



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, May 14, 2019 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

- John Browne Mayor
- Weldon Smith Ward One
- Cully Stevens, Vice-Mayor Ward Two
- Travis Read Ward Three
- James Brown Ward Four
- Maureen Harrison Ward Five
- Zach Prichard 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 will be issuing a Proclamation in observance of Apraxia Awareness Day.

Mayor Browne will be recognizing Mr. J. Michael Miller for his community support and service.

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 9, 2019, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the April 11, 2019 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the April 18, 2019 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Approval of the Minutes from the April 23, 2019 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- E. Approval of Claims for April 17, 2019 through May 7, 2019. *(An-Chen Lai, Chief Finance Officer)*
- F. Consider and act upon, ratification of Change Order #1 (One) to Sunrise Construction, LLC for 4 (four) additional concrete junction boxes on the Indiana Avenue Drainage Improvement Project in the amount of \$17,600. *(Peter Stasiak, City Manager)*
- G. Consider and act upon, authorizing the Mayor to sign an agreement with Precision Fireworks, LLC for the July 4th, 2019 fireworks display, to be held at the McAlester Expo Center on Thursday, July 4th, 2019 in the amount of \$24,950.00. *(Billy Sumner, Expo Manager)*
- H. **TABLED FROM THE APRIL 23RD, 2019 REGULAR MEETING;** Consider and act upon, a request for funding from Pittsburg County Child Advocacy Center in the amount of \$4,500. *(Joe Brawley, Pittsburg Co. Child Advocacy Center)*
- I. Consider and act upon, approving a contribution to the Pittsburg County Regional Expo Authority Board in the amount of \$5,000.00 along with in-kind services amounting to \$7,000.00. *(Stephanie Wilson, Pittsburg County Regional Expo Authority)*

- J. Consider and act upon, authorizing the Mayor to sign the update to the Wholesale Water Purchase Contracts. *(An-chen Lai, Chief Financial Officer)*
- K. 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, 2019. *(An-chen Lai, Chief Financial Officer)*
- L. Consider and act upon, authorizing the Mayor to sign an agreement with “Feed the Need Foundation for Rural Oklahoma” (KEDDO) for funding of the City of McAlester’s Title III Nutrition Centers. *(Mel Priddy, Community Services Director)*
- M. Consider and act upon, indefinitely postponing the Tort Claim filed by Mariano Acuña on behalf of Karissa Folger. *(Cora Middleton, City Clerk)*
- N. Consider and act upon, a Personal Services Agreement with Jim Grego for hay baling on the Steven Taylor Industrial Park and Hwy. 31 west of Indian Nation Turnpike in the amount of \$925.00. *(Mel Priddy, Community Services Director)*
- O. Consider and act upon, a request from McAlester Main Street for support in the amount of \$30,000.00 for fiscal year 2019/2020. *(Christi John, President, McAlester Main Street)*
- P. Concur with the Mayor’s appointment of Judge James Bland to replace Justice Steven Taylor on the McAlester Regional Health Center Authority Board for a term to expire on February 28, 2025. *(John Browne, Mayor)*
- Q. Accept and place on file the Pride in McAlester Quarterly Performance Report for January through March, 2019. *(Megan Waters, Executive Director)*
- R. Accept and place on file the Oklahomans for Independent Living Quarterly Reports for the months of July through September, and October through December, 2018. *(Pam Pulchny, Executive Director)*
- S. Consider and act upon, authorizing the Mayor to sign an Agreement between the City of McAlester and Ronald W. Polk to lease City owned lot at McAlester Lake. *(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.

A PUBLIC HEARING ON THE PROPOSED BUDGET FOR FY 2019/2020 FOR THE CITY OF MCALESTER.

AN ORDINANCE RELATING TO THE EXERCISE OF CERTAIN CONSTITUTIONAL POWERS, APPROVING AND ADOPTING THE MCALESTER DOWNTOWN ECONOMIC DEVELOPMENT PROJECT PLAN; IDENTIFYING AND ESTABLISHING A NEW INCREMENT DISTRICT IDENTIFIED AS INCREMENT DISTRICT NUMBER TWO (2), CITY OF MCALESTER; DESIGNATING AND ADOPTING THE PROJECT AREA AND INCREMENT DISTRICT BOUNDARIES; DESIGNATING AND AUTHORIZING THE CITY OF MCALESTER, THE MCALESTER ECONOMIC DEVELOPMENT AUTHORITY THE ENTITIES TO CARRY OUT AND ADMINISTER THE PROJECT PLAN; ESTABLISHING A TAX APPORTIONMENT FUND; DECLARING APPORTIONED FUNDS TO BE FUNDS OF THE MCALESTER ECONOMIC DEVELOPMENT AUTHORITY OR ALTERNATE PUBLIC ENTITY; AUTHORIZING THE MCALESTER ECONOMIC DEVELOPMENT AUTHORITY TO UTILIZE THE APPORTIONED INCREMENTS FOR REPAYMENT OF PROJECT COSTS; ESTABLISHING PLAN OBJECTIVES AND REVIEW AND IMPLEMENTATION PROCEDURES; AUTHORIZING THE USE OF SALES, USE, AND AD VALOREM TAX INCREMENT REVENUES, AND OTHER AVAILABLE RESOURCES FOR THE PAYMENT OF PROJECT COSTS; PROVIDING THAT ADJUSTMENTS TO CERTAIN PROJECT COSTS DO NOT REQUIRE A PLAN AMENDMENT; PROVIDING FOR THE ESTABLISHMENT OF A TAX INCREMENT FOR THE INCREMENT DISTRICT; ESTABLISHING A PROJECT BUDGET FOR THE INCREMENT DISTRICT; RATIFYING AND CONFIRMING THE ACTIONS, RECOMMENDATIONS AND FINDINGS OF THE MCALESTER DOWNTOWN AREA REINVESTMENT REVIEW COMMITTEE AND THE MCALESTER PLANNING COMMISSION; AND PROVIDING FOR SEVERABILITY.

SCHEDULED BUSINESS

1. Presentation of the McAlester Regional Health Center 3rd Quarter Update. *(David Keith, McAlester Regional Health Center)*

Executive Summary
Presentation.

2. AN ORDINANCE RELATING TO THE EXERCISE OF CERTAIN CONSTITUTIONAL POWERS, APPROVING AND ADOPTING THE MCALESTER DOWNTOWN ECONOMIC DEVELOPMENT PROJECT PLAN; IDENTIFYING AND ESTABLISHING A NEW INCREMENT DISTRICT IDENTIFIED AS INCREMENT DISTRICT NUMBER TWO (2), CITY OF MCALESTER; DESIGNATING AND ADOPTING THE PROJECT AREA AND INCREMENT DISTRICT BOUNDARIES; DESIGNATING AND AUTHORIZING THE CITY OF MCALESTER, THE MCALESTER ECONOMIC DEVELOPMENT AUTHORITY THE ENTITIES TO

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Executive Summary

The attached ordinance has been reviewed by counsel and found to be in a proper legal form and ready for council consideration. Approval of an ordinance is necessary to adopt and begin implantation of the proposed Downtown TIF District for the City of McAlester, OK.

3. Consider and act upon, accepting the bid amount of \$499,839.00 from Built Right Construction, LCC and authorizing the Mayor to sign the Notice of Award for the Choctaw Avenue Streetscape Project. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*

Executive Summary

Motion to authorize the expenditure.

4. Consider and act upon, approval and authorization for the Mayor to sign the Third Amendment to the Water System Operation and Maintenance Agreement with INFRAMARK, LLC (previously Severn Trent Environmental Services, Inc.) for implementation of the Second Five Year Term for operation and maintenance of the City of McAlester's water facilities. *(James Brown, Councilman Ward Four)*

Executive Summary

Staff recommends the approval and authorization for the Mayor to sign the Third Amendment to the Water System Operation and Maintenance Agreement with INFRAMARK, LLC (previously Severn Trent Environmental Services, Inc.).

5. Consider and act upon, authorizing the Mayor to sign the attached "Supplemental Agreement #2 and Explanation Memo" for additional labor and materials for the "Rehabilitate Runway 2-20 and Connecting Taxiways", FAA AIP 3-40-0057-016-2018 and OAC MLC-19-FS construction contract with Interstate Highway Construction. *(Tyler McDonald, LBR Inc.)*

Executive Summary

Motion to approve and authorize the Mayor to sign the attached "Supplemental Agreement #2 and Explanation Memo" for additional labor and materials for the "Rehabilitate Runway 2-20 and Connecting Taxiways", FAA AIP 3-40-0057-016-2018 and OAC MLC-19-FS construction contract with Interstate Highway Construction.

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 THE 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 April 23, 2019, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item E, regarding claims ending May 7, 2019. *(An-chen Lai, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item K, authorization for the Mayor to sign an Engagement Letter with Finley & Cook, PLLC for audit services for the fiscal year ending June 30, 2019. *(An-chen Lai, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 5, authorization for the Mayor to sign the attached "Supplemental Agreement #2 and Explanation Memo" for additional labor and materials for the "Rehabilitate Runway 2-20 and Connecting Taxiways", FAA AIP 3-40-0057-016-2018 and OAC MLC-19-FS construction contract with Interstate Highway Construction. *(Tyler McDonald, LBR Inc.)*

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the April 23, 2019, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item E, regarding claims ending May 7, 2019. *(An-chen Lai, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item F, ratification of Change Order #1 (One) to Sunrise Construction, LLC for 4 (four) additional concrete junction boxes on the Indiana Avenue Drainage Improvement Project in the amount of \$17,600. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item J, authorization for the Mayor to sign the update to the Wholesale Water Purchase Contracts. *(An-chen Lai, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item K, authorization for the Mayor to sign an Engagement Letter with Finley & Cook, PLLC for audit services for the fiscal year ending June 30, 2019. *(An-chen Lai, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3, acceptance of the bid amount of \$499,839.00 from Built Right Construction, LCC and authorizing the Mayor to sign the Notice of Award for the Choctaw Avenue Streetscape Project. *(Robert Vaughan, Infrastructure Solutions Group, LLC)*
- Confirm action taken on City Council Agenda Item 4, implementation of the Second Five Year Term of the Water System Operation and Maintenance Agreement with INFRAMARK, LLC (previously Severn Trent Environmental Services, Inc.) for operation and maintenance of the City of McAlester's water facilities. *(James Brown, Councilman Ward Four)*

ADJOURN MPWA**MCALESTER ECONOMIC DEVELOPMENT AUTHORITY**

Majority of a Quorum required for approval

- Approval of the Minutes from the October 23, 2018, Special Meeting of the McAlester Economic Development Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance of the City of McAlester relating to the exercise of certain constitutional powers in regards to the McAlester Downtown Economic Development Project Plan and the establishment and administration of a Tax Increment Finance District. *(Joe Ervin, City Attorney)*

ADJOURN MEDA

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
- Proposed executive session pursuant to Title 25, Sec. 307(B)(4) for Confidential communications between a public body and its attorney concerning pending investigations, claims, or actions, more particularly: the workers compensation Claim MCA-14998603.
- Consider and Act to convene in executive session pursuant to Title 25 O.S. § 307(B)(1) for confidential communications between a public body and its attorney to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, more particularly City Manager, Peter Stasiak.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

- Consider and act upon the proposed IAFF Contract.
- Consider and act regarding Workers Compensation Claim MCA-14998603.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2019 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