



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, December 9, 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 Lowber, First Baptist 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 November 17, 2014, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for November 19, 2014 through December 2, 2014. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, authorization of payment to Mehlburger Brawley, Invoice # MC-14-01-01, in the amount of \$6,888.00 for Construction Management and Resident Project Representative 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)*
- D. Consider and act upon, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #1, in the amount of \$106,555.24, for the construction of road and infrastructure improvements 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)*
- E. Consider and act upon, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 140345-KW. *(Cora Middleton, City Clerk)*
- F. Consider and act upon, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 140342-KW. *(Cora Middleton, City Clerk)*
- G. Consider and act upon, approval of the 2015 Annual Meeting Schedules for the McAlester City Council, the McAlester Airport Authority, the McAlester Public Works Authority, and the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- H. Concur with the Mayor's appointment of Harvey Bollinger, 2702 Hardy Springs, to the McAlester Board of Adjustment to fill the vacant position created by the resignation of John McNally for the balance of the unexpired term to expire on March 31, 2017. *(Steve Harrison, Mayor)*

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.

- AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2501 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2014-15; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.
- AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING SECTION 2-67, PERSONNEL POLICIES OF THE CODE OF ORDINANCES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE.

SCHEDULED BUSINESS

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

Executive Summary

Motion to approve Amendment #8 to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Construction Testing during construction of improvements for runway safety for a fee not to exceed \$23,325.

2. Consider and act upon, an Ordinance amending Ordinance No. 2501 which established the budget for fiscal year 2014-2015; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Motion to approve the budget amendment ordinance.

3. Consider and act upon, a resolution authorizing the amending of the Personnel Policies Document. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Staff recommends motion to approve resolution authorizing the amending of the Personnel Policies Document.

4. Consider and act upon, an Ordinance on proposed revised Personnel Policies, including Drug and Alcohol Testing Policies, for amendment of the City Code Section 2-67 and repeal of any previous Drug and Alcohol Policies; repealing all conflicting ordinances; providing for a severability clause. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Staff recommends discussion of any changes, questions, concerns, and a motion to approve the Revised Drug and Alcohol Testing Policies.

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 November 25, 2014 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending December 2, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item G, approval of the 2015 Annual Meeting Schedules for the McAlester City Council, the Airport Authority, the McAlester Public Works Authority, and the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 1, an Amendment to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Construction Testing during construction of improvements for runway safety. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 3, a resolution authorizing the amending of the Personnel Policies Document. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 4, an Ordinance on proposed revised Personnel Policies, including Drug and Alcohol Testing Policies, for amendment of the City Code Section 2-67 and repeal of any previous Drug and Alcohol Policies; repealing all conflicting ordinances; providing for a severability clause. *(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 November 17, 2014 Special Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Approval of the Minutes from the November 25, 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 December 2, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C, authorization of payment to Mehlburger Brawley, Invoice # MC-14-01-01, in the amount of \$6,888.00 for Construction Management and Resident Project Representative 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 D, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #1, in the amount of \$106,555.24, for the construction of road and infrastructure improvements 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 G, approval of the 2015 Annual Meeting Schedules for the McAlester City Council, the Airport Authority, the McAlester Public Works Authority, and the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending Ordinance No. 2501 which established the budget for fiscal year 2014-2015; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3, a resolution authorizing the amending of the Personnel Policies Document. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 4, an Ordinance on proposed revised Personnel Policies, including Drug and Alcohol Testing Policies, for amendment of the City Code Section 2-67 and repeal of any previous Drug and Alcohol Policies; repealing

all conflicting ordinances; providing for a severability clause. *(Toni Ervin, Chief Financial Officer)*

ADJOURN MPWA

RECONVENE COUNCIL MEETING

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