



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, July 23, 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](http://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**

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*Announce the presence of a Quorum.*

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

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#### **ROLL CALL**

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## **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

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*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**

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*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 June 11, 2019, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the June 25, 2019, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the July 9, 2019, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Approval of Claims for July 3, 2019 through July 16, 2019. *(Toni Ervin, Asst. City Manager)*
- E. Consider and act upon, a request from Rachel Lockwood and Oklahoma State University Cooperative Extension Service, to partner with them for the rental fee and use of the McAlester Expo Center for the 2<sup>nd</sup> Annual Oklahoma Nutrition Education Conference scheduled for August 2<sup>nd</sup>, 2019 in the amount of \$3,500.00. *(Billy Sumner, Expo Manger)*

## **ITEMS REMOVED FROM CONSENT AGENDA**

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## **PUBLIC HEARING**

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*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 MCALESTER CITY CODE CHAPTER 38, EMERGENCY MANAGEMENT AND SERVICES, ARTICLE VII, AMBULANCE SERVICE, SECTION 38-185, DEFINITIONS; AND SECTION 38-189, RATES AND CHARGES; CHAPTER 48, FEES, CHARGES, AND SERVICE RATES, CHAPTER 38, EMERGENCY MANAGEMENT AND SERVICES, ARTICLE VII, AMBULANCE SERVICE, SECTION 38-189; REPEALING ALL CONFLICTING ORDINANCES.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, SECTION 364. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR, REPEALING ALL CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.**

**SCHEDULED BUSINESS**

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1. Consider and act upon, an ordinance of the City of McAlester establishing fees to be charged to care facilities, located in and out of corporate city limits, for lift assist services provided by City of McAlester EMS personnel. (*Brett Brewer, Fire Chief*)

Executive Summary

Motion to approve and authorize the Mayor to sign the Ordinance establishing fees to care facilities for lift assist services provided by City of McAlester EMS personnel.

2. Consider and act upon, authorizing the Mayor to sign the Contractor's Final Pay Estimate No. 4 - Final and Certificate of Substantial Completion for the contract with Sunrise Construction, LLC, for the Indiana Avenue Drainage Improvements and accept the project as completed. (*David Horinek, Public Works Director*)

Executive Summary

Motion to authorize the Mayor to sign the Contractor's Final pay Estimate No. 4 - Final in the amount of \$19,266.33 and the Certificate of Substantial Completion for the contract with Sunrise Construction, LLC for the Indiana Avenue Drainage Improvements and accept the project as completed.

3. Consider and act upon, acceptance of the bid from Western Interiors and authorizing the Mayor to sign a Service Contract with Western Interiors for the painting of 3 sides of the McAlester Public Library (South, East and West). (*David Horinek, Public Works Director*)

Executive Summary

Staff recommends authorizing the Mayor to sign a Service Contract with Western Interiors for the painting of the McAlester Public Library.

4. Consider and act upon, amending Chapter 62, Land Development Code, Article V, Zoning, Division 2, Flood Hazard Overlay District and Flood Damage Prevention, Section 62 - 364. Designation of Floodplain Administrator. (*David Horinek, Public Works Director*)

Executive Summary

Motion to approve the Land Development Code as amended and declaring an emergency.

5. Consider and act upon, authorizing the Mayor to sign Change Order #1 from Built Right Construction, LLC in the amount of \$1,144 for the Downtown

Streetscape Project. This Change Order will extend the completion date for the project by one (1) day to November 15, 2019. *(Kirk Ridenour, Economic Development Director)*

Executive Summary

Staff recommends approval of Change Order #1 for the Downtown Streetscape Project.

6. Discussion and possible action, on approval of an amendment to the City of McAlester's ambulance billing and related professional services agreement. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve the amendment.

7. Consider and act upon, to confirm the selection and appointment of representatives to serve on the Local Economic Advancement and Development (LEAD) Committee. *(Kirk Ridenour, Economic Development Director)*

Executive Summary

Staff recommends the confirmation of the LEAD Committee members selected by the City Council.

8. Consider and act upon, a financial commitment from the City of McAlester of \$95,000 to the William P. Mullen Splash Pad Project, contingent upon the remainder of the total project funding from the Land and Water Conservation Fund. *(Mel Priddy, Community Services Director, Stephanie Giacomo, Grant Writer)*

Executive Summary

Staff recommends approval of the financial commitment toward the Mullen Park Splash Pad Project.

9. Discussion and presentation by the McAlester Police Department on Crime Statistics within the City of McAlester. *(Gary Wansick, Police Chief)*

Executive Summary

Presentation.

10. Discussion on a proposal for a new ordinance of the City of McAlester establishing regulations for any 'disorderly house' or residence within the city where certain crimes are occurring. *(John Browne, Mayor)*

Executive Summary

Discussion.

## **NEW BUSINESS**

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*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**

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**MAYORS COMMENTS AND COMMITTEE APPOINTMENTS**

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**RECESS COUNCIL MEETING**

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**CONVENE AS McALESTER AIRPORT AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the July 9, 2019, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending July 16, 2019. *(Toni Ervin, Asst. City Manager)*

**ADJOURN MAA****CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the July 9, 2019, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D regarding claims ending July 16, 2019. *(Toni Ervin, Asst. City Manager)*
- Confirm action taken on City Council Agenda Item 2, authorization for the Mayor to sign the Contractor's Final Pay Estimate No. 4 - Final and Certificate of Substantial Completion for the contract with Sunrise Construction, LLC, for the Indiana Avenue Drainage Improvements and accept the project as completed. *(David Horinek, Public Works Director)*
- Confirm action taken on City Council Agenda Item 4, amending Chapter 62, Land Development Code, Article V, Zoning, Division 2, Flood Hazard Overlay District and Flood Damage Prevention, Section 62 – 364. Designation of Floodplain Administrator. *(David Horinek, Public Works Director)*

- Confirm action taken on City Council Agenda Item 5, authorization for the Mayor to sign Change Order #1 from Built Right Construction, LLC in the amount of \$1,144 for the Downtown Streetscape Project. This Change Order will extend the completion date for the project by one (1) day to November 15, 2019. (*Kirk Ridenour, Economic Development Director*)

#### ADJOURN MPWA

#### CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

*Majority of a Quorum required for approval*

- Approval of the Minutes from the June 25, 2019, Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of July, 2019. (*Toni Ervin, Asst. City Manager*)

#### ADJOURN MRTA

#### 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](http://www.cityofmcalester.com).*

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Cora M. Middleton, City Clerk