



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, March 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 February is Delona Jones, Expo Maintenance Office. (*John Browne, Mayor*)

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 February 12, 2019, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of Claims for January 21, 2019 through March 5, 2019. (*Toni Ervin, Assistant City Manager*)
- C. Consider and act upon, receipt of the Permit No. SL000061190109 from the Oklahoma Department of Environmental Quality (ODEQ) for the construction of 1,461 liner feet of eight (8) inch PVC sanitary sewer line, and all appurtenances to serve the 2018 CDBG Sewer Project. (*Dalton Carlton, Utility Maintenance Superintendent*)

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 CHAPTER 22, BUSINESSES, OF THE MCALESTER CITY CODE; CREATING ARTICLE VIII, MEDICAL MARIJUANA; ESTABLISHING REGULATIONS FOR COMMERCIAL 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, AND COMMERCIAL MARIJUANA PROCESSING FACILITIES; AMENDING CHAPTER 48, FEES, CHARGES AND SERVICE RATES, 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.

SCHEDULED BUSINESS

1. Consider and act upon, a request for funding from Pittsburg County Child Advocacy Center in the amount of \$5,000. *(Joe Brawley, President, Pittsburg County Child Advocacy Center)*

Executive Summary

Staff recommendation is to approve a request in the amount of \$5,000 from Pittsburg County Child Advocacy Center in support of their services against child abuse.

2. Discussion and presentation of the Quarterly Report from the Oklahoma Small Business Development Center. *(Dana Hugle, Business Development Specialist, OSBDC)*

Executive Summary

Presentation.

3. Consider and act upon, authorizing the purchase of one new and unused SFV-120 Filter System for Jeff Lee pool. *(Mel Priddy, Community Services Director)*

Executive Summary

Motion to approve the purchase of one new and unused SFV-120 Filter System for Jeff Lee pool.

4. Consider and act upon, authorizing the Mayor to sign the attached "Outlay Report and Request for Reimbursement for Construction Programs" for Project AIP 3-40-0057-016-2018 and OAC Grant Partial Payment Request for Grant MLC-19-FS for Rehabilitation of Runway 2/20 and Connecting Taxiways. *(David Horinek, Public Works Director, Tyler McDonald, LBR)*

Executive Summary

Motion to approve and authorize the withdrawal of FAA and OAC grant funds to be used toward the payment of LBR and Interstate Highway Construction (IHC) for Construction and Construction Management services.

5. 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 portion of the county quarter cent excise tax for fire services. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve the purchase of 4 ball intake valves to be placed on the fire engines. Approximate cost of \$7,360.00. Purchases to be made with funds from the City of McAlester's Fire Department portion of the county quarter cent excise tax for fire services.

6. Consideration and action, to authorize the execution of the lease agreements with New Cingular Wireless PCS, LLC for the development of a cellular tower north of Mullins Park in Lots 5 and 6, Block 94, North McAlester, City of McAlester, and including an access utility easement. *(Jayme Clifton, Community Development Director)*

Executive Summary

Motion to approve and to authorize the execution of the lease agreements with New Cingular Wireless PCS, LLC for the development of a cellular tower north of Mullins Park in Lots 5 and 6, Block 94, North McAlester, City of McAlester, and including an access utility easement.

- 7. Consider and act upon, accepting the bid amount of \$69,324.00 from Sunrise Construction, LLC, and authorizing the Mayor to sign the Notice of Award for the Indiana Avenue Drainage Improvements. *(Robert Vaughan, Infrastructure Solutions Group)*

Executive Summary

The recommendation is to accept the bid from Sunrise Construction, LLC for a total of \$69,324.00 and authorize the Mayor to sign the Notice of Award for the Indiana Avenue Drainage Improvements.

- 8. Consider and act upon, an ordinance of the City of McAlester, Oklahoma, amending Chapter 22, Businesses, of the McAlester City Code; creating Article VIII, Medical Marijuana; establishing regulations for commercial 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, and commercial marijuana processing facilities; amending Chapter 48, Fees, Charges and Service Rates, 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. *(Councilman Travis Read, Ward Three)*

Executive Summary

Motion to act upon and approve the above ordinance of the City of McAlester, Oklahoma, amending Chapter 22, Businesses, of the McAlester City Code; creating Article VIII, Medical Marijuana; establishing regulations for commercial 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, and commercial marijuana processing facilities; amending Chapter 48, Fees, Charges and Service Rates, 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.

- 9. Submission and Presentation of the 5-Year Capital Improvements Plan for FY 2019/20-2023/24. *(Peter Stasiak, City Manager)*

Executive Summary
Presentation.

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 February 26, 2019, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending March 5, 2019. *(Toni Ervin, Assistant City Manager)*
- Confirm action taken on City Council Agenda Item 4, authorization for the Mayor to sign the attached “Outlay Report and Request for Reimbursement for Construction Programs” for Project AIP 3-40-0057-016-2018 and OAC Grant Partial Payment Request for Grant MLC-19-FS for Rehabilitation of Runway 2/20 and Connecting Taxiways. *(David Horinek, Public Works Director, Tyler McDonald, LBR)*
- Confirm action taken on City Council Agenda Item 9, the submission and presentation of the 5-Year Capital Improvements Plan for FY 2019/20-2023/24. *(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 26, 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 March 5, 2019. *(Toni Ervin, Assistant City Manager)*
- Confirm action taken on City Council Agenda Item C, receipt of the Permit No. SL000061190109 from the Oklahoma Department of Environmental Quality (ODEQ) for the construction of 1,461 liner feet of eight (8) inch PVC sanitary sewer line, and all

appurtenances to serve the 2018 CDBG Sewer Project. *(Dalton Carlton, Utility Maintenance Superintendent)*

- Confirm action taken on City Council Agenda Item 7, acceptance of the bid amount of \$69,324.00 from Sunrise Construction, LLC, and authorizing the Mayor to sign the Notice of Award for the Indiana Avenue Drainage Improvements. *(Robert Vaughan, Infrastructure Solutions Group)*
- Confirm action taken on City Council Agenda Item 9, the submission and presentation of the 5-Year Capital Improvements Plan for FY 2019/20-2023/24. *(Peter Stasiak, City Manager)*

ADJOURN MPWA

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