



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, March 28, 2017 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

John Browne .....	Mayor
Weldon Smith .....	Ward One
Cully Stevens .....	Ward Two
Travis Read .....	Ward Three
Robert Karr, Vice Mayor .....	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.*

#### **CALL TO ORDER**

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*Announce the presence of a Quorum.*

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

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#### **ROLL CALL**

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## **RECOGNITION AND AWARDS**

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Mayor Brown would like to issue a Proclamation in recognition of Autism Awareness Week and Autism Day.

## **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

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*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**

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*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 28, 2017, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for March 8, 2017 through March 21, 2017. *(Toni Ervin, Chief Financial Officer)*
- C. Concur with the Mayor's appointment of Doug Marchant to the Storm Water Committee for a term to expire May, 2019. *(John Browne, Mayor)*
- D. Consider and act upon, receipt of the Permit No. WL000061170120 from the Oklahoma Department of Environmental Quality (ODEQ) for replacement of 1,740 linear feet of 6" PVC potable water line and all appurtenances to serve the City of McAlester. *(Peter Stasiak, City Manager)*
- E. Concur with the Mayor's appointment of Russell Liles to the Expo Authority Board for a term to expire June, 2019. *(John Browne, Mayor)*
- F. Consider and act upon, authorizing the Mayor to sign an agreement between Oklahoma Department of Transportation and the City of McAlester for permission to construct landscaping on the highway right-of-way surrounding the McAlester Bomb Display. *(Peter Stasiak, City Manager)*

## **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, OKLAHOMA,  
AMENDING CHAPTER 106, ARTICLE II, SECTION 106-48. DAMAGING,**

**DISTURBING, ETC., SYSTEM PROPERTY GENERALLY. REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE OF MAY 1, 2017.**

**AN ORDINANCE AMENDING ORDINANCE 2265, SECTION 102-36(a)(14) OF McALESTER CODES REGULATING THE TRAFFIC VIOLATIONS BUREAU SCHEDULE OF FINES; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING FOR A SEVERABILITY CLAUSE.**

**CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF MCALESTER ESTABLISHING THE POSSESSION OF CHICKENS OR LAYING HENS WITHIN THE CITY OF MCALESTER, OKLAHOMA; ESTABLISHING MCALESTER CITY CODE CHAPTER 10, ANIMALS, ARTICLE I, SECTION 10-22, PERMITTED NUMBER OF CHICKENS OR LAYING HENS; SECTION 10-23, COOP AND RUN REQUIREMENTS; AND PROVIDING FOR REPEALER AND SEVERABILITY.**

**SCHEDULED BUSINESS**

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

Executive Summary  
Discussion.

2. Consider and act upon, an Ordinance amending Chapter 106, Article II, Section 106-48. Damaging, Disturbing, etc., System property generally, repealing all conflicting ordinances; providing for a severability clause; and establishing an effective date. *(Toni Ervin, Chief Financial Officer)*

Executive Summary  
Motion to approve the amendment of the ordinance.

3. Consider and act upon, an Ordinance 2265, Section 102-36(a)(14) of the McAlester Codes regulating the traffic violations bureau schedule of fines; repealing all conflicting ordinances; providing for a severability clause. *(Toni Ervin, Chief Financial Officer)*

Executive Summary  
Motion to approve the amendment of the ordinance.

4. Consider and act upon, an ordinance regulating the possession of chickens, laying hens, and roosters within the City of McAlester. *(Gary Wansick, Chief of Police)*

Executive Summary

Motion to approve an ordinance regulating the possession of chickens, laying hens, and roosters within the City of McAlester.

- 5. **POSTPONED FROM THE MARCH 14<sup>TH</sup> MEETING;** Discussion and possible action, on approval of certain costs related to the Fire Department Funds to be used from the City of McAlester Fire Department’s portion of the county quarter cent excise tax for the fire services. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve the purchase of hand guns for the Fire Department with funds to be used from the City of McAlester Fire Department’s portion of the county quarter cent excise tax for fire services.

- 6. Consider and act upon, to authorize the exchange of a 2015 Ford Escape for a 2017 Ford Explorer with an increase in cost of \$2,884.00 or to declare 2015 Ford Escape surplus and authorize its disposal in the manner previously described. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Staff recommends the exchange of the 2015 Ford Escape and replacement with a 2017 Ford Explorer at a price of \$26,389.00. The price difference will be an additional \$2,884.00 in cost.

**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 March 14, 2017, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*

- Confirm action taken on City Council Agenda Item B, regarding claims ending March 21, 2017. *(Toni Ervin, Chief Financial Officer)*

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 March 14, 2017, 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 21, 2017. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C, concurrence with the Mayor’s appointment of Doug Marchant to the Storm Water Committee for a term to expire May, 2019. *(John Browne, Mayor)*
- Confirm action taken on City Council Agenda Item D, receipt of the Permit No. WL000061170120 from the Oklahoma Department of Environmental Quality (ODEQ) for replacement of 1,740 linear feet of 6” PVC potable water line and all appurtenances to serve the City of McAlester. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending Chapter 106, Article II, Section 106-48. Damaging, Disturbing, etc., System property generally, repealing all conflicting ordinances; providing for a severability clause; and establishing an effective date. *(Toni Ervin, Chief Financial Officer)*

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 February 28, 2017 Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of March, 2017. *(Toni Ervin, Chief Financial Officer)*

ADJOURN MRTA

**RECONVENE COUNCIL MEETING**

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**ADJOURNMENT**

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**CERTIFICATION**

*I certify that this Notice of Meeting was posted on this \_\_\_\_\_ day of \_\_\_\_\_ 2017 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**