



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, August 12, 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 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 Lowher, First Baptist Church

ROLL CALL

CEREMONY AND AWARDS

Employee of the Month for June 2014 is Delona Jones of the City of McAlester, Southeastern Expo Center Maintenance Office. (Steve Harrison, Mayor)

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 July 10, 2014 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the July 22, 2014 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for July 16, 2014 through August 5, 2014. *(Toni Ervin, Chief Financial Officer)*
- D. Consider and act upon, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 138447-TW. *(Cora Middleton, City Clerk)*
- E. Consider and act upon, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 138563-TW. *(Cora Middleton, City Clerk)*
- F. Consider and act upon, authorization of payment to OPUBCO Communications Group, Invoice Number 0002630900140713, in the amount of \$97.75, 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)*
- G. Consider and act upon, authorization of payment to Lot Maintenance of Oklahoma, Inc., Invoice Number 033052, in the amount of \$6,300.00, to clean and video existing sewer lines in Second Street, related to CIP#3 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)*
- H. Consider and act upon, authorization of payment to Mehlburger Brawley, Invoice # MC-14-01-03, in the amount of \$33,975.00, for engineering services related to CIP#3 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)*
- I. Consider and act upon, authorization of payment to Mehlburger Brawley, Invoice # MC-14-01-04, in the amount of \$15,800.00, for engineering services related to CIP#3 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)*

- J. Consider and act upon, the McAlester Main Street Annual Performance Report for July 2013 through June 2014. *(Lacey Sudderth, Executive Director)*
- K. Consider and act upon, authorizing the Mayor to sign an Agreement between the City of McAlester Public Works Authority and Xerox Government Systems to provide Application Hosting and Technology Support Services for the Fire Department. *(Brett Brewer, Fire Chief)*
- L. Consider and act upon, authorizing the Mayor to sign a Campus Police Agreement between the Board of Education for the McAlester School District and the City of McAlester. *(Gary Wansick, Police Chief)*
- M. Consider and act upon, authorizing the Mayor to sign the letter renewing the Tourism Office Rental Agreement for the FY 2015 between Tracy Parrott and The City of McAlester for a one-year period beginning July 1, 2014 through June 30, 2015. *(Peter J. Stasiak, City Manager)*
- N. Consider and act upon, authorizing the Mayor to sign an Agreement between BizTel, Communications, LLC and the City of McAlester to maintain and service Samsung iDCS Digital and Analog Telephone sets located at City Hall. *(James Stanford, IT Computer Support Specialists)*
- O. Consider and act upon, authorizing the Mayor to sign Agreement between BizTel, Communications, LLC and the City of McAlester to maintain and service all 1 and 2 line Non-system telephones and associated wiring owned by the City of McAlester within various locations of the City of McAlester. *(James Stanford, IT Computer Support Specialists)*
- P. Consider and act upon, to expend funds in the amount of \$85.00 (registration fee) for Councilman Jason Barnett to attend the New Municipal Officials Institute on October 16, 2014, which is required for all new officers of a municipality as defined by paragraph 6 of 11 O.S. Section 1-102 and 11 O.S. Section 8-114 of the State Statutes. *(Cora Middleton, City Clerk)*
- Q. Consider and act upon, the Pride in McAlester Year-End Report for July 2013 through June 2014. *(Regina Peoples, 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.

SCHEDULED BUSINESS

1. McAlester Regional Health Center Presentation about its education campaign related to the upcoming election. Specifically, to address Propositions II and III to change the City Charter. *(David Keith, CEO, MRHC)*

Executive Summary
Discussion only.

2. Conduct a Public Hearing on structures deemed by City Staff to be dilapidated by reason of deterioration, age or obsolescence, inadequate provision of ventilation, light, air or sanitation, neglect, need of repair, or accumulation of debris, where the same constitutes a danger to the safety of the neighborhood. *Leroy D. Alsup, Community and Economic Development Director*
 - a. Consider, and act upon, a resolution declaring certain structures as dilapidated and detrimental to the health, safety, or welfare of the general public. *(George Estrada, Building Inspector and Leroy D. Alsup, Community and Economic Development Director)*

Executive Summary

Upon the conclusion of the Public Hearing, Motion to approve a resolution declaring certain structures as dilapidated and detrimental to the health, safety, or welfare of the general public.

3. Review of select McAlester Property Maintenance Code Ordinances, followed by city council discussion and guidance to city staff on enforcement and potential amendment requests to existing Property Maintenance Code Ordinances. *(Jayme Clifton, Code Enforcement and Leroy D. Alsup, Community and Economic Development Director)*

Executive Summary

Guidance to city staff on enforcement and potential amendment requests to existing Property Maintenance Code Ordinances. No Formal action expected.

4. Discussion concerning the recent sale of Surplus Parcel of City owned property at the north east corner of the intersection at South Main Street and Cherokee Avenue (Parking Lot). *(Cora Middleton, City Clerk)*

Executive Summary

Discussion of Sale of Surplus Parcel of City owned property at the north east corner of the intersection at South Main Street and Cherokee Avenue (Parking Lot).

5. Consider, and act upon, a Supplemental Agreement with EST, Inc. to provide Construction Management Services during the construction of road and infrastructure improvements along Seventeenth Street from Comanche Avenue to South Avenue. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

Motion to approve authorizing the Mayor to sign the Supplemental Agreement to the existing Professional Services Agreement with EST, Inc. to provide Construction Management Services during the construction of road and

infrastructure improvements along Seventeenth Street from Comanche Avenue to South Avenue. The total fee to perform these services is a lump sum amount of \$35,000.

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

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 July 22, 2014, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending August 5, 2014. *(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 July 10, 2014, Special Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Approval of the Minutes from the July 22, 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 August 5, 2014. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item D, Confirm action taken on City Council Agenda Item I, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 138447-TW. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item E, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 138563-TW. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item F, authorization of payment to OPUBCO Communications Group, Invoice Number 0002630900140713, in the amount of \$97.75, 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 G, authorization of payment to Lot Maintenance of Oklahoma, Inc., Invoice Number 033052, in the amount of \$6,300.00, to clean and video existing sewer lines in Second Street, related to CIP#3 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 H, authorization of payment to Mehlburger Brawley, Invoice # MC-14-01-03, in the amount of \$33,975.00, for engineering services related to CIP#3 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 I, authorization of payment to Mehlburger Brawley, Invoice # MC-14-01-04, in the amount of \$15,800.00, for engineering services related to CIP#3 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 5, a Supplemental Agreement with EST, Inc. to provide Construction Management Services during the construction of road and infrastructure improvements along Seventeenth Street from Comanche Avenue to South Avenue. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

ADJOURN MRTA

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:

- Proposed executive session pursuant to Title 25, Sec. 307 (B) (4) for Confidential communications between a public body and its attorney concerning a pending investigations, claims, or actions, more particularly: City of McAlester v. Randy Green

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

- Consider and act upon to authorize the filing of an appeal in: City of McAlester v. Randy Green

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