



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, April 26, 2016 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

John Browne ..... Mayor  
Weldon Smith ..... Ward One  
John Titsworth ..... Ward Two  
Travis Read, Vice Mayor..... Ward Three  
Robert Karr ..... 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](http://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.*

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#### CALL TO ORDER

*Announce the presence of a Quorum.*

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#### INVOCATION & PLEDGE OF ALLEGIANCE

Stephanie Swinnea, All Saints Episcopal Church

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#### ROLL CALL

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**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 April 12, 2016, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for April 6, 2016 through April 19, 2016. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, authorizing the Mayor to sign an Agreement for the 2016 Junior Sunbelt Classic between McAlester Public Schools and the City of McAlester for funding in the amount of \$15,000. *(Peter Stasiak, City Manager)*
- D. Consider and act to approve a settlement of a claim in the amount of \$50,000.00 for damage to public property (Washington Street Bridge) arising from a motor vehicle collision that occurred on or about April 14, 2014, and to authorize the Mayor to execute a release. *(Cora Middleton, City Clerk)*
- E. Consider and act upon, authorizing the Mayor to sign an Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2016 through June 30, 2017. *(Toni Ervin, Chief Financial Officer)*
- F. Consider and act upon, authorizing the Mayor to sign an Engagement Letter with Finley & Cook, PLLC for audit services for the fiscal year ending June 30, 2016. *(Toni Ervin, Chief Financial Officer)*
- G. Consider and act upon, a Personal Service Agreement with Jerry Mincher for hay baling on the Steven Taylor Industrial Park and Hwy 31 west of Indian National Turnpike in the amount of \$10.00. *(Mel Priddy, Community Services Director)*
- H. Consider and act upon, a Quit Claim Deed transferring the remaining seven (7) properties listed on "Exhibit A" from City of McAlester to Pittsburg County Board of Commissioners. *(Cora Middleton, City Clerk)*
- I. Consider and act upon, an agreement with the Oklahoma Dept. of Corrections for use of State property to conduct the Annual Fireworks Display. *(Jerry Lynn Wilson, EXPO Center Manager)*

- J. Consider and act upon, concurrence with the City Manager of the nominations of Mike Nunneley of Mannford and Roger Kolman of Glenpool to the Board of Trustees of the Oklahoma Municipal Assurance Group for terms commencing on July 1, 2016. *(Cora Middleton, City Clerk)*
- K. Consider and act to declare a vacancy in the Ward 2 Council Seat on the McAlester City Council, and to authorize the calling of a special election to fill said vacancy August 23, 2016

**ITEMS REMOVED FROM CONSENT AGENDA**

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**PUBLIC HEARING**

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*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 ESTABLISHING THE REGULATION OF AMBULANCE SERVICES WITHIN THE CITY OF McALESTER, OKLAHOMA; CREATING MCALESTER CITY CODE ARTICLE VII IN CHAPTER 38, TITLED AMBULANCE SERVICE, SECTION 38-175, DEFINITIONS, SECTION 38-176, SOLE SOURCE AMBULANCE SERVICE, SECTION 38-177, INSURANCE REQUIRED; SECTION 38-178, APPLICATION FOR AMBULANCE SERVICE LICENSE AND CERTIFICATION OF NECESSITY; SECTION 38-179, RATES AND CHARGES; SECTION 38-180, APPLICATIONS FOR DRIVERS'; ATTENDANTS' AND ATTENDANT/DRIVERS' PERMITS; SECTION 38-181, STANDARDS FOR DRIVERS'; ATTENDANTS' AND ATTENDANT DRIVERS' PERMIT; SECTION 38-182, DUTIES OF THE ATTENDANT; SECTION 38-183, DUTIES OF THE DRIVER; SECTION 38-184, AMBULANCE TRIP PROCEDURE AND CLEARANCE, SECTION 38-185, RESPONSE TIME PERFORMANCE REQUIRED; SECTION 38-186, PROHIBITION AGAINST REFUSAL TO TRANSPORT; SECTION 38-187, EMS STANDARD OPERATION GUIDELINES; SECTION 38-188, HOURS OF OPERATION; SECTION 38-189, AUTHORITY OF CITY MANAGER; AND, SECTION 38-190, VIOLATIONS AND PENALTIES.**

**SCHEDULED BUSINESS**

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- 1. Consider and act upon, authorizing the Mayor to sign this resolution and restatement of our retirement plan document, a section 457(b) plan. *(Toni Ervin, Chief Financial Officer)*

**Executive Summary**

Motion to authorize the Mayor to sign resolution and the restatement of the plan document.

2. Consider and act upon, to authorize the execution of a Professional Services Agreement with The Spectrum Group to provide technical and logistical assistance to establish the goals, objectives, and timing of the 2016 annual Stampede Event and Legislative/Department of Defense monitoring and advocacy services to protect and grow the defense segment of the Southeast Oklahoma Economy. (*Leroy Alsup, Director of Community & Economic Development*)

Executive Summary

Motion to approve and to authorize the execution of the Professional Services Agreement with The Spectrum Group to provide technical and logistical assistance to establish the goals, objectives, and timing of the 2016 annual Stampede Event & Legislative/ Department of Defense monitoring and advocacy services to protect and grow the defense segment of the Southeast Oklahoma Economy.

3. Consider and act upon, accepting the bid amount of \$176,545.00 from Cook Consulting, LLC to replace 1,171 LF of sanitary sewer line, and authorizing the Mayor to sign the Notice of Award and the Agreement to Cook Consulting, LLC. (*Peter Stasiak, City Manager*)

Executive Summary

The recommendation is to enter into an agreement with Cook Consulting, LLC for the Total Bid equal to \$176,545.00 to replace this 1,171 LF of sanitary sewer line. This recommendation is coming from the consulting engineering firm Holloway, Updike and Bellen, Inc.

4. Consider and act upon, accepting the bid amount of \$54,916.00 from Katcon, Inc. to repair and replace portions of Swan Lane, and new drainage for said street, and authorizing the Mayor to sign the Notice of Award to Katcon, Inc., and the Agreement to complete the repair. (*Peter Stasiak, City Manager*)

Executive Summary

The recommendation is to enter into an agreement with Katcon, Inc. for the Total Bid equal to \$54,916.00, to repair and replace portions of Swan Lane, and new drainage for said street.

5. Consider and act upon, accepting Change Order #1 in the amount of \$1,000.02 from Sunrise Contracting, LLC to repair an extra two (2'-0") feet of the Sandy Creek canal wall, and authorizing the Mayor to sign the Change Order to Sunrise Contracting, LLC for the full amount. (*Peter Stasiak, City Manager*)

Executive Summary

The recommendation is to agree upon the Change Order equal to less than 1% of the total cost of the project in the amount of \$1,000.02, to repair an extra two (2'-0") feet of the Sandy Creek Canal wall.

6. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay Estimate No. 3 for the contract with Sunrise Contracting, LLC for construction of two hundred forty nine (249'-0") feet of Sandy Creek Canal Wall and accept the project as completed. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to approve final payment of \$41,747.96 for the 2016 Sandy Creek Canal Wall Project #1 to Sunrise Contracting, LLC and accept the project as completed.

7. Consider and act upon, accepting Change Order #9 in the amount of \$3,300.00 from T. McDonald Construction Inc. to remove and replace Mailboxes closer to the street, and authorizing the Mayor to sign the Change Order to T. McDonald Construction Inc. for the full amount. *(Peter Stasiak, City Manager)*

Executive Summary

The recommendation is to agree upon the Change Order #9 in the amount of \$3,300.00, to remove and replace the mailboxes closer to the street.

8. Consider and act upon, accepting Option #2 proposal from Noah's Park and Playground Equipment in the amount of \$48,750.00 for the purchase of playground equipment for Mike Deak Walking Track. *(Mel Priddy, Community Services Director)*

Executive Summary

Staff recommends accepting Option #2 proposal from Noah's Park and Playground Equipment in the amount of \$48,750.00 for the purchase of playground equipment for Mike Deak Walking Track.

9. Consider and act upon, an Ordinance amending City Code regulating Emergency Medical Services. *(Cora Middleton, City Clerk)*

Executive Summary

Motion to approve Ordinance amending City Code regulating Emergency Medical Services.

10. Consider and act upon, to authorize a Professional Services Agreement between the City of McAlester and Severn Trent Services for oversight and design for general services at the McAlester Water Treatment Plant. *(Peter Stasiak, City Manager)*

Executive Summary

Staff recommends authorization of the Professional Services Agreement between the City of McAlester and Severn Trent Services for the oversight and design at the McAlester Water Treatment Plant.

11. Consider and act upon, a Resolution to adopt the Capital Improvement Program 2016/2017-2020/2021. *(Peter Stasiak, City Manager)*

Executive Summary

Motion to approve the Resolution adopting the Capital Improvement Program for 2016/2017-2020/2021.

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

Executive Summary

Discussion.

## **NEW BUSINESS**

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*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)**

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- Report on activities for the past two weeks.

**REMARKS AND INQUIRIES BY CITY COUNCIL**

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**MAYORS COMMENTS AND COMMITTEE APPOINTMENTS**

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**RECESS COUNCIL MEETING**

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**CONVENE AS McALESTER AIRPORT AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the April 12, 2016, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending April 19, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item E, authorization for the Mayor to sign an Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2016 through June 30, 2017. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item F, authorization for the Mayor to sign an Engagement Letter with Finley & Cook, PLLC for audit services for the fiscal year ending June 30, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, authorization for the Mayor to sign this resolution and restatement of our retirement plan document, a section 457(b) plan. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 11, a Resolution to adopt the Capital Improvement Program 2016/2017-2020/2021. *(Peter Stasiak, City Manager)*

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

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the April 12, 2016, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*

- Confirm action taken on City Council Agenda Item B, regarding claims ending April 19, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item D, to consider and act to approve a settlement of a claim in the amount of \$50,000.00 for damage to public property (Washington Street Bridge) arising from a motor vehicle collision that occurred on or about April 14, 2014, and to authorize the Mayor to execute a release. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item E, authorization for the Mayor to sign an Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2016 through June 30, 2017. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item F, authorization for the Mayor to sign an Engagement Letter with Finley & Cook, PLLC for audit services for the fiscal year ending June 30, 2016. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item H, a Quit Claim Deed transferring property listed on "Exhibit A" from City of McAlester to Pittsburg County Board of Commissioners. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 1, authorization for the Mayor to sign this resolution and restatement of our retirement plan document, a section 457(b) plan. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3, acceptance of the bid amount of \$176,545.00 from Cook Consulting, LLC to replace 1,171 LF of sanitary sewer line, and authorizing the Mayor to sign the Notice of Award and the Agreement to Cook Consulting, LLC. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 4, acceptance of the bid amount of \$54,916.00 from Katcon, Inc. to repair and replace portions of Swan Lane, and new drainage for said street, and authorizing the Mayor to sign the Notice of Award to Katcon, Inc., and the Agreement to complete the repair. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 5, acceptance of Change Order #1 in the amount of \$1,000.02 from Sunrise Contracting, LLC to repair an extra two (2'-0") feet of the Sandy Creek canal wall, and authorizing the Mayor to sign the Change Order to Sunrise Contracting, LLC for the full amount. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 6, authorization for the Mayor to sign the Contractor's Final Pay Estimate No. 3 for the contract with Sunrise Contracting, LLC for construction of two hundred forty nine (249'-0") feet of Sandy Creek Canal Wall and accept the project as completed. *(Peter Stasiak, City Manager)*

- Confirm action taken on City Council Agenda 7, acceptance of Change Order #9 in the amount of \$3,300.00 from T. McDonald Construction Inc. to remove and replace Mailboxes closer to the street, and authorizing the Mayor to sign the Change Order to T. McDonald Construction Inc. for the full amount. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 10, to authorize a Professional Services Agreement between the City of McAlester and Severn Trent Services for oversight and design for general services at the McAlester Water Treatment Plant. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 11, a Resolution to adopt the Capital Improvement Program 2016/2017-2020/2021. *(Peter Stasiak, City Manager)*

#### ADJOURN MPWA

#### **CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the March 22, 2016 Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of April, 2016. *(Toni Ervin, CFO)*

#### ADJOURN MRTA

#### **RECONVENE COUNCIL MEETING**

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#### **ADJOURNMENT**

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#### **CERTIFICATION**

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*I certify that this Notice of Meeting was posted on this \_\_\_\_\_ day of \_\_\_\_\_ 2016 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](http://www.cityofmcalester.com).*

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**Cora M. Middleton, City Clerk**