



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, June 25, 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
Maureen Harrison 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

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 Claims for June 5, 2019 through June 18, 2019. *(An-chen Lai, Chief Financial Officer)*
- B. Consider and act upon, approval and authorization for the Mayor to sign a Professional Services Agreement with David T. Hardgrave, LLC as a pretreatment management consultant within the City of McAlester Pretreatment Program. *(Peter Stasiak, City Manager)*
- C. Consider and act upon, a request for the temporary installation of a trailer to be used as mobile offices or classrooms for public health, safety, and educational purposes on property located at 600 W Madison Avenue, described as Lots 1 through 6, Block 230 & the Closed Alley Lying Therein, South McAlester, Pittsburg County, State of Oklahoma. *(Jayme Clifton, Community Development Director)*
- D. Consider and act upon, authorizing the Mayor to ratify and approve an agreement between the City of McAlester and MegaPath for providing local and long distance calling services. *(James Stanford, IT Computer Support Specialist)*
- E. Consider and act upon, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service all 1 and 2 line non-system telephones and associated wiring owned by the City of McAlester within various locations of the City of McAlester. *(James Stanford, IT Computer Support Specialist)*
- F. Consider and act upon, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service Samsung Telephone System KSU and IP Telephone sets prior to 06/30/14. Warranty has expired. *(James Stanford, IT Computer Support Specialist)*
- G. Consider and act upon, authorizing the Mayor to sign an Agreement between BizTel Communications, LLC and the City of McAlester to maintain and service Samsung OfficeServ 7100 Digital Telephone System and iDCS Telephone sets located at Main Fire Station, 607 Village Blvd. *(James Stanford, IT Computer Support Specialist)*

- H. Consider and act upon, authorizing the Mayor to approve and ratify the annual Business Customer Service Agreement between the City of McAlester and U.S. Cellular for wireless telecommunication services and equipment. (*James Stanford, IT Computer Support Specialist*)
- I. Consider and act upon, authorizing the Mayor to sign a Lease Agreement with Miller Office Equipment for (3) three copiers. (*An-chen Lai, Chief Financial Officer*)
- J. Consider and act upon, authorizing the Mayor to sign a Maintenance Agreement with Miller Office Equipment for (10) ten copiers. (*An-chen Lai, Chief Financial Officer*)
- K. Consider and act upon, authorization for the Mayor to ratify the renewal of the Contract for the City Attorney with Ervin & Ervin, Attorneys at Law, L.L.P. (*William Ervin, City Attorney*)
- L. Consider and act upon, authorizing the Mayor to issue a Notice to Proceed with Binding Coverage for Excess Worker's Compensation Insurance with Safety National Casualty Corporation. (*An-chen Lai, Chief Financial Officer*)
- M. Concur with the Mayor's reappointments of Robert Way and Larry Walla to the Housing Authority for terms to expire March 31, 2023. (*John Browne, Mayor*)
- N. Concur with the Mayor's reappointment of Rod Canterbury to the Pittsburg County Regional Expo Authority for a term to expire June 30, 2023. (*John Browne, Mayor*)
- O. Consider and act upon, authorizing the Mayor to sign an Agreement for the 2019 Junior Sunbelt Classic between McAlester Public Schools and the City of McAlester for funding in the amount of \$15,000. (*Vic Wheeler, President*)

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.

**FINAL PERFORMANCE REPORT ON FY16 CDBG #16765 CDBG ED
16 PURCHASE OF INDUSTRIAL BUILDING PROJECT SERVING
KREBS BREWING COMPANY.**

FINAL PERFORMANCE REPORT ON FY2017 #17033 CDBG GRANT; WATERLINE REPLACEMENT PROJECT, 5TH & SHORT STONEWALL AVE, EAST PARK AVE, AND N. 14TH STREET.

FY2019 CDBG GRANT; SEWER LINE REPLACEMENT PROJECT, A STREET TO ELM STREET BETWEEN MIAMI AVE AND CREEK AVE.

AN ORDINANCE ENACTING THE "VVYE BROADBAND A, LLC CABLE TELEVISION SYSTEM PERMIT AGREEMENT" ("PERMIT AGREEMENT"); GRANTING TO VVYE BROADBAND A, LLC, AND ITS SUCCESSORS AND ASSIGNS (THE "COMPANY"), THE RIGHT AND PRIVILEGE, TO CONSTRUCT , ERECT, OPERATE, MODIFY AND MAINTAIN, IN, UPON, ALONG, ACROSS, ABOVE, OVER AND UNDER THE STREETS, ALLEYS, EASEMENTS AND OTHER PUBLIC WAYS AND PLACES WITHIN THE CITY OF MCALESTER (THE "CITY"), SUCH FACILITIES NECESSARY FOR THE OPERATION AND MAINTENANCE OF A CABLE TELEVISION SYSTEM IN THE CITY; REQUIRING THE COMPANY TO STRICTLY COMPLY WITH THE PROVISIONS OF THIS ORDINANCE NO. _____, AND THE PERMIT AGREEMENT AND DECLARING AN EMERGENCY.

AN ORDINANCE AMENDING CHAPTER 106, UTILITIES, ARTICLE IV. DIVISION 2. MUNICIPAL COLLECTION SERVICE, SECTION 106-364, CHARGES FOR REMOVAL OF PERMISSIBLE SOLID WASTE; AND DECLARING AN EMERGENCY.

AN ORDINANCE TO AMEND SECTIONS 54-44, 54-45, 54-47, and 54-51. TO ARTICLE III, CHAPTER 54, OF THE CODE OF THE CITY OF MCALESTER, OKLAHOMA BY PROHIBITING POSSESSION OF TOBACCO PRODUCT; AND PROHIBITING TOBACCO USE AND VAPOR PRODUCTS ON CITY-OWNED PREMISES OR OPERATED AND PROPERTIES.

SCHEDULED BUSINESS

1. Consider and act upon, authorizing the Mayor to sign a Resolution approving CDBG Grant #16765 CDBG ED 16 and accepting the project as complete. *(Millie Vance, Grant Administrator)*

Executive Summary

Motion to authorize the Mayor to sign the Resolution and accept CDBG Grant #16765 CDBG ED 16 as complete.

- 2. Consider and act upon, authorizing the Mayor to sign a Resolution approving CDBG Grant #17033 and accepting the project as complete. *(Millie Vance, Grant Administrator)*

Executive Summary

Motion to authorize the Mayor to sign the Resolution and accept CDBG Grant #17033 as complete

- 3. Consider and act upon, adopting a Citizen’s Participation Plan for FY2019 CDBG Project. *(Millie Vance, Grant Administrator)*

Executive Summary

Motion to approve a Citizen’s Participation Plan for FY2019 CDBG Project.

- 4. Consider and act upon, adopting a Resolution to apply for FY2019 CDBG Grant. *(Millie Vance, Grant Administrator)*

Executive Summary

Motion to adopt a Resolution to apply for FY2019 CDBG Grant.

- 5. Consider and act upon, adopting a Resolution on Leveraged/Matching funds for FY2019 CDBG Sewer Line Replacement Project. *(Millie Vance, Grant Administrator)*

Executive Summary

Motion to adopt a Resolution on Leveraged/Matching funds for FY2019 CDBG Sewer Line Replacement Project.

- 6. Consider and act upon, adopting a Residential Anti-Displacement Plan for FY2019 CDBG Sewer Line Replacement Project. *(Millie Vance, Grant Administrator)*

Executive Summary

Motion to adopt a Residential Anti-Displacement Plan for FY2019 CDBG Sewer Line Replacement Project.

- 7. Approval and Reading of 2019 Fair Housing Proclamation. *(Millie Vance, Grant Administrator)*

Executive Summary

Motion to approve 2019 Fair Housing Proclamation.

- 8. Consider and act upon, approval and authorizing the Mayor to sign a Contract with Millie Vance Incorporated to prepare FY2019 CDBG grant application and administer the project. *(Millie Vance, Grant Administrator)*

Executive Summary

Motion to approve and authorize the Mayor to sign a Contract with Millie Vance Incorporated to prepare FY2019 CDBG grant application and administer the project.

9. Review and act upon the FY19 end-of-year report presented by the Oklahoma Small Business Development Center (OSBDC). (*Kirk Ridenour, Economic Development Director*)

Executive Summary

To accept and place on file the Oklahoma Small Business Development Center end-of-year report.

10. Consider and act upon, approval of an Ordinance and Cable Television Permit with Vyve Broadband A, LLC. (*William Ervin, City Attorney*)

Executive Summary

Motion to approve an Ordinance and Cable Television Permit with Vyve Broadband A, LLC.

11. Consider and act upon, amending Solid Waste ordinance, Sec. 106-364 to reflect the 3.5% increase from Republic Services, Inc. in the residential and commercial rates listed. (*An-chen Lai, Chief Financial Officer*)

Executive Summary

Staff recommends motion to approve the amending ordinance.

12. Consider and act upon, an Ordinance amending Sections 54-44, 54-45, 54-47, and 54-51 to Article III, Chapter 54, of the code of the City of McAlester, Oklahoma by Prohibiting Possession of Tobacco Product; and Prohibiting Tobacco Use and Vapor Products on City-owned Premises or operated Properties. (*Stephanie Giacomo, Grant Writer*)

Executive Summary

Staff recommends approval of the changes to the Tobacco Ordinance.

13. Consider and act upon, authorizing the Mayor to sign the Work Order for Professional Services with Infrastructure Solutions Group, LLC for engineering services required for the 2019 CDBG Sewer Project. (*Robert Vaughan, Infrastructure Solutions Group*)

Executive Summary

Motion to authorize the Mayor to sign the Work Order for Professional Services with Infrastructure Solutions Group, LLC for engineering services required for the 2019 CDBG Sewer Project. The lump sum fee for engineering is \$24,600.00, surveying fee is \$3,374.00 and the Resident Project Representative Fee is \$9,300.00.

14. Consider and act upon, a resolution amending the City's Fire, Police, and Non-Uniform pay scale to reflect a 2% increase for Fiscal Year 2019-2020. (*An-chen Lai, Chief Financial Officer*)

Executive Summary

Staff recommends motion to approve a resolution amending the City's Fire, Police, and Non-Uniform Pay scale to increase 2% for Fiscal Year 2019-2020.

15. Discussion and update on Monthly Financials. (*An-chen Lai, Chief Financial Officer*)

Executive Summary

Discussion.

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 June 11, 2019, Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item A, regarding claims ending June 18, 2019. (*An-chen Lai, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item L, authorization for the Mayor to issue a Notice to Proceed with Binding Coverage for Excess Worker's Compensation Insurance with Safety National Casualty Corporation. (*An-chen Lai, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item 14, a resolution amending the City's Fire, Police, and Non-Uniform pay scale to reflect a 2% increase for Fiscal Year 2019-2020. (*An-chen Lai, Chief Financial Officer*)

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

Majority of a Quorum required for approval

- Approval of the Minutes from the June 11, 2019, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item A regarding claims ending June 18, 2019. *(An-chen lai, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item B, approval and authorization for the Mayor to sign a Professional Services Agreement with David T. Hardgrave, LLC as a pretreatment management consultant within the City of McAlester Pretreatment Program. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item L, authorization for the Mayor to issue a Notice to Proceed with Binding Coverage for Excess Worker's Compensation Insurance with Safety National Casualty Corporation. *(An-chen Lai, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, authorization for the Mayor to sign a Resolution approving CDBG Grant #16765 CDBG ED 16 and accepting the project as complete. *(Millie Vance, Grant Administrator)*
- Confirm action taken on City Council Agenda Item 2, authorization for the Mayor to sign a Resolution approving CDBG Grant #17033 and accepting the project as complete. *(Millie Vance, Grant Administrator)*
- Confirm action taken on City Council Agenda Item 3, adoption of a Citizen's Participation Plan for FY2019 CDBG Project. *(Millie Vance, Grant Administrator)*
- Confirm action taken on City Council Agenda Item 4, adoption of a Resolution to apply for FY2019 CDBG Grant. *(Millie Vance, Grant Administrator)*
- Confirm action taken on City Council Agenda Item 5, adoption of a Resolution on Leveraged/Matching funds for FY2019 CDBG Sewer Line Replacement Project. *(Millie Vance, Grant Administrator)*
- Confirm action taken on City Council Agenda Item 6, adoption of a Residential Anti-Displacement Plan for FY2019 CDBG Sewer Line Replacement Project. *(Millie Vance, Grant Administrator)*
- Confirm action taken on City Council Agenda Item 7, the approval and reading of 2019 Fair Housing Proclamation. *(Millie Vance, Grant Administrator)*

- Confirm action taken on City Council Agenda Item 8, the approval and authorization for the Mayor to sign a Contract with Millie Vance Incorporated to prepare FY2019 CDBG grant application and administer the project. (*Millie Vance, Grant Administrator*)
- Confirm action taken on City Council Agenda Item 11, the amendment to the Solid Waste ordinance, Sec. 106-364 to reflect the 3.5% increase from Republic Services, Inc. in the residential and commercial rates listed. (*An-chen Lai, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item 13, authorization for the Mayor to sign the Work Order for Professional Services with Infrastructure Solutions Group, LLC for engineering services required for the 2019 CDBG Sewer Project. (*Robert Vaughan, Infrastructure Solutions Group*)
- Confirm action taken on City Council Agenda Item 14, a resolution amending the City's Fire, Police, and Non-Uniform pay scale to reflect a 2% increase for Fiscal Year 2019-2020. (*An-chen Lai, Chief Financial Officer*)

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the May 28, 2019, Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of June, 2019. (*An-chen Lai, Chief Financial Officer*)

ADJOURN MRTA

EXECUTIVE SESSION

Recess into Executive Session in compliance with Section Title 25 Section 307 B.2 et.seq. Oklahoma Statutes, to wit:

- Proposed executive session pursuant to Title 25, Sec. 307(B)(4) for Confidential communications between a public body and its attorney concerning pending investigations, claims, or actions.

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