



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, September 12, 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 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

Mayor Browne would like to issue a Proclamation in observance of 'Make a Difference Day' encouraging citizens to engage in projects benefiting their community.

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 August 8, 2017, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for August 16, 2017 through September 6, 2017. *(Toni Ervin, Chief Financial Officer)*
- C. Concur with the Mayor's reappointments of Michael Hogan, P.O. Box 1788, McAlester, and Steve Otis, 911 Summit Ridge, McAlester to the McAlester Airport Advisory Board, for terms to end October, 2018. *(John Browne, Mayor)*
- D. Consider and act upon, approval and authorization for the Mayor to sign the Merchant Application for the processing of our ETS payments. *(Toni Ervin, Chief Financial Officer)*
- E. Concur with the Mayor's appointment of Les Cashmere, 846 Ulan Rd, McAlester, to the McAlester Airport Advisory Board, for a term to end October, 2018. *(John Browne, Mayor)*

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 ORDINANCE NO. 2604 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2017-18; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Consider and act upon, approving a contribution to the McAlester Area Arts & Humanities Council for the CultureFest 2017 in the amount of \$13,000.00. *(Mary Helfenbein, President, McAlester Area Arts & Humanities Council)*

Executive Summary

Motion to approve a contribution to the McAlester Area Arts & Humanities Council for the CultureFest 2017 in the amount of \$13,000.00.

2. Discussion and possible action on a request from McAlester United for support and assistance in the construction of soccer fields to be located west of the Southeast Expo Center. *(Shawn McElvey, Jared Suttmiller, McAlester United Soccer Club)*

Executive Summary

Discussion.

3. Consider and act upon, an Ordinance amending Ordinance No. 2604 which established the budget for fiscal year 2017-2018; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve the budget amendment ordinance.

4. Consider and act upon, authorizing the Mayor to sign Reconciliation Change Order No.3, the final pay request in the amount of \$215,085 from Utility Technology Services, Inc. for Phase 1 of the AMI Project and accept the project as complete. *(Dale Seaton, Project Engineer, Holloway, Updike and Bellen, Inc.)*

Executive Summary

Motion to authorize the Mayor to sign the final pay request in the amount of \$215,085 from Utility Technology Services Inc. for Phase 1 of the AMI Project and to accept the project as complete.

5. Consider and act upon, the Task Order Master Agreement for Consulting Services and Task Order #1 between the City of McAlester and C. H. Guernsey & Company for the development of the City of McAlester's Comprehensive Plan. *(Jayme Clifton, Community & Economic Development Director)*

Executive Summary

Motion to authorize the Mayor to execute the Task Order Master Agreement for Consulting Services and Task Order #1 between the City of McAlester and C. H. Guernsey & Company for the development of the City of McAlester's Comprehensive Plan.

6. Consider and act upon, to rescind the bid amount of \$127,501.54 from Gipson Construction, and accepting the second lowest bidder, KATCON, Inc., in the amount of \$133,324.87, and to authorize the Mayor to sign the Notice of Award and Contract Agreement for the 2016 CDBG Water Improvements Project with KATCON, Inc. *(Robert Vaughan, Infrastructure Solutions Group)*

Executive Summary

The recommendation is to enter into an agreement with KATCON, Inc. for the Total Bid equal to \$133,324.87, for the 2016 CDBG Water Improvement Project.

7. Consider and act upon, to authorize the Mayor to sign the Engineering Contract Funding Agreement between the City and the Oklahoma Department of Transportation for engineering services involving the City of McAlester. *(David Horinek, Public Works Director)*

Executive Summary

Motion to approve and authorize the Mayor to sign the Engineering Contract Funding Agreement between the City and the Oklahoma Department of Transportation for engineering services to be provided by Infrastructure Solutions Group, LLC.

8. Consider and act upon, authorizing the purchase of one new and unused 2017 Weiler Model P385B Asphalt Paver on State of Oklahoma Equipment Contract SB192 pursuant to Section 2-382 of the McAlester City Code. *(Sheila Norman, Purchasing Assets, David Horinek, Public Works)*

Executive Summary

Motion to approve the purchase of one new and unused 2017 Asphalt Paver.

9. Consider and act upon, accepting Change Order #2 for four (4) Weather Days only. There will be no increase or decrease in the contract amount, only an extension in days for the duration of the contract, and to allow payment for substantial completion of this project and authorizing the Mayor to sign the above mentioned documents to Gipson Construction for this project. *(David Horinek, Public Works Director)*

Executive Summary

The recommendation is to accept the Change Order with Gipson Construction for the four (4) Weather Days, to replace a portion of Storm Water Drainage Pipe that has been destroyed, and payment for substantial completion of this project.

10. Consideration and action on a request from the property owner for a 90 day extension of Special Remodel Permit No. 17046 for the condemned property at 1516 Park Drive. *(George Estrada, Building Inspector, Jayme Clifton, Community Development Director)*

Executive Summary

Motion to grant a 90 day extension of Special Remodel Permit No. 17046 for the condemned property at 1516 Park Drive.

11. Consider and Act to adopt a Resolution Authorizing the Mayor to appoint a McAlester Area Reinvestment Review Committee with Council confirmation, and requesting that the appointed Review Committee consider and make required findings and recommendations concerning the eligibility of proposed McAlester Area Reinvestment Project Plans and Tax Increment Districts (TIF), its impacts, and the appropriateness of the plan, project, and increment districts. *(Peter Stasiak, City Manager)*

Executive Summary

Authorize formation of the TIF Review Committee.

12. Consider and Act to authorize the Mayor to sign a contract with Ervin & Ervin, Attorneys at Law, L.L.P. in an amount not to exceed thirty thousand dollars (\$30,000.00) for legal services related to the formation of two (2) Tax Increment Financing Districts within the City of McAlester. *(Peter Stasiak, City Manager)*

Executive Summary

Authorize the legal services contract.

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)

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- 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 August 22, 2017, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending September 6, 2017. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C, the Mayor's reappointments of Michael Hogan, P.O. Box 1788, McAlester, and Steve Otis, 911 Summit Ridge, McAlester to the McAlester Airport Advisory Board, for terms to end October, 2018. *(John Browne, Mayor)*
- Confirm action taken on City Council Agenda Item E, the Mayor's appointment of Les Cashmere, 846 Ulan Rd, McAlester, to the McAlester Airport Advisory Board, for a term to end October, 2018. *(John Browne, Mayor)*

- Confirm action taken on City Council Agenda Item 3, an Ordinance amending Ordinance No. 2604 which established the budget for fiscal year 2017-2018; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 5, the Task Order Master Agreement for Consulting Services and Task Order #1 between the City of McAlester and C. H. Guernsey & Company for the development of the City of McAlester's Comprehensive Plan. *(Jayme Clifton, Community & Economic Development Director)*

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the August 22, 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 September 6, 2017. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3, an Ordinance amending Ordinance No. 2604 which established the budget for fiscal year 2017-2018; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 4, authorization for the Mayor to sign Reconciliation Change Order No.3, the final pay request in the amount of \$215,085 from Utility Technology Services, Inc. for Phase 1 of the AMI Project and accept the project as complete. *(Dale Seaton, Project Engineer, Holloway, Updike and Bellen, Inc.)*
- Confirm action taken on City Council Agenda Item 5, the Task Order Master Agreement for Consulting Services and Task Order #1 between the City of McAlester and C. H. Guernsey & Company for the development of the City of McAlester's Comprehensive Plan. *(Jayme Clifton, Community & Economic Development Director)*
- Confirm action taken on City Council Agenda Item 6, to rescind the bid amount of \$127,501.54 from Gipson Construction, and accepting the second lowest bidder, KATCON, Inc., in the amount of \$133,324.87, and to authorize the Mayor to sign the Notice of Award and Contract Agreement for the 2016 CDBG Water Improvements Project with KATCON, Inc. *(Robert Vaughan, Infrastructure Solutions Group)*
- Confirm action taken on City Council Agenda Item 7, authorization for the Mayor to sign the Engineering Contract Funding Agreement between the City and the Oklahoma

Department of Transportation for engineering services involving the City of McAlester.
(David Horinek, Public Works Director)

- Confirm action taken on City Council Agenda 8, authorization to purchase one new and unused 2017 Weiler Model P385B Asphalt Paver on State of Oklahoma Equipment Contract SB192 pursuant to Section 2-382 of the McAlester City Code. (Sheila Norman, Purchasing Assets, David Horinek, Public Works)
- Confirm action taken on City Council Agenda Item 9, accepting Change Order #2 for four (4) Weather Days only. There will be no increase or decrease in the contract amount, only an extension in days for the duration of the contract, and to allow payment for substantial completion of this project and authorizing the Mayor to sign the above mentioned documents to Gipson Construction for this project. (David Horinek, Public Works Director)

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RECONVENE COUNCIL MEETING

EXECUTIVE SESSION

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

- Consider and act to convene in Executive Session for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice businesses to locate within the City's jurisdiction per Title 25 Oklahoma Statute Sec. 307 B (3) & C (9).

ADJOURNMENT

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.

Cora M. Middleton, City Clerk