



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, October 11, 2016 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

- John Browne Mayor
- Weldon Smith Ward One
- Cully Stevens Ward Two
- Travis Read Ward Three
- Robert Karr, Vice Mayor 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

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 27, 2016, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for September 21, 2016 through October 4, 2016. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, authorization of payment to KATCON, Inc., Invoice Payment #3, in the amount of \$ 34,646.98, for Construction Services related to Washington Avenue Pavement Reconstruction Project and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- D. Accept and place on file, the Oklahomans for Independent Living quarterly report for the months of April through June, 2016. *(Peter Stasiak, City Manager)*
- E. Consider and act upon, to concur with the Mayor's appointment of Robert Thornton, 405 E. Chickasaw Ave., McAlester, 74501, to the McAlester Housing Authority Board for a term beginning October 12, 2016 and ending July 31, 2017. *(John Browne, Mayor)*
- F. Consider and act upon, authorization of payment to Infrastructure Solutions Group, LLC, Invoice MC-15-02A-03, in the amount of \$11,012.00 for Professional Services related to Washington Avenue Pavement Reconstruction Project and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- G. Consider and act upon, authorization of payment to Old Town Association, Invoice 536909, in the amount of \$5,443.75 to reimburse the Association for expenses incurred for the Wild West Festival per agreement dated June 14, 2016. *(Toni Ervin, Chief Financial Officer)*
- H. Consider and act upon, to approve and authorize the Mayor to sign the Outer Marker Lease agreement. *(Joe Ervin, City Attorney)*
- I. Consider and act upon, the approval of the dissolution of the Perpetual Cemetery Care Trust. *(Joe Ervin, City Attorney)*

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 AMENDING CHAPTER 86 PARKS AND RECREATION OF THE McALESTER CITY CODE OF ORDINANCES BY ADDING A NEW ARTICLE V. PUBLIC TRAIL REGULATIONS; REPEALING CHAPTER 102 TRAFFIC AND VEHICLES, ARTICLE V. BICYCLES, SEC. 102-181 OPERATION ON WALKING/JOGGING TRAILS IN ITS ENTIRETY; REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR, AND DECLARING AN EMERGENCY.

AN ORDINANCE AMENDING THE MCALESTER CITY CODE CHAPTER 62 LAND DEVELOPMENT CODE, ARTICLE V. ZONING, DIVISION 3. ZONING DISTRICTS AND DISTRICT REGULATIONS, SUBDIVISION II. SPECIFIC DISTRICTS, SECTION 62-207 I-1 LIGHT INDUSTRIAL DISTRICT AND SECTION 62-208 I-2 HEAVY INDUSTRIAL DISTRICT TO MODIFY SECTION 62-207(B) USES PERMITTED AND SECTION 62-208(B) USES PERMITTED TO ADD PUBLIC BUILDINGS OR USES AS A PERMITTED USE, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Consider and act upon, an Ordinance amending Chapter 86 Parks And Recreation of the McAlester City Code of Ordinances by adding a new Article V. Public Trail Regulations; Repealing Chapter 102 Traffic and Vehicles, Article V. Bicycles, Sec. 102-181 Operation On Walking/Jogging Trails in its entirety; repealing all conflicting ordinances, providing for severability, and declaring an emergency. *(Leroy Alsup, Community & Economic Development Director)*

Executive Summary

Motion to approve an Ordinance amending Chapter 86 Parks And Recreation of the McAlester City Code of Ordinances by adding a new Article V. Public Trail Regulations; Repealing Chapter 102 Traffic and Vehicles, Article V. Bicycles, Sec. 102-181 Operation On Walking/Jogging Trails in its entirety; repealing all conflicting ordinances, providing for severability, and declaring an emergency, and authorizing the Mayor to sign the ordinance.

2. Consider and act upon, an Ordinance amending the McAlester City Code Chapter 62 Land Development Code, Article V. Zoning, Division 3. Zoning Districts and District Regulations, Subdivision II. Specific Districts, Section 62-207 I-1 Light Industrial District and Section 62-208 I-2 Heavy Industrial District to modify Section 62-207(B) Uses Permitted and Section 62-208(B) Uses Permitted to add public buildings or uses as a Permitted Use, repealing all conflicting ordinances, providing for severability, and declaring an emergency. *(Leroy Alsup, Community & Economic Development Director)*

Executive Summary

Motion to approve an Ordinance amending the McAlester City Code Chapter 62 Land Development Code, Article V. Zoning, Division 3. Zoning Districts and District Regulations, Subdivision II. Specific Districts, Section 62-207 I-1 Light Industrial District and Section 62-208 I-2 Heavy Industrial District to modify Section 62-207(B) Uses Permitted and Section 62-208(B) Uses Permitted to add public buildings or uses as a Permitted Use, repealing all conflicting ordinances, providing for severability, and declaring an emergency, and authorizing the Mayor to sign the ordinance.

3. Consider and act upon, a resolution approving and accepting Oklahoma Department of Commerce Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-EDIF) Grant Contract No. 16765 CDBG-ED 16 and for providing Job Tracking and authorizing the Mayor and City Staff to sign Environmental and Release of Funds documents and other grant related documents consistent with the City's CDBG-EDIF Application for the Krebs Brewing Co., Inc. acquisition of an industrial building/property project. *(Leroy Alsup, Community & Economic Development Director, Millie Vance, Grant Administrator)*

Executive Summary

Motion to approve a resolution approving and accepting Oklahoma Department of Commerce Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-EDIF) Grant Contract No. 16765 CDBG-ED 16 and for providing Job Tracking and authorizing the Mayor and City Staff to sign Environmental and Release of Funds documents and other grant related documents consistent with the City's CDBG-EDIF Application for the Krebs Brewing Co., Inc. acquisition of an industrial building/property project.

4. Consider and act upon, a Statement of Compliance of Special Conditions as required by CDBG-EDIF Contract No. 16765 CDBG-ED 16, regarding Procurement Procedures, Ineligible Costs, Loan Rules, Sale of Building, and Appraisal. *(Leroy Alsup, Community & Economic Development Director, Millie Vance, Grant Administrator)*

Executive Summary

Motion to approve the Statement of Compliance of Special Conditions as required by CDBG-EDIF Contract No. 16765 CDBG-ED 16, regarding Procurement Procedures, Ineligible Costs, Loan Rules, Sale of Building, and Appraisal and authorizing the Mayor to sign the Statement of Compliance Form.

5. Consider and act upon, authorizing the Mayor to accept the bid and sign the Notice of Award to Collins Waterworks, LLC in the amount of \$ 62,590.00 for 500 N. Main Drainage Improvements Project. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommendation is to accept the lowest and best bidder of Collins Waterworks, LLC in the amount of \$ 62,590.00 for 500 N. Main Drainage Improvements Project.

6. Consider and act upon, authorizing the Mayor to accept the bid and sign the Notice of Award to Rocking O Construction in the amount of \$ 25,000.00 for the Washington Ave. Bridge Sidewalk Repair Project. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommendation is to accept the lowest and best bidder of Rocking O Construction in the amount of \$ 25,000.00 for the Washington Ave. Bridge Sidewalk Repair Project.

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 September 27, 2016, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending October 4, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item H, the approval and authorization for the Mayor to sign the Outer Marker Lease agreement. *(Joe Ervin, City Attorney)*

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

Majority of a Quorum required for approval

- Approval of the Minutes from the September 27, 2016, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending October 4, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C, authorization of payment to KATCON, Inc., Invoice Payment #3, in the amount of \$ 34,646.98, for Construction Services related to Washington Avenue Pavement Reconstruction Project and funded

through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*

- Confirm action taken on City Council Agenda Item F, authorization of payment to Infrastructure Solutions Group, LLC, Invoice MC-15-02A-03, in the amount of \$11,012.00 for Professional Services related to Washington Avenue Pavement Reconstruction Project and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 1, an Ordinance amending Chapter 86 Parks And Recreation of the McAlester City Code of Ordinances by adding a new Article V. Public Trail Regulations; Repealing Chapter 102 Traffic and Vehicles, Article V. Bicycles, Sec. 102-181 Operation On Walking/Jogging Trails in its entirety; repealing all conflicting ordinances, providing for severability, and declaring an emergency. *(Leroy Alsup, Community & Economic Development Director)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending the McAlester City Code Chapter 62 Land Development Code, Article V. Zoning, Division 3. Zoning Districts and District Regulations, Subdivision II. Specific Districts, Section 62-207 I-1 Light Industrial District and Section 62-208 I-2 Heavy Industrial District to modify Section 62-207(B) Uses Permitted and Section 62-208(B) Uses Permitted to add public buildings or uses as a Permitted Use, repealing all conflicting ordinances, providing for severability, and declaring an emergency. *(Leroy Alsup, Community & Economic Development Director)*
- Confirm action taken on City Council Agenda Item 3, a resolution approving and accepting Oklahoma Department of Commerce Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-EDIF) Grant Contract No. 16765 CDBG-ED 16 and for providing Job Tracking and authorizing the Mayor and City Staff to sign Environmental and Release of Funds documents and other grant related documents consistent with the City's CDBG-EDIF Application for the Krebs Brewing Co., Inc. acquisition of an industrial building/property project. *(Leroy Alsup, Community & Economic Development Director, Millie Vance, Grant Administrator)*
- Confirm action taken on City Council Agenda Item 4, a Statement of Compliance of Special Conditions as required by CDBG-EDIF Contract No. 16765 CDBG-ED 16, regarding Procurement Procedures, Ineligible Costs, Loan Rules, Sale of Building, and Appraisal. *(Leroy Alsup, Community & Economic Development Director, Millie Vance, Grant Administrator)*
- Confirm action taken on City Council Agenda Item 5, authorization for the Mayor to accept the bid and sign the Notice of Award to Collins Waterworks, LLC in the amount of \$ 62,590.00 for 500 N. Main Drainage Improvements Project. *(Peter Stasiak, City Manager)*

- Confirm action taken on City Council Agenda Item 6, authorization for the Mayor to accept the bid and sign the Notice of Award to Rocking O Construction in the amount of \$ 25,000.00 for the Washington Ave. Bridge Sidewalk Repair Project. *(Peter Stasiak, City Manager)*

ADJOURN MPWA

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2016 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