

The McAlester City Council met in a Regular session on Tuesday, January 8, 2019, at 6:00 P.M. after proper notice and agenda was posted, January 7, 2019 at 3:30 P.M.

Call to Order

Mayor Browne called the meeting to order.

Scott Walker with Shared Blessings gave the invocation and led the Pledge of Allegiance.

Roll Call

Council Roll Call was as follows:

Present: Weldon Smith, James Brown, Zach Prichard & John Browne
Absent: Cully Stevens & Travis Read
Presiding: John Browne, Mayor

Staff Present: Pete Stasiak, City Manager; Toni Ervin, Asst. City Manager; Jayme Clifton, Community Development Director; David Horinek, Public Works Director; Stephanie Giacomo, Grant Writer/Public Information Officer; William J. Ervin, City Attorney and Cora Middleton, City Clerk

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.

There were no Citizen comments.

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 December 26, 2018, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for December 19, 2018 through January 2, 2019. *(Toni Ervin, Assistant City Manager)* In the following amounts: General Fund - \$42,029.08, Nutrition - \$946.82; Landfill Res./Sub-Title D. - \$1,782.50; Tourism Fund - \$5,126.17; SE Expo Center - \$1,356.77; E-911 - \$803.42; Economic Development - \$4,060.50; Grants & Contributions - \$483.92; Fleet Maintenance - \$8,921.94; Worker's Compensation -

\$1,750.00; CIP Fund - \$54,626.16; Stormwater Fund - \$28,169.63 and Infrastructure Fund - \$5,407.41.

- C. Concur with the Mayor's re-appointment of Jayna Santine to the McAlester Public Library Advisory Board for a term to expire on December 31, 2023. (*John Browne, Mayor*)

Councilman Brown moved to approve the Consent Agenda. The motion was seconded by Councilman Prichard. There was no other discussion, and the vote was taken as follows:

AYE: Councilman Brown, Prichard, Smith & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

Scheduled Business

1. Discussion over the City pursuing an application for an Oklahoma Electric Vehicle Charging Station Grant through the Department of Environmental Quality. (*Zach Prichard, Councilman Ward Six*)

Executive Summary

Discussion only.

Councilman Prichard stated that he had requested this item be placed on the agenda. He commented that through a government settlement with Volkswagen there was grant money available. He then introduced Brian West.

Brian West, 714 E. Osage Avenue addressed the Council regarding the opportunity for grant funds that could be used to construct Electric Vehicle Charging Stations. He explained that he had been driving and electric vehicle since 2014 that he charged at home. He stated that there was no Rapid Charging Stations available between Tulsa, OK and Dallas, TX.

There was discussion concerning the amount of money that the City would be required to match, if there were tax credits available, the City not wanting to compete with private businesses, the City adopting ordinances to help prevent non-electric vehicles from blocking charging stations, how McAlester was positioned as a transportation hub, possibly re-evaluating some of the City's vehicle fleet and replacing some with electric vehicles, the average cost of an electric vehicle, businesses that had been contacted about charging stations, where the charging stations would be located in parking areas, the number of charging stations a business might start with, how charging stations would be set up to charge by the minute and how soon the Grant had to be submitted

Manager Stasiak commented that this matter was being discussed with the 14th Street Developer and suggested working with the businesses that Mr. West had spoken with to move this forward.

There was no vote on this item.

2. Consider and act upon, a Use Permit After Review in the Wade Watts Corridor for the use of the property at 1200 E Wade Watts Avenue, described as Lot 4, in Block 455, South McAlester, Pittsburg County, State of Oklahoma for a “pharmacy” and/or “any other small to medium sized commercial establishment consistent with Sec 62-272 subsection (e)(1) that provides shopping and service outlets for the convenience of the neighboring residential areas”. (*Jayme Clifton, Community Development Director*)

Executive Summary

Motion to approve a Use Permit After Review in the Wade Watts Corridor for the use of the property at 1200 E Wade Watts Avenue, described as Lot 4, in Block 455, South McAlester, Pittsburg County, State of Oklahoma for a “pharmacy” and/or “any other small to medium sized commercial establishment consistent with Sec 62-272 subsection (e)(1) that provides shopping and service outlets for the convenience of the neighboring residential areas” and to authorize the Mayor to sign the Use Permit after Review approval form.

Community Development Director Clifton addressed the Council explaining that the property was currently zoned R-1B (single family residential). But since it was located in the Wade Watts Corridor Development overlay it had to come before the Council for final approval. She informed the Council that the Planning Commission had met on December 18, 2018 and had voted six (6) to one (1) in favor of recommending the applicant’s Use Permitted After Review request be approved. She added that information and draft minutes from the Planning Commission’s meeting had been included in the Council packet.

There was discussion concerning the type of business this was, why this particular site had to be addressed in this manner, how the Wade Watts Corridor Development Overlay worked and how it added more hurdles to overcome for all applicants.

Councilman Brown moved to approve a Use Permit After Review in the Wade Watts Corridor for the use of the property at 1200 E Wade Watts Avenue, described as Lot 4, in Block 455, South McAlester, Pittsburg County, State of Oklahoma for a “pharmacy” and/or “any other small to medium sized commercial establishment consistent with Sec 62-272 subsection (e)(1) that provides shopping and service outlets for the convenience of the neighboring residential areas” and authorize the Mayor to sign the Use Permitted After Review request form. The motion was seconded by Councilman Prichard. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Brown, Prichard & Mayor Browne

NAY: Councilman Smith

Mayor Browne declared the motion failed.

3. Consider and act upon, authorizing the Mayor to sign the attached “Outlay Report and Request for Reimbursement for Construction Programs” for Project AIP 3-40-0057-016-2018 and OAC Grant Partial Payment Request for Grant MLC-19-FS for rehabilitation of runway 2/20 and connecting taxiways. (*David Horinek, Public Works, Tyler McDonald, LBR*)

Executive Summary

Motion to approve and authorize the withdrawal of FAA and OAC grant funds to be used toward the payment of LBR and Interstate Highway Construction (IHC) for Construction and Construction Management services.

Tyler McDonald, LBR, Inc. Airport Consultant addressed the Council updating them on the second portion of the Grant. He explained that some saturated clay soil, had been encountered, which was common in Oklahoma, but construction was progressing quite well. He added that any overages had been offset by reductions in other quantities and the project was still within budget.

There was no further discussion, and a motion was made by Councilman Prichard to approve and the withdrawal of FAA and OAC grant funds to be used toward the payment of LBR and Interstate Highway Construction for Construction and Construction Management services and authorize the Mayor to sign the “Outlay Report and Request for Reimbursement for Construction Programs” project AIP 3-40-0057-016-2018 and OAC Grant Partial Payment Request for Grant MLC-19-FS for rehabilitation of runway 2/20 and connecting taxiways. The motion was seconded by Councilman Brown, and the vote was taken as follows:

AYE: Councilman Prichard, Brown, Smith & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

4. Consider and act upon, authorizing the Mayor to sign the Certificate of Substantial Completion for the contract with SMC Utility Construction, for construction of the 2017 CDBG Water Improvements and accept the project as completed. (*Robert Vaughan, Infrastructure Solutions Group*)

Executive Summary

Motion to authorize the Mayor to sign the Certificate of Substantial Completion for the construction of the 2017 CDBG Water Improvements and accept the project as completed.

Robert Vaughan, P.E. Branch Manager Infrastructure Solutions Group LLC addressed the Council explaining that this was the 2017 CDBG Water Improvements Grant project and that final inspection was performed on August 29, 2018. He stated that the minor deficiencies that had been found were successfully completed by the Contractor. He added that the Certificate of Substantial Completion had been signed by the Contractor and the two (2) year warranty period started on August 29, 2018.

There was no other discussion, and a motion to authorize the Mayor to sign the Certificate of Substantial Completion for the contract with SMC Utility Construction, for construction of the 2017 CDBG Water Improvements and accept the project as completed was made by Councilman Smith. The motion was seconded by Councilman Prichard, and the vote was taken as follows:

AYE: Councilman Smith, Prichard, Brown & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

5. Consider and act upon, authorizing the Mayor to sign the Work Order for Professional Services with Infrastructure Solutions Group, LLC for engineering services required for the 2018 CDBG Sewer Project. (*Robert Vaughan, Infrastructure Solutions Group*)

Executive Summary

Motion to authorize the Mayor to sign the Work Order for Professional Services with Infrastructure Solutions Group, LLC for engineering services required for the 2018 CDBG Sewer Project. The lump sum fee for engineering is \$20,200.00, surveying fee is \$ 8,535.00 and the Resident Project Representative Fee is \$7,900.00.

Robert Vaughan, P.E. Branch Manager Infrastructure Solutions Group, LLC addressed the Council explaining that this was for the 2018 CDBG project. He stated that this was an extreme problem area and the Grant Administrator had conducted Street interviews to determine which areas were eligible for the grant. He further explained that the area of the grant project was 14th Street and 15th Street between Fleming Avenue and Keller Avenue. He added that while working with City staff on the project they identified the historical issues of the area.

Mr. Vaughan informed the Council that with all of the issues in that area they had also looked at an additional project to address the areas that were not eligible for CDBG Grant funds. He stated that they would prepare the separate bid packages, so they could be bid at the same time while keeping the two (2) projects separate hoping to get better results.

Councilman Prichard inquired about why some areas were not eligible.

There was a brief discussion regarding the CDBG Grant requirements, how the two (2) areas would be addressed, presenting the area that was not eligible for CDBG funds at a later Council meeting and that area being a good example of the use of the Infrastructure funds.

A motion to authorize the Mayor to sign the Work Order for Professional Services with Infrastructure Solutions Group, LLC for engineering services required for the 2018 CDBG Sewer Project. The lump sum fee for engineering is \$20,200.00, surveying fee is \$ 8,535.00 and the Resident Project Representative Fee is \$7,900.00 was made by Councilman Prichard and seconded by Councilman Smith.

There was no further discussion, and the vote was taken as follows:

AYE: Councilman Prichard, Smith, Brown & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

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.

There was no new business.

City Manager's Report

- Report on activities for the past two weeks.

Manager Stasiak reported that the City had five (5) large filters at the Water Treatment Plant and the City had been rebuilding or repairing them for some time. He explained that a new employee

at the Water Treatment Plant with considerable experience inspected the filters and determined that all but one (1) of them needed the filter media changed out. He stated that this would cost about thirty thousand dollars (\$30,000.00) and would extend the life of the filters.

Manager Stasiak commented that December 28, 2018 the Council had approved the Audit for Fiscal Year 2017/2018 and that for the last eight (8) years the City has had no audit findings. He congratulated Ms. Ervin and her staff for their work in the Finance Department.

Remarks and Inquiries by City Council

Councilman Prichard asked if the number of people using the ice rink was being tracked and he inquired about the City's railroad bridges being on the ODOT's 8-year Comp Plan.

Manager Stasiak stated that the ice rink usage would be looked at and ODOT was going to be in McAlester on Thursday and they could be asked about the railroad bridges.

Councilmen Smith and Brown did not have any comments for the evening.

Mayor's Comments and Committee Appointments

Mayor Browne announced that Thursday, January 10, 2019, at 5:30 P.M. ODOT would be holding a Town Hall Meeting concerning the plans for the Bypass at Village Boulevard. He welcomed Stephanie Giacomo as the City of McAlester's new Grant Writer and Public Information Officer. He then read a proclamation for Mary M. Factory commenting that Ms. Factory would turn 100 years old this month.

Recess Council Meeting

Councilman Smith moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Brown. There was no discussion, and the vote was taken as follows:

AYE: Councilman Smith, Brown, Prichard & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 6:41 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 6:42 P.M.

Adjournment

There being no further business to come before the Council, Councilman Smith moved for the meeting to be adjourned. The motion was seconded by Councilman Prichard. There was no discussion, and the vote was taken as follows:

AYE: Councilman Smith, Prichard, Brown & Mayor Browne
NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 6:42 P.M.

ATTEST:

John Browne, Mayor

Cora Middleton, City Clerk