



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, February 12, 2019 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

John Browne	Mayor
Weldon Smith	Ward One
Cully Stevens, Vice-Mayor	Ward Two
Travis Read.....	Ward Three
James Brown.....	Ward Four
Vacant.....	Ward Five
Zach Prichard	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

RECOGNITION AND AWARDS

Employee of the Month for January is Sherman Miller, Parks Superintendent. *(John Browne, Mayor)*

Mayor Brown would like to issue a Proclamation in observance of the celebration of the 150th Anniversary of the City of McAlester.

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 22, 2019, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for January 16, 2019 through February 5, 2019. *(Toni Ervin, Assistant City Manager)*
- C. Concur with the Mayor's re-appointment of Mary Shannon to the McAlester Regional Hospital Board for a term to expire on December 31, 2023. *(John Browne, Mayor)*
- D. Accept and place on file the Pride in McAlester Quarterly Report for the months of October to December, 2018. *(Megan Waters, Executive Director)*
- E. Accept and place on file the McAlester Main Street 2nd Quarter Report for Fiscal Year 2018-2019. *(Christine Hermsmeyer, Director)*
- F. Consider and act upon, ratification of Change Order #1 (One) to Western Interiors for additional painting and repairs in the Federal Building. *(Peter Stasiak, City Manager)*

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. 2626 WHICH ESTABLISHED THE
BUDGET FOR FISCAL YEAR 2018-2019; REPEALING ALL**

BUDGET FOR FISCAL YEAR 2018-2019; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICT FOR LOTS 9 THROUGH 20, INCLUSIVE, IN BLOCK 142, CITY OF MCALESTER, FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA, FROM R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT AND I-1 LIGHT INDUSTRIAL DISTRICT TO C-4 RESTRICTED COMMERCIAL DISTRICT.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, ESTABLISHING REGULATIONS FOR RETAIL MARIJUANA ESTABLISHMENTS, ESTABLISHING LICENSE AND PERMIT REQUIREMENTS; PROVIDING FOR LOCATION; PROVIDING FOR CONDITIONS OF OPERATIONS; ESTABLISHING PERMITTED MARIJUANA FACILITIES TO INCLUDE:, MEDICAL MARIJUANA DISPENSARIES, COMMERCIAL MARIJUANA GROWING FACILITIES, MARIJUANA STORAGE FACILITIES AND MARIJUANA GROWING FOR PERSONAL USE FACILITIES; ESTABLISHING NECESSITY FOR FEE'S AND AMOUNTS' ESTABLISHING NECESSITY FOR PERMITS, AMOUNTS AND PROCESS FOR PERMITTED MARIJUANA FACILITIES; PROVIDING FOR REPEALER; CODIFICATION; SEVERABILITY AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

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

Executive Summary
Presentation.

2. Consider and act upon, a Resolution of the City of McAlester supporting the installation of Traffic Safety Devices at the intersection of Village Boulevard and George Nigh Expressway. *(Peter Stasiak, City Manager)*

Executive Summary
Staff recommends approval of a Resolution supporting the installation of Traffic Safety Devices at the intersection of Village Boulevard and George Nigh Expressway.

3. Consider and act upon, authorizing the purchase of a 2018 Western Star 10-wheel dump truck from Premier Truck Sales in Tulsa. *(David Horinek, Public Works Director)*

Executive Summary

Motion to approve and authorize the purchase of a 2018 Western Star 10-wheel dump truck with drop axles from Premier Truck Sales for \$140,000.

4. Consider and act upon, an Ordinance amending Ordinance No. 2626 which established the budget for fiscal year 2018-2019; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(An-chen Lai, Chief Financial Officer)*

Executive Summary

Motion to approve the budget amendment ordinance.

5. Consider and act upon, an Ordinance amending the general zoning ordinance and accompanying map thereto known as General Zoning Ordinance No. 1843 (1989), by changing the classification of the zoning districts for Lots 9 through 20, inclusive, in Block 142, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma, from R-1B Single-family Residential District and I-1 Light Industrial District to C-4 Restricted Commercial District. *(Jayme Clifton, Community Development Director)*

Executive Summary

Motion to act upon and approve the above Ordinance changing the classification of the zoning districts for the property identified in the Ordinance from R-1B Single-family Residential District and I-1 Light Industrial District to C-4 Restricted Commercial District and authorizing the Mayor to sign the ordinance.

6. Consider and act upon, repurposing \$44,800.00 from the Mullen Park Project and committing \$80,200.00 from the general fund balance towards the Downtown Streetscape project with \$80,200.00 to be reimbursed from the Puterbaugh Foundation in December 2019. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommends approval of the commitment and repurpose of funds as requested by the Puterbaugh Foundation.

7. Consider and act upon, authorizing the expenditure of \$34,800.00 to Infrastructure Solutions to commence with an amended scope of service for the Downtown Streetscape Project. *(Kirk Ridenour, Economic Development Director)*

Executive Summary

Motion to authorize the expenditure.

8. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay Estimate No. 3 - Final and Certificate of Substantial Completion for the contract with KATCON, Inc. for the 2500 Pelican Drive Drainage Improvements and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions Group)*

Executive Summary

Motion to authorize the Mayor to sign the Contractor's Final pay Estimate No. 3 - Final in the amount of \$1,987.50 and the Certificate of Substantial Completion for the contract with KATCON, Inc. for the 2500 Pelican Drive Drainage Improvements and accept the project as completed.

9. Consider and act upon, authorizing the purchase of a 2018 F-150 4x4 Super cab pickup truck from Sam Wampler Ford in McAlester. (*David Horinek, Public Works Director*)

Executive Summary

Motion to approve and authorize the purchase of a 2018 F-150 4x4 Super (Extended) cab pickup truck from Sam Wampler Ford for \$26,436.

10. Consider and act upon, approval to purchase, outfit, and decal four new and unused 2019 Dodge Charger police vehicles. (*Gary Wansick, Chief of Police*)

Executive Summary

Motion to approve the purchase, outfit, and decal of four new 2019 Dodge Chargers.

11. Consider and act upon, authorizing the purchase of one new and unused 2019 John Deere 5085E utility tractor on State of Oklahoma contract SW196 pursuant to Section 2-382 of the McAlester City Code. (*Mel Priddy, Community Services*)

Executive Summary

Motion to approve the purchase of one new and unused 2019 John Deere 5085E utility tractor on State of Oklahoma contract.

12. Consider and act upon, entering into a contract with McAlester Public Schools District Number 80 of Pittsburg County to provide the District with a School Resource Officer. (*Gary Wansick, Chief of Police*)

Executive Summary

Motion to approve the contract with McAlester Public School District Number 80 of Pittsburg County for a School Resource Officer.

13. Consider and act upon, an Ordinance of the City of McAlester, Oklahoma, Establishing Regulations for Retail Marijuana Establishments, Establishing License and Permit Requirements; Providing for Location; Providing for Conditions of Operations; Establishing Permitted Marijuana Facilities to Include;, Medical Marijuana Dispensaries, Commercial Marijuana Growing Facilities, Marijuana Storage Facilities and Marijuana Growing for Personal Use Facilities; Establishing Necessity for Fees and Amounts; Establishing Necessity for Permits, Amounts and Process for Permitted Marijuana Facilities; Providing for Repealer; Codification; Severability and Declaring An Emergency. (*Peter Stasiak, City Manager, William Ervin, City Attorney*)

Executive Summary

Motion to act upon and approve the above ordinance of the City of McAlester, Oklahoma, Establishing Regulations for Retail Marijuana Establishments, Establishing License and Permit Requirements; Providing for Location; Providing for Conditions of Operations; Establishing Permitted Marijuana Facilities to Include;, Medical Marijuana Dispensaries, Commercial Marijuana Growing Facilities, Marijuana Storage Facilities and Marijuana Growing for

Personal Use Facilities; Establishing Necessity for Fees and Amounts; Establishing Necessity for Permits, Amounts and Process for Permitted Marijuana Facilities; Providing for Repealer; Codification; Severability and Declaring An Emergency, and authorizing the Mayor to sign the ordinance.

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 THE 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 January 22, 2019, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending February 5, 2019. *(Toni Ervin, Assistant City Manager)*
- Confirm action taken on City Council Agenda Item 4, an Ordinance amending Ordinance No. 2626 which established the budget for fiscal year 2018-2019; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(An-chen Lai, Chief Financial Officer)*

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CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the January 22, 2019, 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 5, 2019. *(Toni Ervin, Assistant City Manager)*
- Confirm action taken on City Council Agenda Item 3, authorization to purchase a 2018 Western Star 10-wheel dump truck from Premier Truck Sales in Tulsa. *(David Horinek, Public Works Director)*
- Confirm action taken on City Council Agenda Item 4, an Ordinance amending Ordinance No. 2626 which established the budget for fiscal year 2018-2019; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(An-chen Lai, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 8, authorization for the Mayor to sign the Contractor's Final Pay Estimate No. 3 - Final and Certificate of Substantial Completion for the contract with KATCON, Inc. for the 2500 Pelican Drive Drainage Improvements and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions Group)*
- Confirm action taken on City Council Agenda Item 9, authorization to purchase of a 2018 F-150 4x4 Super cab pickup truck from Sam Wampler Ford in McAlester. *(David Horinek, Public Works Director)*

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RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2019 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