



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, September 28, 2021 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

Attending in Person-Council Chambers

John Browne.....Mayor
Weldon Smith.....Ward One
Cully Stevens.....Ward Two
Vacant Ward Three
Vacant Ward Four
Billy J. Boatright.....Ward Five
Zach Prichard.....Ward Six
Peter J. Stasiak.....City Manager
Cora M. Middleton.....City Clerk
John T. Hammons.....City Attorney

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.

Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When the public body desires more information on an item, the public body may refer the matter to City staff or back to a committee. Under certain circumstances, items may be deferred to a specific date or stricken from the agenda entirely.

CALL TO ORDER

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

ROLL CALL

SWEARING-IN CEREMONY

Judge Mills will administer the Oath of Office to the newly elected Council Member:

- Oath of Office – Council Member
Ward Four – Randy Roden

INCOMING COUNCIL- Council Remarks- Opportunity for Council Remarks

- New Council member take Office

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 Statement from the September 14, 2021, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for September 8, 2021, through September 21, 2021. *(Sherri Swift, Chief Financial Officer)*
- C. Consider and act upon, indefinitely postponing Tort Claim #210318-1-ME, filed by Bryan G Garrett, attorney for Mackenzie E. Diamond. *(Cora Middleton, City Clerk)*
- D. Consider and act upon, approving the update for the Safety Manual. *(Sherri Swift, Chief Financial Officer)*
- E. Consider and act upon, authorizing the Mayor to sign an Agreement between Tyler Technologies and the City of McAlester for hosting and cloud services for Executime Software in the amount of \$10,780.00 for new Time Clocks and annual recurring fees of \$14,674.00 including mobile access. *(James Stanford, Information Technology Computer Support)*

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, DEDICATING AN UN-PLATTED ROADWAY LOCATED IN TOWNSITE ADDITION NO. 5 (TA NO. 5) PITTSBURG COUNTY, OKLAHOMA. BEING FORTY FEET (40') IN WIDTH AND SIX HUNDRED FORTY-TWO FEET (642') IN LENGTH AS A PUBLIC STREET OF THE CITY OF MCALESTER, OKLAHOMA, TO BE KNOWN AS AND NAMED 20TH PLACE, AND DECLARING AN EMERGENCY.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA; CREATING MCALESTER CITY CODE CHAPTER 106, UTILITIES, ARTICLE III, SEWERS AND SEWAGE DISPOSAL, DIVISION 4, FATS OILS AND GREASE (FOG) CONTROL PROGRAM; REPEALING ALL CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2687 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2020-2021; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Consider and act upon authorizing the City Manager to accept a grant award from the Oklahoma Tourism and Recreation Department in the amount of \$325,800.00 to develop Mullen Park. *(Stephanie Giacomo, Grants Administration)*

Executive Summary

Staff recommends acceptance of the grant award and conditions and authorizing the City Manager to execute the agreement with the Oklahoma Tourism and Recreation Department.

2. Consider and act upon, approving the hanger Lease Agreement between Diamond T Trailer Manufacturing Company and McAlester Airport Authority. *(Kirk Ridenour, Economic Development)*

Executive Summary

Authorize the Authority Chairperson to sign the Lease Agreement.

3. Consider, and act upon, authorizing the purchase of hosting and cloud services from Carahsoft Technology Corp for OpenGov Citizen Services in the amount \$131,507.66 for the fiscal year 2021-2022 on State of Oklahoma Contract SW 1022 C/BASOI AR2472 pursuant to Section 2-382 of the McAlester City Code. *(Jayme Clifton, Community Development Director)*

Executive Summary

Motion to approve the purchase of hosting and cloud services from Carahsoft Technology Corp for OpenGov Budgeting & Planning Suite and OpenGov Citizen Services.

4. Consider, and act upon, an ordinance amending the Code of Ordinances of the City of McAlester City Code Chapter 106, Utilities, Article III, Sewers and Sewage Disposal, Division 4, Fats, Oils and Grease (FOG) Control Program. *(Jayme Clifton, Community Development Director)*

Executive Summary

Motion to act upon and approve the above ordinance amending the Code of Ordinances of the City of McAlester by creating the Fats, Oils and Grease (FOG) Control Program; repealing all conflicting ordinances, and providing for severability, and authorizing the Mayor to sign the ordinance.

5. Consideration and action to accept The West 40 feet, except the South 30 feet thereof of Lot Ninety-Two (92), Townsite Addition No. 5, Pittsburg County, State of Oklahoma, for

the use as a dedicated public roadway easement. *(Jayme Clifton, Community Development Director)*

Executive Summary

Motion to approve and accept The West 40 feet, except the South 30 feet thereof of Lot Ninety-Two (92), Townsite Addition No. 5, Pittsburg County, State of Oklahoma, for the use as a dedicated public roadway easement.

6. Consideration and act upon, approval of an ordinance of the City of McAlester; authorizing the opening of a previously constructed roadway to be known as 20th Place. *(Jayme Clifton, Community Development Director)*

Executive Summary

Motion to approve the ordinance authorizing the opening of a previously constructed roadway to be known as 20th Place, contingent upon the acceptance of The West 40 feet, except the South 30 feet thereof of Lot Ninety-Two (92), Townsite Addition No. 5, Pittsburg County, State of Oklahoma, for the use as a dedicated public roadway easement; authorizing the mayor to sign the ordinance; and declaring an emergency.

7. Consider, and act upon, authorizing the Mayor to sign the Work Order for Professional Services with Infrastructure Solutions Group, LLC in the amount of \$44,500.00 for engineering services for Morris Avenue Water System Improvements Project. *(Jeb Jones, Public Works Director)*

Executive Summary

Motion to authorize the Mayor to sign the Work Order for Professional Services in the amount of \$44,500.00 with Infrastructure Solutions Group, LLC for engineering services for Morris Avenue Water System Improvements Project. The lump sum fee of \$32,000.00 for engineering. \$12,000.00 for Resident Project Representative and \$500.00 for reimbursed Oklahoma Department of Environmental Quality Construction Permit Fee.

8. Consider, and act upon, authorizing the Mayor to sign the Contractor's Final Pay No. 7 and Certificate of Substantial Completion for the contract with Sunrise Construction, LLC for the Saunier Way Drainage Improvements and accept the project as completed. *(Jeb Jones, Public Works Director)*

Executive Summary

Motion to authorize the Mayor to sign the Contractor's Final pay No.7 in the amount of \$16477.89 and the Certificate of Substantial Completion for the contract with Sunrise Construction, LLC for the Saunier Way Drainage Improvements and accept the project as completed.

9. Consider and act to authorize the mayor to sign an Encroachment Easement Agreement with Kevin A. Connor and Elizabeth C. Connor to allow the encroaching portion of the proposed building to be built with the utility easement located on the property at 1327 S. George Nigh Expressway. *(Jeb Jones, Public Works Director)*

Executive Summary

Staff recommends approval of the Encroachment Easement Agreement.

10. Consider and act upon, an Ordinance amending Ordinance No.2687 which established the budget for fiscal year 2020-2021; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Sherri Swift, Chief Financial Officer)*

Executive Summary

A motion to approve the budget amendment ordinance.

11. Discussion on Monthly Financial Update. *(Sherri Swift, Chief Financial Officer)*

Executive Summary

Discussion.

12. Consider and act upon a resolution concerning Coronavirus Local Fiscal Recovery Funds (ARPA Funds) and authorizing the City Manager to sign program documents. *(Stephanie Giacomo, Grant Administration)*

Executive Summary

City staff recommends adoption of the resolution.

13. Consider and act upon, accepting the bid amount of \$214,073.0 from RJR Enterprises, Inc and authorize the Mayor to sign the Notice of Award and Contract for the Hunter Park Splash Pad Installation Project RFP#2021-005. *(Doug Basinger, Community Services Director)*

Executive Summary

The recommendation is to accept the bid from RJR Enterprises for a total amount of \$214,073.00 and authorize the Mayor to sign the Notice of Award and Contract for the Hunter Pak Splash Pad Installation Project RFP#2021-005.

14. Consider and act, to approve a Resolution and Proclamation setting the date of Tuesday, February 8, 2022, for a Special Election to fill the Ward Three vacancy and setting the candidate filing period. *(Mayor/Council)*

Executive Summary

Motion to approve a Resolution and Proclamation setting the date of Tuesday, February 8, 2022, for a Special Election to fill the Ward Three vacancy and setting the candidate filing period.

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 Statement from the September 14, 2021, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending September 21, 2021. *(Sherri Swift, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item, D approving the update for the Safety Manual. *(Sherri Swift, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item, E authorizing the Mayor to sign an Agreement between Tyler Technologies and the City of McAlester for hosting and cloud services for Executime Software in the amount of \$10,780.00 for new Time Clocks and annual recurring fees of \$14,674.00 including mobile access. *(James Stanford, Information Technology Computer Support)*
- Confirm action taken on City Council Agenda Item 2, approving the hanger Lease Agreement, in form only, between Diamond T Trailer Manufacturing Company and McAlester Airport Authority. *(Kirk Ridenour, Economic Development)*

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

Majority of a Quorum required for approval

- Approval of the Statement from the September 14, 2021, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending September 21, 2021. *(Sherri Swift, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item, D approving the update for the Safety Manual. *(Sherri Swift, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item, E authorizing the Mayor to sign an Agreement between Tyler Technologies and the City of McAlester for hosting and cloud services for Executime Software in the amount of \$10,780.00 for new Time Clocks and annual recurring fees of \$14,674.00 including mobile access. *(James Stanford, Information Technology Computer Support)*
- Confirm action taken on City Council Agenda Item, 3 authorizing the purchase of hosting and cloud services from Carahsoft Technology Corp for OpenGov Citizen Services in the amount \$131,507.66 for the fiscal year 2021-2022 on State of Oklahoma Contract SW

1022 C/BASOI AR2472 pursuant to Section 2-382 of the McAlester City Code. *(Jayme Clifton, Community Development Director)*

- Confirm action taken on City Council Agenda Item, 4, an ordinance amending the Code of Ordinances of the City of McAlester City Code Chapter 106, Utilities, Article III, Sewers and Sewage Disposal, Division 4, Fats, Oils and Grease (FOG) Control Program. *(Jayme Clifton, Community Development Director)*
- Confirm action taken on City Council Agenda Item 7, authorizing the Mayor to sign the Work Order for Professional Services with Infrastructure Solutions Group, LLC in the amount of \$44,500.00 for engineering services for Morris Avenue Water System Improvements Project. *(Jeb Jones, Public Works Director)*
- Confirm action taken on City Council Agenda Item 8, authorizing the Mayor to sign the Contractor's Final Pay No. 7 and Certificate of Substantial Completion for the contract with Sunrise Construction, LLC for the Saunier Way Drainage Improvements and accept the project as completed. *(Jeb Jones, Public Works Director)*
- Confirm action taken on City Council Agenda Item 9, to authorize the mayor to sign an Encroachment Easement Agreement with Kevin A. Connor and Elizabeth C. Connor to allow the encroaching portion of the proposed building to be built with the utility easement located on the property at 1327 S. George Nigh Expressway. *(Jeb Jones, Public Works Director)*
- Confirm action taken on City Council Agenda Item 10, an Ordinance amending Ordinance No.2687 which established the budget for fiscal year 2020-2021; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Sherri Swift, Chief Financial Officer)*

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the August 24, 2021, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of September 2021. *(Sherri Swift, Chief Financial Officer)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2021 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