



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, July 22, 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 Barnett ..... 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](http://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**

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*Announce the presence of a Quorum.*

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

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Glenn Meyer, Trinity Lutheran Church

#### **ROLL CALL**

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#### **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

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*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 June 24, 2014, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the July 8, 2014, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for July 1, 2014 through July 15, 2014. *(Toni Ervin, Chief Financial Officer)*
- D. Concur with Mayor's Appointment of Tony Winters, 101 S. Third Street, McAlester, 74501 to the Audit and Finance Advisory Committee for an unexpired term ending March 31, 2016. *(Steve Harrison, Mayor)*
- E. Consider and act upon, authorization of payment to McAlester News Capital & Democrat, Ad Number 05615109, in the amount of \$98.45, for publication of Advertisement for Bids related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- F. Consider, and act upon, authorization of payment to Austin Paving, LLC, Pay Estimate No. 4, in the amount of \$74,187.34, for construction services related to CIP#1 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. This action does not approve the submitted construction schedule that extends the project to September 24, 2014. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- G. **TABLED FROM PREVIOUS MEETING:** Consider, and act upon, authorizing the Mayor to sign a service agreement with ThyssenKrupp Elevator Corporation to perform monthly scheduled maintenance on elevator equipment in McAlester City Hall, McAlester Public Library and the McAlester EXPO Center for the period from July 1, 2014 through June 30, 2015. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- H. Consider, and act upon, receipt of Amended Permit No. SL000061140226 for the construction of 998 linear feet of eight (8) inch PVC sanitary sewer line and all appurtenances to serve the Belfair Senior Care Complex. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

- I. Consider, and act upon, authorizing the Mayor to sign the Project/Center Sponsor Contract for the FY/2015 between Kiamichi Area Nutrition Project, Inc. and the City of McAlester. *(Mel Priddy, Community Services Director)*
- J. Consider, and act upon, authorizing the Mayor to sign the contract between the City of McAlester and AT&T for the ILEC PLEXAR II Services. *(James Stanford, IT Computer Support Specialist)*

## ITEMS REMOVED FROM CONSENT AGENDA

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### 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. 2467 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2013-14; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.
- AN ORDINANCE AMENDING CHAPTER 106, UTILITIES, ARTICLE IV. DIVISION 2. MUNICIPAL COLLECTION SERVICE, SECTION 106-327 (b), CHARGES FOR REMOVAL OF PERMISSIBLE SOLID WASTE; AND DECLARING AN EMERGENCY.

### SCHEDULED BUSINESS

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1. Accept or Reject, reinstating an Inter-Agency Agreement between the City of McAlester and the City of Krebs for Police Dispatch services for fiscal year 2014-2015. *(Gary Wansick, Police Chief)*

#### Executive Summary

Motion to reject the Inter-Agency Agreement to charge the City of Krebs \$18,782 for dispatch services for the fiscal year 2014/2015.

2. Discussion on water and sewer rates for the City of McAlester. *(Peter J. Stasiak, City Manager)*

#### Executive Summary

Discussion on preparing a Request for Qualifications to hire an Engineering firm with expertise in water and sewer rates analysis and infrastructure replacement and costs.

3. **TABLED FROM PREVIOUS MEETING:** Consider, and act upon, amending Solid Waste ordinance, Sec. 106-327 to reflect the 1.72% increase from Allied in the residential and commercial rates listed. *(Toni Ervin, CFO)*

## Executive Summary

Staff recommends motion to approve the amending ordinance.

4. Consider, and act upon, an Ordinance amending Ordinance No. 2467 which established the budget for fiscal year 2013-2014; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, CFO)*

## Executive Summary

Motion to approve the budget amendment ordinance.

5. Consider and act upon a resolution to renew the Temporary Sales Tax Rebate Program for businesses in the McAlester Main Street Districts and the Choctaw Commercial Corridor. *(Leroy Alsup, Director Community & Economic Development)*

## Executive Summary

Motion to approve a resolution to renew the Temporary Sales Tax Rebate Program for businesses in the McAlester Main Street Districts and the Choctaw Commercial Corridor.

6. Consider and act upon a resolution to establish Parklet Guidelines and to grant a permit for City Owned Parklets in Old Town and Downtown McAlester in partnership with McAlester Main Street. *(Leroy Alsup, Director Community & Economic Development)*

## Executive Summary

Motion to approve a resolution to establish Parklet Guidelines and to grant a permit for City Owned Parklets in Old Town and Downtown McAlester in partnership with McAlester Main Street.

7. Consider and act upon, a resolution amending the City's Non-Uniform Pay Plan. *(Toni Ervin, CFO)*

## Executive Summary

Staff recommends motion to approve resolution amending the City's Non-Uniform Pay Plan.

8. Consider, and act upon, a Resolution authorizing the creation and the FY 2014-2015 funding of the Full Time position of Recycling Service Worker. *(Peter J. Stasiak, City Manager)*

## Executive Summary

Motion to approve a Resolution to authorize the creation and the funding of the Full Time Position of Recycling Service Worker.

9. Consider, and act upon, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2-286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2-287. *(Sheila Norman, Purchasing Fixed Assets, Toni Ervin, CFO)*

## Executive Summary

Motion to declare certain vehicles and equipment surplus and authorize the disposal of them.

10. Consider, and act upon, authorizing the Mayor to sign Supplemental Agreement Number 1 to construction contract. "Improve Runway 2-20 Safety Areas; Remove Runway 2-20 Approach Surface Obstructions". (*John Modzelewski, P.E., City Engineer and Director of Public Works*)

Executive Summary

The recommendation is to authorize the Mayor to sign Supplemental Agreement Number 1 to construction contract: "Improve Runway 2-20 Safety Areas; Remove Runway 2-20 Safety Areas; Remove Runway 2-20 Approach Surface Obstructions". This contract is for the construction of improvements for runway safety at the McAlester Regional Airport.

11. Consider, and act, upon authorizing the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: "Improve Runway 2-20 Safety Areas and Remove Runway 2-20 Approach Surface Obstructions". (*John Modzelewski, P.E., City Engineer and Director of Public Works*)

Executive Summary

The recommendation is to authorize the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: "Improve Runway 2-20 Safety Areas and Remove Runway 2-20 Approach Surface Obstructions" for an amount of \$1,359,165.40.

12. Consider, and act upon, an Amendment to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Construction Administration and Inspection during construction of improvements for runway safety and to provide an Approach Slope Survey. (*John Modzelewski, P.E., City Engineer and Director of Public Works*)

Executive Summary

Motion to approve Amendment #7 to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Construction Administration and Inspection during construction of improvements for runway safety and to provide an Approach Slope Survey for a fee not to exceed \$139,685.

13. Discussion and possible action on authorizing City staff to seek reimbursement from ad valorem tax rolls for worker compensation judgments. (*Toni Ervin, CFO*)

Executive Summary

Staff recommends that the Council authorize city staff to seek reimbursement for worker's compensation judgments in excess of \$50,000.

## **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

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## MAYORS COMMENTS AND COMMITTEE APPOINTMENTS

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## RECESS COUNCIL MEETING

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## CONVENE AS McALESTER AIRPORT AUTHORITY

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the July 8, 2014, Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item C, regarding claims ending July 15, 2014. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item J, authorizing the Mayor to sign the contract between the City of McAlester and AT&T for the ILEC PLEXAR II Services. (*James Stanford, IT Computer Support Specialist*)
- Confirm action taken on City Council Agenda Item 4, amending Ordinance No. 2467 which established the budget for fiscal year 2013-2014; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Toni Ervin, CFO*)
- Confirm action taken on City Council Agenda Item 7, a resolution amending the City's Non-Uniform Pay Plan. (*Toni Ervin, CFO*)
- Confirm action taken on City Council Agenda Item 10, authorizing the Mayor to sign Supplemental Agreement Number 1 to construction contract. "Improve Runway 2-20 Safety Areas; Remove Runway 2-20 Approach Surface Obstructions". (*John Modzelewski, P.E., City Engineer and Director of Public Works*)
- Confirm action taken on City Council Agenda Item 11, authorizing the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: "Improve Runway 2-20 Safety Areas and Remove Runway 2-20 Approach Surface Obstructions". (*John Modzelewski, P.E., City Engineer and Director of Public Works*)
- Confirm action taken on City Council Agenda Item 12, an Amendment to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Construction Administration and Inspection during construction of improvements for runway safety and to provide an Approach Slope Survey. (*John Modzelewski, P.E., City Engineer and Director of Public Works*)

- Confirm action taken on City Council Agenda Item 13, on authorizing City staff to seek reimbursement from ad valorem tax rolls for worker compensation judgments. *(Toni Ervin, CFO)*

### ADJOURN MAA

### CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the July 8, 2014, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending July 15, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item E, authorization of payment to McAlester News Capital & Democrat, Ad Number 05615109, in the amount of \$98.45, for publication of Advertisement for Bids related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item F, authorization of payment to Austin Paving, LLC, Pay Estimate No. 4, in the amount of \$74,187.34, for construction services related to CIP#1 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. This action does not approve the submitted construction schedule that extends the project to September 24, 2014. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item G, authorizing the Mayor to sign a service agreement with ThyssenKrupp Elevator Corporation to perform monthly scheduled maintenance on elevator equipment in McAlester City Hall, McAlester Public Library and the McAlester EXPO Center for the period from July 1, 2014 through June 30, 2015. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item H, receipt of Amended Permit No. SL000061140226 for the construction of 998 linear feet of eight (8) inch PVC sanitary sewer line and all appurtenances to serve the Belfair Senior Care Complex. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item J, authorizing the Mayor to sign the contract between the City of McAlester and AT&T for the ILEC PLEXAR II Services. *(James Stanford, IT Computer Support Specialist)*

- Confirm action taken on City Council Agenda Item 3, amending Solid Waste ordinance, Sec. 106-327 to reflect the 1.72% increase from Allied in the residential and commercial rates listed. *(Toni Ervin, CFO)*
- Confirm action taken on City Council Agenda Item 4, amending Ordinance No. 2467 which established the budget for fiscal year 2013-2014; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, CFO)*
- Confirm action taken on City Council Agenda Item 6, a resolution to establish Parklet Guidelines and to grant a permit for City Owned Parklets in Old Town and Downtown McAlester in partnership with McAlester Main Street. *(Leroy Alsup, Director Community & Economic Development)*
- Confirm action taken on City Council Agenda Item 7, a resolution amending the City's Non-Uniform Pay Plan. *(Toni Ervin, CFO)*
- Confirm action taken on City Council Agenda Item 8, a Resolution authorizing the creation and the FY 2014-2015 funding of the Full Time position of Recycling Service Worker. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 9, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2-286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2-287. *(Sheila Norman, Purchasing Fixed Assets, Toni Ervin, CFO)*
- Confirm action taken on City Council Agenda Item 13, on authorizing City staff to seek reimbursement from ad valorem tax rolls for worker compensation judgments. *(Toni Ervin, CFO)*

#### ADJOURN MPWA

#### **CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY**

*Majority of a Quorum required for approval*

- Approval of the Minutes from the June 24, 2014, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of July 2014. *(Toni Ervin, CFO)*

#### ADJOURN MRTA

#### **RECONVENE COUNCIL MEETING**

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**ADJOURNMENT**

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**CERTIFICATION**

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*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](http://www.cityofmcalester.com).*

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**Cora M. Middleton, City Clerk**