. *(Toni Ervin, Chief Financial Officer)*
- E. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and the Oklahomans for Independent Living for funding in the amount of \$21,600. *(Peter J. Stasiak, City Manager)*
- F. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Main Street Association for funding in the amount of \$25,200. *(Peter J. Stasiak, City Manager)*
- G. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Pride-in-McAlester for funding in the amount of \$54,000. *(Peter J. Stasiak, City Manager)*
- H. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Junior Sunbelt Classic for 2015 funding in the amount of \$15,000. *(Peter J. Stasiak, City Manager)*
- I. Consider, and act upon, authorizing the Mayor to sign a City County Agreement for a Joint Civil Defense/Emergency Management Administration between the Board of County Commissioners of Pittsburg County of Oklahoma and the City of McAlester for funding in the amount of \$42,500. *(Peter J. Stasiak, City Manager)*
- J. Ratify and approve application and participation agreement with **Lincoln National Life Insurance Company** for Long Term Disability Insurance for full time regular employee for a period of July 1, 2014 through June 30, 2015. *(Toni Ervin, CFO)*
- K. Consider, and act upon, authorizing the Mayor to sign an Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2014 through June 30, 2015. *(Toni Ervin, CFO)*

- L. Consider, and act upon, authorizing the Mayor to sign an agreement between City of McAlester and the Blackboard Connect, Inc. to provide a fully hosted alert notification system for emergency notifications, by way of a Master Agreement dated September 16, 2009. (*Shawn Smith, E-911 Manager*)
- M. Consider and act upon a request from the Pittsburg County Chapter NAACP to use the Michael J. Hunter Park, 14th and Chickasaw, Oklahoma on Saturday, June 21, 2014 from 8:00am until 5:00 p.m. to hold the Juneteenth Celebration. (*Miller Newman, President, Pittsburg County Chapter NAACP*)
- N. Concur with Mayor's Appointment of Heather Para, 1102 S. 2nd Street, McAlester, 74501 to the McAlester Library Advisory Board for an unexpired term ending December, 2015. (*Steve Harrison, Mayor*)
- O. Consider, and act upon, concurrence with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 137194-TW. (*Cora Middleton, City Clerk*)
- P. Consider, and act upon, a "Pledge and Guarantee" document which authorizes the annual renewal of the City of McAlester's Participation Agreement with the Association for Landfill Financial Assurance (ALFA). (*John C. Modzelewski, City Engineer/Public Works Director*)
- Q. Consider, and act upon, authorization of payment to Bank of America Merrill Lynch, Global Custody and Agency Services, Attention: Val Opperman, escrow agent for Austin Paving, LLC, in the amount of \$57,706.67 for Pay Estimate 3, , for construction services related to CIP#1 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account. (*John C. Modzelewski, City Engineer/Public Works Director*)
- R. Consider, and act upon, authorization of payment to Oklahoma Department of Environmental Quality, in the amount of \$1,454.59, for water and sewer permit fees related to CIP#2 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account. (*John C. Modzelewski, City Engineer/Public Works Director*)
- S. Consider, and act upon, authorization of payment to Mehlburger Brawley, Invoice No. MC-14-01-02, in the amount of \$38,725.00, for engineering services related to CIP#3 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account. (*John C. Modzelewski, City Engineer/Public Works 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.

- **A PUBLIC HEARING ON THE PROPOSED FY 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES GRANT; PROPOSED WATER PROJECT.**
- **TO RECEIVE PUBLIC COMMENT ON CITY OF MCALESTER PROPOSED FISCAL YEAR 2014-2015 ANNUAL OPERATING BUDGET.**
- **AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF MCALESTER, OKLAHOMA FOR THE FISCAL YEAR 2014-2015.**
- **AN ORDINANCE OF THE CITY OF MCALESTER WITH PROPOSED AMENDMENTS TO THE MCALESTER CITY CHARTER, AND AUTHORIZING THE MAYOR TO SUBMIT THE PROPOSED CHANGES TO THE QUALIFIED REGISTERED VOTERS OF THE CITY OF MCALESTER; AND CONSIDER AND ACT TO APPROVE A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING THE PROPOSED CHARTER CHANGES TO THE QUALIFIED ELECTORS OF THE CITY, AND AUTHORIZING THE ISSUANCE OF A PROCLAMATION FOR THE ELECTION REGARDING THE PROPOSITIONS TO CHANGE THE MCALESTER CITY CHARTER**
- **CONSIDER, AND ACT TO APPROVE AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF MCALESTER, AMENDING ARTICLE IV. HOTEL TAX, SECTION 98-107 (A); IMPOSITION OF TAX; EXEMPTIONS; BY INCREASING THE TAX PERCENT FROM FOUR TO SIX PERCENT; AND AMENDING SECTION 98-123 (1), (2) AND (3); PURPOSE OF REVENUES, AND AUTHORIZING THE MAYOR TO SUBMIT THE PROPOSED CHANGES TO THE QUALIFIED REGISTERED VOTERS OF THE CITY OF MCALESTER; AND CONSIDER AND ACT TO APPROVE A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING THE PROPOSED CODE CHANGES TO THE QUALIFIED ELECTORS OF THE CITY, AND AUTHORIZING THE ISSUANCE OF A PROCLAMATION FOR THE ELECTION REGARDING THE PROPOSITIONS TO CHANGE THE MCALESTER CITY HOTEL/MOTEL TAX.**

SCHEDULED BUSINESS

1. Union Pacific Safety presentation and general discussion. (*Stephen W. Lazzari, Manager of Public Safety, Union Pacific Railroad*)

Executive Summary
Discussion only.

2. Consider, and act upon, Adopting Citizen's Participation Plan for FY-2014 CDBG Project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve Citizen's Participation Plan for FY-2014 CDBG Project.

3. Consider, and act upon, Adopting a Resolution to Apply for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve adopting the resolution to Apply for the FY-2014 CDBG Small Cities Grant, Proposed Water Line Project.

4. Consider, and act upon, Adopting a Resolution to Leverage (Matching) funds for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve to Leverage (Matching) funds for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project.

5. Consider, and act upon Adopting a Residential Anti-Displacement Plan for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve a Residential Anti-Displacement Plan for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project.

6. Consider, and act upon, Adopting Contract with Millie Vance Incorporated to prepare FY-2014 CDBG grant application and administer project. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

Motion to approve to Contract with Millie Vance Incorporated to prepare FY-2014 CDBG grant application and administer project.

7. Reading of CDBG Proclamation supporting and encouraging Fair Housing practices. (*Millie Vance, Millie Vance, Inc.*)

Executive Summary

A Reading of the Proclamation supporting and encouraging Fair Housing practices.

8. Discussion regarding, request from Ms. Connie J. Davis-Counts to waive the 90 day period to hold another dirt event at the SE Expo in October 2014. (*Jerry Lynn Wilson, Expo Center Manager*)

Executive Summary

Discussion of request from Ms. Connie J. Davis-Counts.

9. Consider, and act upon, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2014-2015; providing for severability clause; and declaring an emergency. (*Toni Ervin, CFO and Peter J. Stasiak, City Manager*)

Executive Summary

Motion to approve an Ordinance adopting the budget for fiscal year 2014-2015 and declaring an emergency.

10. CONSIDER AND ACT TO APPROVE AN ORDINANCE OF THE CITY OF MCALESTER WITH PROPOSED AMENDMENTS TO THE MCALESTER CITY CHARTER, AND AUTHORIZING THE MAYOR TO SUBMIT THE PROPOSED CHANGES TO THE QUALIFIED REGISTERED VOTERS OF THE CITY OF MCALESTER; AND CONSIDER AND ACT TO APPROVE A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING THE PROPOSED CHARTER CHANGES TO THE QUALIFIED ELECTORS OF THE CITY, AND AUTHORIZING THE ISSUANCE OF A PROCLAMATION FOR THE ELECTION REGARDING THE PROPOSITIONS TO CHANGE THE MCALESTER CITY CHARTER. (*William J. Ervin, City Attorney*)

Executive Summary

Motion to approve an Ordinance proposing amendments to the City of McAlester Charter.

11. CONSIDER, AND ACT TO APPROVE AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF MCALESTER, AMENDING ARTICLE IV. HOTEL TAX, SECTION 98-107 (A); IMPOSITION OF TAX; EXEMPTIONS; BY INCREASING THE TAX PERCENT FROM FOUR TO SIX PERCENT; AND AMENDING SECTION 98-123 (1), (2) AND (3); PURPOSE OF REVENUES, AND AUTHORIZING THE MAYOR TO SUBMIT THE PROPOSED CHANGES TO THE QUALIFIED REGISTERED VOTERS OF THE CITY OF MCALESTER; AND CONSIDER AND ACT TO APPROVE A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING THE PROPOSED CODE CHANGES TO THE QUALIFIED ELECTORS OF THE CITY, AND AUTHORIZING THE ISSUANCE OF A PROCLAMATION FOR THE ELECTION REGARDING THE PROPOSITIONS TO CHANGE THE MCALESTER CITY HOTEL/MOTEL TAX. (*Cora Middleton, City Clerk*)

Executive Summary

Motion to approve an Ordinance proposing changes to the City of McAlester Hotel/Motel Tax rate and use.

12. 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 purchase of fire hose and equipment.

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 May 27, 2014 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending June 3, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item I, authorizing the Mayor to sign a City County Agreement for a Joint Civil Defense/Emergency Management Administration between the Board of County Commissioners of Pittsburg County of Oklahoma and the City of McAlester. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item J, to approve application and participation agreement with **Lincoln National Life Insurance Company** for Long Term Disability Insurance for full time regular employee for a period of July 1, 2014 through June 30, 2015. *(Toni Ervin, CFO)*
- Confirm action taken on City Council Agenda Item K, authorizing the Mayor to sign an Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2014 through June 30, 2015. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 9, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2014-2015; providing for severability clause; and declaring an emergency. *(Toni Ervin, CFO and Peter J. Stasiak, City Manager)*

ADJOURN MAA**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

Majority of a Quorum required for approval

- Approval of the Minutes from the May 19, 2014 Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- Approval of the Minutes from the May 27, 2014 Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, regarding claims ending June 3, 2014. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item I, authorizing the Mayor to sign a City County Agreement for a Joint Civil Defense/Emergency Management Administration between the Board of County Commissioners of Pittsburg County of Oklahoma and the City of McAlester for funding in the amount of \$42,500. (*Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item J, to approve application and participation agreement with **Lincoln National Life Insurance Company** for Long Term Disability Insurance for full time regular employee for a period of July 1, 2014 through June 30, 2015. (*Toni Ervin, CFO*)
- Confirm action taken on City Council Agenda Item K, authorizing the Mayor to sign an Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2014 through June 30, 2015. (*Cora Middleton, City Clerk*)
- Consider, and act upon, authorizing the Mayor to sign an agreement between City of McAlester and the Blackboard Connect, Inc. to provide a fully hosted alert notification system for emergency notifications, by way of a Master Agreement dated September 16, 2009. (*Shawn Smith, E-911 Manager*)
- Confirm action taken on City Council Agenda Item P, a “Pledge and Guarantee” document which authorizes the annual renewal of the City of McAlester’s Participation Agreement with the Association for Landfill Financial Assurance (ALFA). (*John C. Modzelewski, City Engineer/Public Works Director*)
- Confirm action taken on City Council Agenda Item Q, authorization of payment to Bank of America Merrill Lynch, Global Custody and Agency Services, Attention: Val Opperman, escrow agent for Austin Paving, LLC, in the amount of \$57,706.67 for Pay Estimate 3, for construction services related to CIP#1 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account. (*John C. Modzelewski, City Engineer/Public Works Director*)

- Confirm action taken on City Council Agenda Item R, authorization of payment to Oklahoma Department of Environmental Quality, in the amount of \$1,454.59, for water and sewer permit fees related to CIP#2 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account. (*John C. Modzelewski, City Engineer/Public Works Director*)
- Confirm action taken on City Council Agenda Item S, authorization of payment to Mehlburger Brawley, Invoice No. MC-14-01-02, in the amount of \$38,725.00, for engineering services related to CIP#3 and funded through the McAlester Public Works Construction Fund Series 2013 Project Account. (*John C. Modzelewski, City Engineer/Public Works Director*)
- Confirm action taken on City Council Agenda Item 2, Adopting Citizen's Participation Plan for FY-2014 CDBG Project. (*Millie Vance, Millie Vance, Inc.*)
- Confirm action taken on City Council Agenda Item 3, Adopting a Resolution to Apply for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project. (*Millie Vance, Millie Vance, Inc.*)
- Confirm action taken on City Council Agenda Item 4, Adopting a Resolution to Leverage (Matching) funds for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project. (*Millie Vance, Millie Vance, Inc.*)
- Confirm action taken on City Council Agenda Item 5, Adopting a Residential Anti-Displacement Plan for FY-2014 CDBG Small Cities Grant, Proposed Water Line Project. (*Millie Vance, Millie Vance, Inc.*)
- Confirm action taken on City Council Agenda Item 6, Adopting a Contract with Millie Vance Incorporated to prepare FY-2014 CDBG grant application and administer project. (*Millie Vance, Millie Vance, Inc.*)
- Confirm action taken on City Council Agenda Item 7, Reading of CDBG Proclamation supporting and encouraging Fair Housing practices. (*Millie Vance, Millie Vance, Inc.*)
- Confirm action taken on City Council Agenda Item 9, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2014-2015; providing for severability clause; and declaring an emergency. (*Toni Ervin, CFO and Peter J. Stasiak, City Manager*)

ADJOURN MPWA

RECONVENE COUNCIL MEETING

EXECUTIVE SESSION

Recess into Executive Session in compliance with Section Title 25 Section 307 B.2 et.seq. Oklahoma Statutes, to wit:

- 1) Proposed executive session pursuant to Title 25, Sec. 307 (B) (2) to discuss negotiations concerning employees and representatives of employee groups: IAFF

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

- Consider, and act upon, the IAFF, Local 2284, 2014-2015 Contract.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2014 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