



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, January 28, 2020 – 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 December 17, 2019, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for January 8, 2020 through January 21, 2020. *(Sherri Swift, Chief Financial Officer)*
- C. Concur with the Mayor's appointment of Juli Montgomery to the Downtown Area Reinvestment Review Committee to replace Ms. D'elbie Walker. *(John Browne, Mayor)*
- D. Accept and place on file the Oklahomans for Independent Living Quarterly Report for the months of October through December, 2019. *(Pam Pulchny, Executive Director)*
- E. Consider and act upon, authorization of an expenditure up to \$500.00 (\$250.00 per person) of City Funds for the Mayor and Councilman Brown to attend the Oklahoma Municipal League Congress of Mayors to be held February 7, 2020 at the Oklahoma State Capitol. *(Cora Middleton, City Clerk)*
- F. Accept and place on file the McAlester Defense Support Association Quarterly Report for FY19-20. *(Jessica Gregg, Executive Director)*
- G. Accept and place on file the Pride in McAlester Quarterly Report for the months of October through December, 2019. *(Megan Waters, Executive Director)*
- H. Consider and act upon, a request by Charles Everett, on behalf of Savanna High School, to partner with them for the rental fee and use of Room #101 of the McAlester Expo Center, for their annual ACT Testing. *(Billy Sumner, EXPO Manager)*
- I. Accept and place on file the McAlester Main Street 1st and 2nd Quarter Reports and Goals and Objectives for Fiscal Year 2019-2020. *(Alyssa Latty, Executive Director)*

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.

FINAL PERFORMANCE REPORT ON FY2018 #17283 CDBG GRANT; SEWER LINE REPLACEMENT PROJECT, 14TH STREET BETWEEN KELLER & FLEMING AREA

CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA; AMENDING MCALESTER CITY CODE CHAPTER 22, MEDICAL FACILITIES, ARTICLE VII, SECTION 22-248, HOSPITALS; PERMIT AND APPLICATION REQUIREMENTS, SECTION 22-249, AMBULATORY SURGICAL CARE FACILITIES; PERMIT AND APPLICATION REQUIREMENTS, PACKAGE STORES; CHAPTER 48, FEES, CHARGES, AND SERVICE RATES, ARTICLE VII, SECTION 22-248 AND SECTION 22-249; REPEALING ALL CONFLICTING ORDINANCES.

AN ORDINANCE AMENDING CHAPTER 102, TRAFFIC AND VEHICLES, OF THE MCALESTER CITY CODE, ARTICLE V, BICYCLES, DIVISION 1, GENERALLY, SECTION 102-205, IDENTIFICATION NUMBER ON FRAME; AND CREATING ORDINANCE CHAPTER 102, TRAFFIC AND VEHICLES, OF THE MCALESTER CITY CODE, ARTICLE V, BICYCLES, DIVISION 3, BICYCLE LANES; REPEALING ALL CONFLICTING ORDINANCES, AND PROVIDING FOR SEVERABILITY.

AN ORDINANCE CREATING CHAPTER 82, OFFENSES AND NUISANCES, ARTICLE VII, NUISANCES, DIVISION 5, DISORDERLY HOUSE, THE MCALESTER CITY CODE; AMENDING CHAPTER 48, TO CREATE CHAPTER 82, OFFENSES AND NUISANCES, ARTICLE VII, NUISANCES, DIVISION 5, DISORDERLY HOUSE; REPEALING ALL CONFLICTING ORDINANCES, AND PROVIDING FOR SEVERABILITY.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2656 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2019-20; REPEALING ALL

CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Consider and act upon, authorizing the Mayor to sign a Resolution approving CDBG Grant #17283 Sewer Line and Manhole Replacement and accepting the project as complete. (*Millie Vance, Grant Administrator*)

Executive Summary

Motion to authorize the Mayor to sign the Resolution and accept CDBG Grant #17283 as complete.

2. Consider and act upon, an Ordinance of the City of McAlester amending the Hospital permitting ordinances and creating a Medical Development Board. (*Peter Stasiak, City Manager*)

Executive Summary

Motion to pass and approve an Ordinance amending the current new hospital permitting ordinances and creating a Medical Development Board to review and consider the issuance of a Certificate of Necessity, thereby establishing a new hospital permitting process.

3. Discussion and possible action on approving the transfer of the OKLA Theater from the Ardeneum of Oklahoma Charitable and Educational Foundation, Inc., to the City of McAlester per the attached resolution(s) and authorizing the Mayor to sign all documents. (*Billy Sumner, Tourism Manager*)

Executive Summary

Staff recommends the Council approve the transfer of ownership of the OKLA theater.

4. Consider and act upon, an Ordinance of the City of McAlester establishing traffic laws for bicycle lanes within city limits of the City of McAlester. (*Gary Wansick, Chief of Police*)

Executive Summary

Motion to pass and approve an Ordinance establishing new traffic laws for bicycle lanes within the City of McAlester.

5. Conduct a Public Hearing on structures deemed by City Staff to be dilapidated by reason of deterioration, age or obsolescence, inadequate provision of ventilation, light, air or sanitation, neglect, need of repair, or accumulation of debris, where the same constitutes a danger to the safety of the neighborhood and consider, and act upon, a resolution declaring certain structures as dilapidated and detrimental to the health, safety, or welfare of the general public. (*Jayme Clifton, Community Development Director, George Estrada, Inspector*)

- a) Consider and act upon, a resolution declaring certain structures as dilapidated and detrimental to the health, safety, or welfare of the general public.

Executive Summary

Motion to approve a resolution declaring certain structures as dilapidated and detrimental to the health, safety, or welfare of the general public.

6. Consider and act upon, an Ordinance of the City of McAlester creating a Disorderly House Nuisance Ordinance, and the process in which to abate such nuisances. *(Peter Stasiak, City Manager)*

Executive Summary

Motion to pass and approve an Ordinance creating a Disorderly House Nuisance Ordinance, which establishes the process for which the City may address residential nuisances caused by criminal activities involving theft and illegal substances.

7. Consider and act upon, a Resolution authorizing the addition of 1 Full Time Position to the Facility Maintenance department and placing them on the Non-Uniform Pay plan for the FY 2019-2020. *(Toni Ervin, Assistant City Manager)*

Executive Summary

Motion to approve the Resolution.

8. Consider and act upon, an Ordinance amending Ordinance No. 2656 which established the budget for fiscal year 2019-2020; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Assistant City Manager)*

Executive Summary

Motion to approve the budget amendment ordinance.

9. Discussion on Mid-Year Financial Update. *(Toni Ervin, Assistant City Manager)*

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 January 14, 2020, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending January 21, 2020. *(Sherri Swift, Chief Financial Officer)*

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the January 14, 2020, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending January 21, 2020. *(Sherri Swift, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, authorization for the Mayor to sign a Resolution approving CDBG Grant #17283 Sewer Line and Manhole Replacement and accepting the project as complete. *(Millie Vance, Grant Administrator)*
- Confirm action taken on City Council Agenda Item 7, a Resolution authorizing the addition of 1 Full Time Position to the Facility Maintenance department and placing them on the Non-Uniform Pay plan for the FY 2019-2020. *(Toni Ervin, Assistant City Manager)*
- Confirm action taken on City Council Agenda Item 8, an Ordinance amending Ordinance No. 2656 which established the budget for fiscal year 2019-2020; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Assistant City Manager)*

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the December 17, 2019, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of January, 2020. *(Sherri Swift, Chief Financial Officer)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2020 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