



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, February 28, 2017 – 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 January 24, 2017, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for February 8, 2017 through February 21, 2017. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, ratification of the Code of Conduct for the City of McAlester originally adopted October 27, 2009. (There have been no changes to the document.) *(Cora Middleton, City Clerk)*
- D. Consider and act upon, receipt of the Permit No. SX000061170065 from the Oklahoma Department of Environmental Quality (ODEQ) to supply potable water to Pittsburg County RWD No. 6. *(Peter Stasiak, City Manager)*
- E. Concur with the Mayor's appointments of T. Shawn Howard (term to expire February, 2018), Tony Edwards (term to expire February, 2021), Theresa Smith (term to expire February, 2020) and Rev. Anthony Washington (term to expire February, 2021) to the Ethics Board. *(John Browne, Mayor)*
- F. Concur with the Mayor's appointments of Heather French, Kelly White, and Kristie Brooks to the Personnel Board. All terms are to expire July 1, 2022. *(John Browne, Mayor)*
- G. Concur with the Mayor's appointment of Jimmy Williams to the Ethics Board for a term to expire February, 2019. *(John Browne, 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 COUNCIL OF THE CITY OF
MCALESTER, OKLAHOMA, AMENDING THE CODE OF ORDINANCES,
CHAPTER 62, SECTION 246. DESIGNATION OF THE FLOODPLAIN**

**ADMINISTRATOR, REPEALING ALL CONFLICTING ORDINANCES;
AND DECALRING AN EMERGENCY.**

**CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF
MCALESTER ESTABLISHING THE COMMUNITY SERVICE
PROGRAM WITHIN THE CITY OF MCALESTER, OKLAHOMA;
AMENDING MCALESTER CITY CODE CHAPTER 30 COURT,
ARTICLE II, DIVISION 3, SECTION 30-66, DEFINITIONS;
SECTION 30-67, CRITERIA FOR COMMUNITY SERVICE PROGRAM;
SECTION 30-68, COMMUNITY SERVICE AGREEMENT;
SECTION 30-69, HOURLY RATE AND COMPLETION TIME;
SECTION 30-70, VIOLATIONS AND PENALTIES.**

SCHEDULED BUSINESS

1. Presentation of the Mayor's Annual State of the City Address. *(John Browne, Mayor)*

Executive Summary
Presentation.

2. Presentation and update on McAlester Regional Health Center by Mr. David Keith. *(David Keith, CEO, McAlester Regional Health Center)*

Executive Summary
Presentation.

3. Presentation of the MRHC Opioid Reduction Program by Dr. Jason McElyea. *(Dr. Jason McElyea, McAlester Regional Health Center)*

Executive Summary
Presentation.

4. Discussion and update on Financials. *(Toni Ervin, Chief Financial Officer)*

Executive Summary
Discussion

5. **TABLED FROM JANUARY 10, 2017 COUNCIL MEETING** - Consider and act upon, a resolution declaring certain structures as dilapidated and detrimental to the health, safety, or welfare of the general public and the community, or they create a fire hazard which is dangerous to other property. *(George Estrada, Building Inspector, Jayme Clifton, Planning Technician)*

Executive Summary
Motion to approve a resolution declaring certain structures as dilapidated and detrimental to the health, safety, or welfare of the general public.

6. Consider and act upon, acceptance and authorization for the Mayor to sign Change Order No. One for the reduction in contract value of (\$1,361.00) for 500 N. Main Drainage Improvements Project. *(Dale Burke, Infrastructure Solutions, LLC)*

Executive Summary

Motion to accept and authorize the Mayor to sign Change Order No. One for reduction in the contract value for costs related to the 500 N. Main Drainage Improvements Project.

7. Consider and act upon, authorizing the Mayor to sign the Certificate of Substantial Completion and the Contractor's Final Pay Estimate No. 2 for the contract with Collins Water Works, LLC for construction of the 500 N. Main Drainage Improvements Project and accept the project as completed. *(Dale Burke, Infrastructure Solutions, LLC)*

Executive Summary

Motion to authorize the Mayor to sign the Certificate of Substantial Completion and the final pay estimate of \$ 17,624.00 for the construction of the 500 N. Main Drainage Improvements Project and accept the project as completed.

8. Consider and act upon, authorizing the Mayor to sign the Engineer's Certificate of Completion and the Contractor's Final Pay Estimate No. 1 for the contract with Cook Consulting, LLC for construction of the 2015 CDBG Water Improvements-Phase 1 and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions, LLC)*

Executive Summary

Motion to authorize the Mayor to sign the Engineer's Certificate of Completion and the final pay estimate of \$108,530.00 for the construction of the 2015 CDBG Water Improvements-Phase 1 and accept the project as completed.

9. Consider and act upon, accepting the bid amount of \$ 69,500.00 from Gipson Construction, LLC, Sallisaw, Oklahoma, and authorizing the Mayor to sign the Notice of Award for the 2015 CDBG Water Improvements-Phase II Project. *(Robert Vaughan, Infrastructure Solutions, LLC)*

Executive Summary

The recommendation is to accept the bid from Gipson Construction, LLC equal to \$ 69,500.00 and authorize the Mayor to sign the Notice of Award for the 2015 CDBG Water Improvements-Phase II Project.

10. 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 3 new SCBA Mask. The cost of the masks not to exceed \$3,000.00. 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.

11. 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 firefighting structural gloves. The cost of the gloves not to exceed \$600.00. 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.

12. Consider and act upon, accepting Airport Improvement Project No. 3-40-0057-014-2016 to "Install New Rotating Beacon" at McAlester Regional Airport, as completed by Electric Power Solutions, and authorizing the Mayor to sign the necessary acceptance forms. *(Peter Stasiak, City Manager)*

Executive Summary

Motion to accept Airport Improvement Project No. 3-40-0057-014-2016 to "Install New Rotating Beacon" at McAlester Regional Airport as completed and authorize the Mayor to sign necessary acceptance forms.

13. Consider and act upon, amending Chapter 62, Land Development Code, Article V, Zoning, Division 4, Flood Hazard Overlay District and Flood Damage Prevention, Section 62-246, Designation of floodplain administrator. *(George Marcangeli, Infrastructure Solutions, LLC)*

Executive Summary

Motion to approve the Land Development Code, as amended, and declaring an emergency.

14. Consider and act upon, an ordinance of the City of McAlester establishing the Community Service Program allowing offenders to complete community service hours in lieu of municipal fines. *(John Browne, Mayor)*

Executive Summary

Motion to approve the Community Service Ordinance within the City of McAlester.

15. Consider and act upon, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2-286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2-287. *(Toni Ervin, Chief Financial Officer, Sheila Norman, Purchasing Fixed Assets)*

Executive Summary

Motion to declare certain vehicles and equipment surplus property and authorize the sale of said vehicles and equipment.

16. Consider and act upon, disposal of (2) surplus 2007 Dodge Chargers and authorization to sell to the City of Hartshorne pursuant to section 3.06 of the McAlester City Charter. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve the sale of (2) surplus 2007 Dodge Chargers to the City of Hartshorne at Kelley Blue Book valuations.

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 February 14, 2017, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending February 21, 2017. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C, ratification of the Code of Conduct for the City of McAlester originally adopted October 27, 2009. (There have been no changes to the document.) *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 12, accepting Airport Improvement Project No. 3-40-0057-014-2016 to "Install New Rotating Beacon" at McAlester Regional Airport, as completed by Electric Power Solutions, and authorizing the Mayor to sign the necessary acceptance forms. *(Peter Stasiak, City Manager)*

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

Majority of a Quorum required for approval

- Approval of the Minutes from the February 14, 2017, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending February 21, 2017. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item C, ratification of the Code of Conduct for the City of McAlester originally adopted October 27, 2009. (There have been no changes to the document.) *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, receipt of the Permit No. SX000061170065 from the Oklahoma Department of Environmental Quality (ODEQ) to supply potable water to Pittsburg County RWD No. 6. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 6, acceptance and authorization for the Mayor to sign Change Order No. One for the reduction in contract value of (\$1,361.00) for 500 N. Main Drainage Improvements Project. *(Dale Burke, Infrastructure Solutions, LLC)*
- Confirm action taken on City Council Agenda Item 7, authorization for the Mayor to sign the Certificate of Substantial Completion and the Contractor's Final Pay Estimate No. 2 for the contract with Collins Water Works, LLC for construction of the 500 N. Main Drainage Improvements Project and acceptance of the project as completed. *(Dale Burke, Infrastructure Solutions, LLC)*
- Confirm action taken on City Council Agenda Item 8, authorization for the Mayor to sign the Engineer's Certificate of Completion and the Contractor's Final Pay Estimate No. 1 for the contract with Cook Consulting, LLC for construction of the 2015 CDBG Water Improvements-Phase 1 and acceptance of the project as completed. *(Robert Vaughan, Infrastructure Solutions, LLC)*
- Confirm action taken on City Council Agenda Item 9, acceptance of the bid amount of \$ 69,500.00 from Gipson Construction, LLC, Sallisaw, Oklahoma, and authorization for the Mayor to sign the Notice of Award for the 2015 CDBG Water Improvements-Phase II Project. *(Robert Vaughan, Infrastructure Solutions, LLC)*
- Confirm action taken on City Council Agenda Item 13, amendment to Chapter 62, Land Development Code, Article V, Zoning, Division 4, Flood Hazard Overlay District and Flood Damage Prevention, Section 62-246, Designation of floodplain administrator. *(George Marcangeli, Infrastructure Solutions, LLC)*

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the January 24, 2017 Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of February, 2017. *(Toni Ervin, Chief Financial Officer)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2017 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