



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, August 26, 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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## **CEREMONY AND AWARDS**

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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**

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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**

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*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 28, 2014, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for August 6, 2014 through August 19, 2014. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, authorizing the Mayor to sign a resolution casting a vote for one trustee of the Oklahoma Municipal Retirement Fund to fill the expiring term of trustee at-large. *(Peter J. Stasiak, City Manager)*
- D. Consider and act upon, authorization of payment to OPUBCO Communications Group, Invoice Number 0002630900140803, in the amount of \$107.45, 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)*
- E. Consider and act upon, authorization of payment to McAlester News Capital & Democrat, Ad Number 05615389, in the amount of \$168.70, 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 Tulsa World, Ad Number 0000018062-0706, in the amount of \$689.58, 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 Austin Paving, LLC, Pay Estimate No. 5, in an amount to be determined, for construction services related to CIP#1 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. The pay request is under review by the consulting engineer and will be available

for the meeting on August 26, 2014. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

- H. Concur with Mayor's Appointment of Carl Gullick, 1400 Timber Lane to the McAlester Planning Commission for a term to expire May 31, 2015. (*Steve Harrison, Mayor*)

## 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.*

- Public Hearing: Final Performance Report on FY-13 CDBG Grant; Waterline Replacement Project.
- **AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1; IN GENERAL, SECTION 21 (b) (7); ENTITLED DOG PARK; ESTABLISHING RULES; AND DECLARING AN EMERGENCY.**

### SCHEDULED BUSINESS

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1. Consider and act upon, a "Use Permitted After Review" at 1001 E. Wyandotte Avenue for Triad Eye Medical Clinic with surgical outpatient facilities for staff and other doctors with a need for surgical outpatient facilities. (*Leroy Alsup, Community & Economic Development Director*)

#### Executive Summary

Consider and act upon a "Use Permitted After Review" at 1001 E. Wyandotte Avenue for Triad Eye Medical Clinic with surgical outpatient facilities for staff and other doctors with a need for surgical outpatient facilities.

2. Consider and act upon, a Quit Claim Deed between the City of McAlester & HSB Properties, LLC granting all right title and interest in the Easterly 50 feet of Lot One (I), in Block Four Hundred Twenty (420) to HSB Properties, LLC and releasing and discharging all conditions, covenants and restrictions as may have been imposed by the terms of that Special McAlester Urban Renewal Authority Warranty Deed filed in Book 349 at Page 345 of the Office of the Pittsburg County Clerk. (*Leroy Alsup, Community & Economic Development Director*)

#### Executive Summary

Motion to approve the Quit Claim Deed between the City of McAlester & HSB Properties, LLC and to authorize the Mayor to execute the same.

3. Consider and act upon, the final acceptance of FY-13 CDBG Grant Waterline Replacement Project and authorizing the Mayor to sign closeout documents. (*John C. Modzelewski, P.E., City Engineer and Public Works Director, Millie Vance, Grant Writer*)

**Executive Summary**

The recommendation is to accept the FY-13 CDBG Grant Waterline Replacement Project and authorize the Mayor to sign closeout documents.

4. Consider and act upon, authorizing the Mayor to sign a Professional Services Agreement with Poe & Associates, Inc., for the design of road and infrastructure improvements for CIP#4 which includes a segment of South Avenue from a point, two hundred feet west of Strong Boulevard, to a point one hundred eighty feet east of Franklin Street, and a segment of Sixth Street from Chadick Park to Chickasaw 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 Poe & Associates, Inc. Consulting Engineers, for the design of road and infrastructure improvements for a segment of South Avenue from a point, two hundred feet west of Strong Boulevard, to a point one hundred eighty feet east of Franklin Street, and a segment of Sixth Street from Chadick Park to Chickasaw Avenue. The Fee Proposal is a lump sum amount of \$257,233.23.

5. Consider and act upon, a lease and contract with the Pittsburg County Regional Expo Authority and the City of McAlester. (*Mel Priddy, Community Services Director*)

**Executive Summary**

Motion to approve a lease and contract between the Pittsburg County Regional Expo Authority and the City of McAlester.

6. Consider and act upon, amending Rule No.7, Chapter 10, Article 1. (*Mel Priddy, Community Services Director, John Titsworth, Councilman, Ward 2*)

**Executive Summary**

Motion to approve amending Rule No.7, Chapter 10, Article 1.

7. Consider and act upon, a Resolution authorizing the creation and the funding of the Full Time position of Receptionist/Administrative Assistant. (*Cora Middleton, City Clerk*)

**Executive Summary**

Motion to approve a Resolution to authorize the creation and the funding of the Full Time position of Receptionist/Administrative Assistant.

8. Discussion and possible action on Retail Sales Tax Incentive Program for McAlester Main Street District Businesses and Choctaw Corridor accepting application of enclosed business as an applicant. (*Toni Ervin, CFO*)

**Executive Summary**

Our recommendation would be to accept this business as an applicant and authorize the Mayor to sign certificate of acceptance as a participant in the Retail Sales Tax Incentive Program.

9. Consider and act upon, to authorize purchase of 60 desktop computers with monitors pursuant to section 2-275 of the McAlester City Code. (*Toni Ervin, CFO*)

## Executive Summary

Motion to approve purchase of 60 desktop computers.

10. Consider and act upon, to authorize the Mayor to sign a lease purchase agreement with John Deere pursuant to section 2-275 of the McAlester City Code, for one new and unused Loader and Excavator. *(Toni Ervin, CFO, John C. Modzelewski, P.E., City Engineer and Public Works Director, Tim Adams, Public Works Operations Supervisor)*

## Executive Summary

Staff recommends to authorize lease purchase agreement with John Deere for Loader and Excavator.

11. Consider and act upon, to authorize the Mayor to sign a lease purchase agreement pursuant to section 2-275 of the McAlester City Code, for one new and unused Freightliner 6 Wheel Plow Truck and Freightliner 6 Wheel Dump Truck. *(Toni Ervin, CFO, John C. Modzelewski, P.E., City Engineer and Public Works Director, Tim Adams, Public Works Operations Supervisor)*

## Executive Summary

Staff recommends authorization to lease purchase the Freightliner Dump Trucks for on a 60 month payment agreement.

12. Consider and act upon, a resolution amending the pay plan to reflect the changes to Dispatch positions, titles and pay grades. *(Toni Ervin, CFO)*

## Executive Summary

Staff recommends motion to approve resolution amending the City's Non-Uniform Pay Plan to reflect the changes to Dispatch positions, titles and pay grades.

13. Consider and act upon, authorizing the Mayor to sign a Professional Services Agreement with EST, Inc., for Construction Management Services related to CIP#2 which includes a segment of A Street between Miami Avenue and Comanche Avenue, and a portion of Sixth Street between Jefferson Avenue and 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 EST, Inc. to provide Construction Management Services related to CIP#2 which includes a segment of A Street between Miami Avenue and Comanche Avenue, and a portion of Sixth Street between Jefferson Avenue and Monroe Avenue. The total fee to perform these services is a lump sum amount of \$149,000.

14. Consider and act upon, authorizing the Mayor to sign Supplemental Agreement No. 1 to Lease Agreement No. DTFACN-13-L-00151 between the City of McAlester and the U. S. Department of Transportation Federal Aviation Administration. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

## Executive Summary

Motion to approve authorizing the Mayor to sign Supplemental Agreement No. 1 to Lease Agreement No. DTFACN-13-L-00151.

15. Presentation "Operation Playing with Fire" by McAlester Fire Department. *(Brett Brewer, Fire Chief)*

Executive Summary

Presentation by Fire Chief Brett Brewer.

## **NEW BUSINESS**

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*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)**

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- 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 August 12, 2014, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending August 19, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 9, to authorize purchase of 60 desktop computers with monitors pursuant to section 2-275 of the McAlester City Code. *(Toni Ervin, CFO)*
- Confirm action taken on City Council Agenda Item 14, authorizing the Mayor to sign Supplemental Agreement No. 1 to Lease Agreement No. DTFACN-13-L-00151 between the City of McAlester and the U. S. Department of Transportation Federal Aviation Administration. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

## **ADJOURN MAA**

**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

*Majority of a Quorum required for approval*

- Approval of the Minutes from the July 28, 2014, Special Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Approval of the Minutes from the August 12, 2014, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending August 19, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item D, to authorize payment to OPUBCO Communications Group, Invoice Number 0002630900140803, in the amount of \$107.45, 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 E, authorization of payment to McAlester News Capital & Democrat, Ad Number 05615389, in the amount of \$168.70, 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 Tulsa World, Ad Number 0000018062-0706, in the amount of \$689.58, 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 Austin Paving, LLC, Pay Estimate No. 5, in an amount to be determined, for construction services related to CIP#1 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. The pay request is under review by the consulting engineer and will be available for the meeting on August 26, 2014. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 3, the final acceptance of FY-13 CDBG Grant Waterline Replacement Project and authorizing the Mayor to sign closeout documents. *(John C. Modzelewski, P.E., City Engineer and Public Works Director, Millie Vance, Grant Writer)*
- Confirm action taken on City Council Agenda Item 4, authorizing the Mayor to sign a Professional Services Agreement with Poe & Associates, Inc., for the design of road and infrastructure improvements for CIP#4 which includes a segment of South Avenue from a point, two hundred feet west of Strong Boulevard, to a point one hundred eighty feet east

of Franklin Street, and a segment of Sixth Street from Chadick Park to Chickasaw Avenue. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

- Confirm action taken on City Council Agenda Item 9, to authorize purchase of 60 desktop computers with monitors pursuant to section 2-275 of the McAlester City Code. (*Toni Ervin, CFO*)
- Confirm action taken on City Council Agenda Item 10, to authorize the Mayor to sign a lease purchase agreement with John Deere pursuant to section 2-275 of the McAlester City Code, for one new and unused Loader and Excavator. (*Toni Ervin, CFO, John C. Modzelewski, P.E., City Engineer and Public Works Director, Tim Adams, Public Works Operations Supervisor*)
- Confirm action taken on City Council Agenda Item 11, to authorize the Mayor to sign a lease purchase agreement pursuant to section 2-275 of the McAlester City Code, for one new and unused Freightliner 6 Wheel Plow Truck and Freightliner 6 Wheel Dump Truck. (*Toni Ervin, CFO, John C. Modzelewski, P.E., City Engineer and Public Works Director, Tim Adams, Public Works Operations Supervisor*)
- Confirm action taken on City Council Agenda Item 13, authorizing the Mayor to sign a Professional Services Agreement with EST, Inc., for Construction Management Services related to CIP#2 which includes a segment of A Street between Miami Avenue and Comanche Avenue, and a portion of Sixth Street between Jefferson Avenue and Monroe Avenue. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

#### ADJOURN MPWA

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

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the July 22, 2014, Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of August 2014. (*Toni Ervin, CFO*)
- Confirm action taken on City Council Agenda Item C, authorizing the Mayor to sign a resolution casting a vote for one trustee of the Oklahoma Municipal Retirement Fund to fill the expiring term of trustee at-large. (*Peter J. Stasiak, City Manager*)

#### 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**