



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, November 22, 2011 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

Kevin E. Priddle Mayor
Weldon Smith Ward One
Steve Harrison Ward Two
John Browne..... Vice-Mayor, Ward Three
Robert Karr Ward Four
Buddy Garvin Ward Five
Sam Mason 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

Stephanie Swinnea, All Saints Episcopal Church

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 October 25, 2011 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the November 3, 2011 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for November 2, 2011 through November 15, 2011. *(Toni Ervin, Interim Chief Financial Officer)*

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 OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2392 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2011-2012; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

AN ORDINANCE RESTRICTING THE USE, OCCUPATION OR LEASE OF MUNICIPAL PUBLIC PROPERTY, AND ESTABLISHING POLICIES AND PROCEDURES FOR THE AUTHORIZATION OF SUCH USES, IN GENERAL; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

- 1. Consider, and act upon, an Ordinance amending Ordinance No. 2392 which established the budget for fiscal year 2011-2012; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Interim CFO)*

Executive Summary

Motion to approve the budget amendment ordinance 2392.

- 2. Consider, and act upon, a Partnership Request by Kellye Medley, Committee President/Event Coordinator of the Ryan McAfee Memorial Scholarship Fund, for the use of the Southeast Expo Center for the Matthew West Concert scheduled December 4,

2011 by partnering with them in the amount of \$1125.00. *(Jerry Lynn Wilson, Expo Manager)*

Executive Summary

Consider approval of Partnership Request in the amount of \$1125.00.

- 3. Consider, and act upon, approval of Change Order No. 1 for the Water Treatment Plant Filter & Clearwell Improvements with J.S. Haren Company of Athens, Tennessee. *(David Medley, P.E., Utilities Director)*

Executive Summary

Motion to approve Change Order No. 1 for the Water Treatment Plant Filter & Clearwell Improvements increasing the original contract price by \$14,440.71 and adding an additional 7 days to the Contract time to allow for additional work.

- 4. Consider, and act upon, request for addition of a 4-man Utility Maintenance Crew to the Utility Maintenance Department for repair and replacement of streets, sidewalks, and curbing upon Utility Repair Operations. *(David Medley, P.E., Utilities Director)*

Executive Summary

Motion to approve the addition of the 4 additional Utility Workmen positions, equipment and staffing changes.

- 5. Consider, and act upon, an Ordinance restricting the use, occupation or lease of Municipal Public Property, and establishing policies and procedures for the authorization of such uses. *(Sam Mason, Ward 6 Councilman)*

Executive Summary

Motion to approve an Ordinance restricting the use, occupation or lease of Municipal Public Property, and establishing policies and procedures for the authorization of such uses in general and declaring an emergency.

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

RECESS COUNCIL MEETING

CONVENE AS McALESTER AIRPORT AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the November 8, 2011 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending November 15, 2011. *(Toni Ervin, Interim Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, an Ordinance amending Ordinance No. 2392 which established the budget for fiscal year 2011-2012; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Interim CFO)*
- Confirm action taken on City Council Agenda Item 5, Consider, and act upon, an Ordinance restricting the use, occupation or lease of Municipal Public Property, and establishing policies and procedures for the authorization of such uses. *(Sam Mason, Ward 6 Councilman)*

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the November 8, 2011 Regular Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending November 1, 2011. *(Toni Ervin, Interim Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, an Ordinance amending Ordinance No. 2392 which established the budget for fiscal year 2011-2012; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Interim CFO)*
- Confirm action taken on City Council Agenda Item 2, a Partnership Request by Kellye Medley, Committee President/Event Coordinator of the Ryan McAfee Memorial Scholarship Fund, for the use of the Southeast Expo Center for the Matthew West Concert scheduled December 4, 2011 by partnering with them in the amount of \$1125.00. *(Jerry Lynn Wilson, Expo Manager)*
- Confirm action taken on City Council Agenda Item 3, approval of Change Order No. 1 for the Water Treatment Plant Filter & Clearwell Improvements with J.S. Haren Company of Athens, Tennessee. *(David Medley, P.E., Utilities Director)*
- Confirm action taken on City Council Agenda Item 4, request for addition of a 4-man Utility Maintenance Crew to the Utility Maintenance Department for repair and

replacement of streets, sidewalks, and curbing upon Utility Repair Operations. (*David Medley, P.E., Utilities Director*)

- Confirm action taken on City Council Agenda Item 5, an Ordinance restricting the use, occupation or lease of Municipal Public Property, and establishing policies and procedures for the authorization of such uses. (*Sam Mason, Ward 6 Councilman*)

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the October 25, 2011, Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of November 2011. (*Toni Ervin, Interim Chief Financial Officer*)

ADJOURN MRTA

RECONVENE COUNCIL MEETING

EXECUTIVE SESSION

Recess into Executive Session in compliance with Section Title 25 Section 307 et.seq. Oklahoma Statutes, to wit:

- **Section 307 (B) (2)** – Discuss negotiations concerning employees and representatives of employee groups: IAFF, 2011-2012.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

1. Consideration and possible action to adopt a resolution calling for a special election for the purpose of allowing the voters of the City of McAlester to resolve the Collective Bargaining Agreement between the City and the International Association of Firefighter Local 2284 for Fiscal Year 2011-2012 by allowing the voters to select either the City's Last Best Offer or Local 2284's Last Best Offer as the Agreement for Fiscal Year 2011-2012.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2011 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