



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, June 12, 2018 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

John Browne	Mayor
Weldon Smith	Ward One
Cully Stevens, Interim Vice Mayor	Ward Two
Travis Read	Ward Three
James Brown	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

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 May 8, 2018, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the May 15, 2018, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the May 22, 2018, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Approval of Claims for May 16, 2018 through June 5, 2018. *(Toni Ervin, Chief Financial Officer)*
- E. Consider and act upon, concurrence with Oklahoma Municipal Assurance Group (OMAG) recommendation to deny Claim No. 204609-LR. *(Cora Middleton, City Clerk)*
- F. Consider and act upon, adoption of City of McAlester Council Handbook. *(Cora Middleton, City Clerk)*

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 ADOPTING THE BUDGET OF THE CITY OF
McALESTER, OKLAHOMA FOR THE FISCAL YEAR 2018-2019.**

**CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF
MCALESTER REGULATING THE POSSESSION OF POT-BELLIED
PIGS WITHIN THE CITY OF MCALESTER, OKLAHOMA; AMENDING
MCALESTER CITY CODE CHAPTER 10, ANIMALS, SECTION 10-1,
DEFINITIONS; SECTION 10-78, KEEPING SWINE PROHIBITED,
EXCEPTION; SECTION 10-148, LICENSES; REPEALING ALL
CONFLICTING ORDINANCES.**

CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA; AMENDING MCALESTER MUNICIPAL CODE CHAPTER 48, FEES, CHARGES AND SERVICE RATES, CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-57, FEES; AND ARTICLE IV, SECTION 10-148, LICENSES, AND REPEALING ALL CONFLICTING ORDINANCES.

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICT FOR A PORTION OF LAND LOCATED IN GOVERNMENT LOT THREE (3) AND FOUR (4), SECTION NINETEEN (19), TOWNSHIP FIVE (5) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN AND BASE LINE, PITTSBURG COUNTY, OKLAHOMA, FROM C-5 HIGHWAY COMMERCIAL AND COMMERCIAL RECREATION DISTRICT TO R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT.

CONSIDER AND ACT UPON AN ORDINANCE AMENDING THE DECLARATION OF TRUST OF THE MCALESTER INDUSTRIAL DEVELOPMENT AUTHORITY, ACCEPTING THE BENEFICIAL INTEREST OF THE MCALESTER INDUSTRIAL DEVELOPMENT AUTHORITY, AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Consider and act upon, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2018-2019; providing for severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve an Ordinance adopting the budget for fiscal year 2018-2019 and declaring an emergency.

2. Presentation and update of the McAlester Regional Health Center. *(David Keith, MRHC)*

Executive Summary

Presentation.

3. **POSTPONED FROM MAY 8TH, 2018;** Consider and act upon, an ordinance regulating the possession of pot-bellied pigs within the City of McAlester; amending Chapter 10, Section 10-1, Section 10-78, and Section 10-148, repealing all conflicting ordinances. *(Peter Stasiak, City Manager)*

Executive Summary

Motion to approve an ordinance regulating the possession of pot-bellied pigs within the City of McAlester.

4. **POSTPONED FROM MAY 8TH, 2018;** Consider and act upon, an ordinance amending Chapter 48, Section 10-57, Fees, and Section 10-148, Licenses. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to approve an ordinance amending Chapter 48, Section 10-57, Fees, and Section 10-148, Licenses.

5. Consider and act upon, an Ordinance amending the general zoning ordinance and accompanying map thereto known as General Zoning Ordinance No. 1843 (1989), by changing the classification of the zoning districts for A portion of land located in Government Lot Three (3) and Four (4), Section Nineteen (19), Township Five (5) North, Range Fifteen (15) East of the Indian Meridian and Base line, Pittsburg County, Oklahoma, from C-5 Highway Commercial and Commercial Recreation District to R-1B Single-family Residential District. (*Jayme Clifton, Community Development Director*)

Executive Summary

Motion to act upon and approve the above Ordinance changing the classification of the zoning districts for the property identified in the Ordinance from C-5 Highway Commercial and Commercial Recreation District to R-1B Single-family Residential District to and authorizing the Mayor to sign the ordinance.

6. Consider and act upon, an ordinance amending the Declaration of Trust of the McAlester Industrial Development Authority. (*William J. Ervin, City Attorney*)

Executive Summary

Staff recommends motion to approve the amended ordinance.

7. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay Estimate No. 3 - Final for the contract with KATCON, Inc. for the Cardinal Lane Curb and Gutter Project and accept the project as completed. (*Robert Vaughan, Infrastructure Solutions Group, LLC*)

Executive Summary

Motion to authorize the Mayor to sign the Contractor's Final pay Estimate No. 3 - Final in the amount of \$4,764.34 for the contract with KATCON, Inc. for the Cardinal Lane Curb and Gutter Project and accept the project as completed.

8. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay Estimate No. 1 - Final and Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the Emergency Canal Wall Replacement at 1000 E. Miami and accept the project as completed. (*Robert Vaughan, Infrastructure Solutions Group, LLC*)

Executive Summary

Motion to authorize the Mayor to sign the Contractor's Final pay Estimate No. 1 - Final in the amount of \$22,500.00 and the Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the Emergency Canal Wall Replacement at 1000 E. Miami and accept the project as completed.

- 9. Consider and act upon, accepting the bid amount of \$32,500.00 from MJM Construction, LLC and authorizing the Mayor to sign the Notice of Award for the Canal Wall and Floor Repair, 910 East Park Avenue. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

Executive Summary

The recommendation is to accept the bid from MJM Construction, LLC for a total of \$32,500.00 and authorize the Mayor to sign the Notice of Award for the Canal Wall and Floor Repair, 910 E. Park Avenue.

- 10. Consider and act upon, accepting the bid amount of \$31,200.00 from MJM Construction, LLC and authorizing the Mayor to sign the Notice of Award for the Canal Wall Repair, 1000 East Seneca Avenue. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

Executive Summary

The recommendation is to accept the bid from MJM Construction, LLC for a total of \$31,200.00 and authorize the Mayor to sign the Notice of Award for the Canal Wall Repair, 1000 East Seneca Avenue.

- 11. Consider and act upon, authorizing the Mayor to sign Change Order # 1 from Built Right Construction, LLC in the amount of \$2,775.00 and an additional 7 days. This will add approximately 32 square yards of concrete floor matching the length of the new wall going in for the Canal Wall Repair 703 S. 12th Street Project. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

Executive Summary

Motion to authorize the Mayor to sign Change Order #1 from Built Right Construction, LLC in the amount of \$2,775.00 and an additional 7 days. This will add approximately 32 square yards of concrete floor matching the length of the new wall going in for the Canal Wall Repair 703 S. 12th Street Project.

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 May 22, 2018, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending June 5, 2018. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2018-2019; providing for severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the May 22, 2018, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending June 5, 2018. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, an Ordinance adopting the budget of the City of McAlester, Oklahoma, for the fiscal year 2018-2019; providing for severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 7, authorization for the Mayor to sign the Contractor's Final Pay Estimate No. 3 - Final for the contract with KATCON, Inc. for the Cardinal Lane Curb and Gutter Project and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 8, authorization for the Mayor to sign the Contractor's Final Pay Estimate No. 1 - Final and Certificate of Substantial Completion for the contract with Built Right Construction, LLC for the Emergency Canal Wall Replacement at 1000 E. Miami and accept the project as completed. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 9, acceptance of the bid amount of \$32,500.00 from MJM Construction, LLC and authorizing the Mayor to sign the Notice of Award for the Canal Wall and Floor Repair, 910 East Park Avenue. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 10, acceptance of the bid amount of \$31,200.00 from MJM Construction, LLC and authorizing the Mayor to sign the Notice of Award for the Canal Wall Repair, 1000 East Seneca Avenue. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

- Confirm action taken on City Council Agenda Item 11, authorization for the Mayor to sign Change Order # 1 from Built Right Construction, LLC in the amount of \$2,775.00 and an additional 7 days. This will add approximately 32 square yards of concrete floor matching the length of the new wall going in for the Canal Wall Repair 703 S. 12th Street Project. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

ADJOURN MPWA

CONVENE AS McALESTER INDUSTRIAL DEVELOPMENT AUTHORITY

Majority of a Quorum required for approval

- Consider and act upon, a Resolution of the Trustor and Trustees of the McAlester Industrial Development Authority amending the Declaration of Trust. *(William J. Ervin, City Attorney)*

Executive Summary-Motion to pass and approve the Resolution of the Trustor and Trustees of the McAlester Industrial Development Authority amending the Declaration of Trust.

- Confirm action taken on City Council Agenda Item 6, an ordinance amending the Declaration of Trust of the McAlester Industrial Development Authority. *(William J. Ervin, City Attorney)*

ADJOURN MIDA

RECONVENE COUNCIL MEETING

- Consider and act upon, authorizing the Mayor to endorse the acceptance of the beneficial interest of the trust. *(William J. Ervin, City Attorney)*

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) (2), to discuss negotiations concerning employees and representatives of employee groups: IAFF

RECONVENE INTO OPEN SESSION

- Consider and act upon, the proposed IAFF Contract.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2018 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