



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, May 28, 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

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 23, 2019, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for May 8, 2019 through May 21, 2019. *(An-Chen Lai, Chief Finance Officer)*
- C. Consider and act upon, approval and authorization for the Mayor to sign a Contract for Services with the McAlester Defense Support Association (MDSA) and McAlester Defense Support Services, Inc. (MDSS) for the support of a full time office and Executive Director position for MDSS. This contract includes shared funding with the MDSA for FY 2019-2020. *(Jessica Gregg, Executive Director, MDSS)*
- D. Consider and act upon, authorizing the Mayor to sign the Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2019 through June 30, 2020. *(An-chen Lai, Chief Financial Officer)*
- E. Consider and act upon, a “Pledge and Guarantee” document which authorizes the annual renewal of the City of McAlester’s Participation Agreement with the Association for Landfill Financial Assurance (ALFA). *(David Horinek, Public Works Director)*
- F. Consider and act upon, authorizing the Mayor to sign Public Works Project Contract(s) between the Oklahoma Department of Corrections and the City of McAlester. *(Mel Priddy, Community Services Director)*
- G. Consider and act upon, indefinitely postponing the Tort Claim filed by George L. Davison. *(Cora Middleton, City Clerk)*
- H. Concur with the Mayor’s reappointment of Steve Harrison to the Southeastern Public Library System for a term to expire June 30, 2022. *(Cora Middleton, City Clerk)*
- I. Approve and authorize the Mayor to sign a Resolution directing the filing and notification for the publication of Supplement Number 1 to the McAlester City Code of 2012. *(Cora Middleton, City Clerk)*

- J. Consider and act upon, authorizing the Mayor to sign an agreement with the Oklahoma Department of Corrections for use of State property to conduct the Annual July 4th Fireworks Display. *(Billy Sumner, EXPO Manager)*
- K. Consider and act upon, authorizing the Mayor to sign an agreement with Revize Government Websites for Custom Website Development in the amount of \$18,800.00. *(Peter Stasiak, City Manager)*

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 AMENDING CHAPTER 106, UTILITIES, OF THE McALESTER CITY CODE, AMENDING ARTICLE VI, REGULATIONS OF UTILITY LINES; AMENDING CHAPTER 48, FEES, CHARGES AND SERVICE RATES; REPEALING ALL CONFLICTING ORDINANCES, AND PROVIDING FOR SEVERABILITY.

SCHEDULED BUSINESS

- 1. 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 and to accept the project as complete. *(Tyler McDonald, LBR INC.)*

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.

- 2. Consider and act upon, to approve the modified Developer Agreement, in form only, for the Shops at McAlester Project located at 14th Street and George Nigh Expressway in the City of McAlester, Oklahoma. *(Kirk Ridenour, Economic Development Director)*

Executive Summary

The attached Developer Agreement is ready for consideration and approval by the Council as to the form only.

- 3. Discussion and possible action on authorizing monthly disbursements of the 1/8 cent sales tax collected by the City that are dedicated to the McAlester Regional

Health Center Cancer Center and McAlester Public Schools for Early Childhood and Safe Rooms. *(Toni Ervin, Assistant City Manager)*

Executive Summary

Motion to approve regularly scheduled disbursements to McAlester Regional Health Center and McAlester Public Schools.

4. Consider and act upon, an ordinance amending McAlester City Code Chapter 106, Utilities, Article VI, Regulation of Utility Lines; amending Chapter 48, Fees, Charges and Service rates; repealing all conflicting ordinances and providing for severability. *(Jayme Clifton, Community Development Director)*

Executive Summary

Motion to act upon and approve the above ordinance amending McAlester City Code Chapter 106, Utilities, Article VI, Regulation of Utility Lines; amending Chapter 48, Fees, Charges and Service rates; repealing all conflicting ordinances, providing for severability, and authorizing the Mayor to sign the ordinance.

5. Consider and act upon, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2-410 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2-411. *(Toni Ervin, Assistance City Manager)*

Executive Summary

Motion to declare certain vehicles and equipment surplus and authorize the disposal of them.

6. Consider and act upon, authorizing the purchase of a 2019 Western Star 10 wheel dump truck from Premier Truck Sales in Tulsa. *(David Horinek, Public Works Director)*

Executive Summary

Motion to approve and authorize the purchase of a 2019 Western Star 10 wheel dump truck (with remounted dump bed) on State Contract SW035T and SW106A from Premier Truck Sales for the state bid price of \$128,762.44.

7. Discussion and update on Monthly Financials. *(An-chen Lai, Chief Financial Officer)*

Executive Summary

Discussion.

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 14, 2019, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending May 21, 2019. *(Toni Ervin, Assistant City Manager)*
- Confirm action taken on City Council Agenda Item D, authorization for the Mayor to sign the Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2019 through June 30, 2020. *(An-chen Lai, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item F, authorization for the Mayor to sign Public Works Project Contract(s) between the Oklahoma Department of Corrections and the City of McAlester. *(Mel Priddy, Community Services Director)*
- Confirm action taken on City Council Agenda Item I, approval and authorization for the Mayor to sign a Resolution directing the filing and notification for the publication of Supplement Number 1 to the McAlester City Code of 2012. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 1, authorization for 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 and to accept the project as complete. *(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 May 14, 2019, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B regarding claims ending May 21, 2019. *(Toni Ervin, Assistant City Manager)*
- Confirm action taken on City Council Agenda Item D, authorization for the Mayor to sign the Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2019 through June 30, 2020. *(An-chen Lai, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item E, a “Pledge and Guarantee” document which authorizes the annual renewal of the City of McAlester’s Participation Agreement with the Association for Landfill Financial Assurance (ALFA). *(David Horinek, Public Works Director)*
- Confirm action taken on City Council Agenda Item F, authorization for the Mayor to sign Public Works Project Contract(s) between the Oklahoma Department of Corrections and the City of McAlester. *(Mel Priddy, Community Services Director)*
- Confirm action taken on City Council Agenda Item I, approval and authorization for the Mayor to sign a Resolution directing the filing and notification for the publication of Supplement Number 1 to the McAlester City Code of 2012. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 4, an ordinance amending McAlester City Code Chapter 106, Utilities, Article VI, Regulation of Utility Lines; amending Chapter 48, Fees, Charges and Service rates; repealing all conflicting ordinances and providing for severability. *(Jayme Clifton, Community Development Director)*
- Confirm action taken on City Council Agenda Item 5, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2-410 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2-411. *(Toni Ervin, Assistance City Manager)*
- Confirm action taken on City Council Agenda Item 6, authorization to purchase a 2019 Western Star 10 wheel dump truck from Premier Truck Sales in Tulsa. *(David Horinek, Public Works Director)*

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the April 23, 2019, Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of May, 2019. (*Toni Ervin, Assistant City Manager*)
- Confirm action taken on City Council Agenda Item D, authorization for the Mayor to sign the Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2019 through June 30, 2020. (*An-chen Lai, Chief Financial Officer*)

ADJOURN MRTA

MCALESTER ECONOMIC DEVELOPMENT AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the May 14, 2019, Regular Meeting of the McAlester Economic Development Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item D, authorization for the Mayor to sign the Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2019 through June 30, 2020. (*An-chen Lai, Chief Financial Officer*)
- Consider and act to amend the Developer Agreement for the Shops at McAlester Project located at 14th Street and George Nigh Expressway in the City of McAlester, Oklahoma. (*Kirk Ridenour, Economic Development Director*)

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)(4) for Confidential communications between a public body and its attorney concerning pending investigations, claims, or actions.

RECONVENE COUNCIL MEETING

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