



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, October 28, 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

Glenn Meyer, Trinity Lutheran Church

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 September 23, 2014, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the October 8, 2014, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for October 7, 2014 through October 21 2014. *(Toni Ervin, Chief Financial Officer)*
- D. Concur with Mayor's appointment of Jan Grubbs, 1106 Remington Ave. to the McAlester Library Advisory Board for a term to expire December, 2019. *(Cora Middleton, City Clerk)*
- E. Consider and act upon, authorization of payment to Mehlburger Brawley, Invoice MC-14-01-07 in the amount of \$14,740.00 for engineering services related to CIP#3 and funded through the McAlester Public Works Authority Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- F. Consider and act upon, authorization of payment to EST, Invoice 33212 in the amount of \$42,712.50 for construction management services related to CIP#1 and funded through the McAlester Public Works Authority Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and 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.

SCHEDULED BUSINESS

- 1. Accept and place on file, the Status Report for the McAlester Public Works Authority's "Water System Operation and Maintenance Agreement" with Severn Trent Environmental Services., Inc. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

Accept the Status Report on the McAlester Public Works Authority's "Water System Operation and Maintenance Agreement" with Severn Trent Environmental Services., Inc.

2. Accept and place on file expenditures for the Wild West Festival. (*Lacey Sudderth, Main Street*)

Executive Summary

Presentation

3. Consider and act upon, approval of Change Order No. 2, the deduction of two emergency repairs of existing water main for a total of \$7,000.00, to the existing contract with W. Brown Enterprises, Inc. to construct approximately 2,900 linear feet of new 12-inch PVC C900 water main and necessary appurtenances along the east side of South Main Street from T.H. Rogers to Oklahoma Avenue. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

Motion to approve Change Order No. 2 for the deduction of two emergency repairs of existing water main for a total of \$7,000.00 to the existing contract with W. Brown Enterprises, Inc. to construct approximately 2,900 linear feet of new 12-inch PVC C900 water main and necessary appurtenances along the east side of South Main Street from T.H. Rogers to Oklahoma Avenue. This deduction will change the Contract Price to \$433,006.00.

4. Consider and act upon, Final and Contractor's Pay Estimate No. 2 for contract with W. Brown Enterprises, Inc. to construct approximately 2,900 linear feet of new 12-inch PVC C900 water main and necessary appurtenances along the east side of South Main Street from T.H. Rogers to Oklahoma Avenue, and accept the project as completed. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

Motion to approve Final and Contractor's Pay Estimate No. 2 for contract with W. Brown Enterprises, Inc. to construct approximately 2,900 linear feet of new 12-inch PVC C900 water main and necessary appurtenances along the east side of South Main Street from T.H. Rogers to Oklahoma Avenue, and accept the project as completed. The Final and Contractor's Pay Estimate No. 2 is in the amount of \$163,875.30.

5. Consider and act upon, authorizing the Mayor to sign the First Amendment to the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority, Dated April 22, 2014. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

Motion to authorize the Mayor to sign the First Amendment to the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority, Dated April 22, 2014.

6. Consider and act upon, a Professional Services Agreement with Mehlburger Brawley for engineering services required for the design of the 2014 Community Development Block

Grant (CDBG) Small Cities Water Improvements. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

Motion to approve and authorize the Mayor to sign the Professional Services Agreement with, Mehlburger Brawley for Professional Engineering Services to complete work required for the 2014 Community Development Block Grant (CDBG) Small Cities Water Improvements. The Lump Sum fee for Engineering design is \$18,400 and Resident Project Representative during construction is \$7,260.

7. Consider and act upon, authorizing the Mayor to sign an amendment to the Professional Services Agreement with Poe & Associates, Inc., for the design of road and infrastructure improvements for CIP#4. This amendment will provide a driveway, approximately five hundred twenty linear feet long, south of Will Rogers School between Thirteenth Street and the school parking lot. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

Motion to approve authorizing the Mayor to sign the "Supplemental" to the Professional Services Agreement with Poe & Associates, Inc. Consulting Engineers, for the design of a driveway, approximately five hundred twenty linear feet long, south of Will Rogers School between Thirteenth Street and the school parking lot. The Fee Proposal is a lump sum amount of \$25,500.00.

8. Consider and act upon, accepting the bid from Reynolds Ford, Norman, OK in the amount of \$309,800.92 for the lease purchase of 13 vehicles and entering into a lease purchase agreement with Arvest Bank at 2.15% interest for the term of this lease purchase. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve request to accept the bid from Reynolds Ford for a fleet of 13 vehicles and entering into a lease purchase agreement with Arvest Bank.

9. 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 new SCBA Mask. The cost of the masks not to exceed \$6,000.00. Purchase 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.

10. Consider and act upon, a resolution amending the City's Non-Uniform pay scale to reflect a 2% increase.

Executive Summary

Staff recommends motion to approve resolution amending the City's Non-Uniform pay scale to reflect a 2% increase.

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 October 14, 2014, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending October 21, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 10, a resolution amending the City's Non-Uniform pay scale to reflect a 2% increase.

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

Majority of a Quorum required for approval

- Approval of the Minutes from the October 8, 2014, Special Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Approval of the Minutes from the October 14, 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 October 21, 2014. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item E, authorization of payment to Mehlburger Brawley, Invoice MC-14-01-07 in the amount of \$14,740.00 for engineering services related to CIP#3 and funded through the McAlester Public Works Authority 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 EST, Invoice 33212 in the amount of \$42,712.50 for engineering services related to CIP#1 and funded through the McAlester Public Works Authority Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 1, acceptance and placement on file of the Status Report for the McAlester Public Works Authority's "Water System Operation and Maintenance Agreement" with Severn Trent Environmental Services., Inc. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 3, approval of Change Order No. 2, the deduction of two emergency repairs of existing water main for a total of \$7,000.00, to the existing contract with W. Brown Enterprises, Inc. to construct approximately 2,900 linear feet of new 12-inch PVC C900 water main and necessary appurtenances along the east side of South Main Street from T.H. Rogers to Oklahoma Avenue. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 4, Final and Contractor's Pay Estimate No. 2 for contract with W. Brown Enterprises, Inc. to construct approximately 2,900 linear feet of new 12-inch PVC C900 water main and necessary appurtenances along the east side of South Main Street from T.H. Rogers to Oklahoma Avenue, and accept the project as completed. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign the First Amendment to the Water System Operation and Maintenance Agreement between Severn Trent Environmental Services, Inc. and the McAlester Public Works Authority, Dated April 22, 2014. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 6, a Professional Services Agreement with Mehlburger Brawley for engineering services required for the design of the 2014 Community Development Block Grant (CDBG) Small Cities Water Improvements. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 7, authorizing the Mayor to sign an amendment to the Professional Services Agreement with Poe & Associates, Inc., for the design of road and infrastructure improvements for CIP#4. This amendment will provide a driveway, approximately five hundred twenty linear feet long, south of Will Rogers School between Thirteenth Street and the school parking lot. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

- Confirm action taken on City Council Agenda Item 8, accepting the bid from Reynolds Ford, Norman, OK in the amount of \$309,800.92 for the lease purchase of 13 vehicles and entering into a lease purchase agreement with Arvest Bank at 2.175% interest for the term of this lease purchase. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 10, a resolution amending the City's Non-Uniform pay scale to reflect a 2% increase.

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the September 23, 2014, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of October, 2014. *(Toni Ervin, CFO)*

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 pending investigations, claims, or actions, more particularly: the workers compensation claim of Claud Lackey.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

- Consider and act to authorize settlement of the workers compensation claim of Claud Lackey.

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