



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, December 13, 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

Robert Tate, First Indian Baptist Church

ROLL CALL

AWARD PRESENTATION

THE STATE OF OKLAHOMA CITATION whereas, the City of McAlester has been named by Keep Oklahoma Beautiful as a finalist in the 21st Annual Environmental Excellence Competition. *Presented by Senator Richard C. Lerblance and Representative Brian Renegar.*

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 November 8, 2011 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the November 21, 2011 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the November 22, 2011 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Approval of Claims for November 16th through December 6, 2011 *(Toni Ervin, Interim Chief Financial Officer)*
- E. To authorize the Oklahoma Turnpike Authority to put together competitive bidding plans for 2 Mainline and 2 ramp signs at an estimated cost of \$7500.00. *(Peter J. Stasiak, CM)*

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 LEASE OF MUNICIPAL PUBLIC PROPERTY, AND ESTABLISHING POLICIES AND PROCEDURES FOR THE AUTHORIZATION OF SUCH LEASES, IN GENERAL; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND DECLARING AN EMERGENCY.

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: LOT 1, 2, 3, & 5 IN BLOCK 372, IN THE CITY OF McALESTER,

**FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA
FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-3 (GENERAL
COMMERICAL DISTRICT)**

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, on a Resolution of the City of McAlester against the United States Postal Service closing of the McAlester processing facility. (*Councilman John Browne*)

Executive Summary

Motion to approve Resolution of the City of McAlester against the United States Postal Service closing of the McAlester processing facility.

3. **TABLED FROM PREVIOUS MEETING.** Consider, and act upon, an Ordinance restricting the lease of Municipal Public Property, and establishing policies and procedures for the authorization of such leases. (*Sam Mason, Ward 6 Councilman*)

Executive Summary

Motion to approve an Ordinance restricting the lease of Municipal Public Property, and establishing policies and procedures for the authorization of such leases in general. Providing for repeal of conflicting ordinances, and declaring an emergency.

4. Consider, and act upon, approval to purchase seven (7) new Automated External Defibrillator Units and two (2) Surface-Mount AED Wall Cabinets with alarm feature. The new AED Units will replace the obsolete AED Units currently installed at various City of McAlester facilities. (*Peter J. Stasiak, CM*)

Executive Summary

Motion to approve the purchase of seven (7) new Automated External Defibrillator Units and two (2) Surface-Mount AED Wall Cabinets for the amount of \$7650.00 dollars.

5. Consider, and act upon, award of bid to Bobcat Company, for the purchase of one (1) New and Unused 2012 S150 Bobcat Skid-Steer Loader. (*David Medley, PE, Director Utilities*)

Executive Summary

Motion to approve a \$26,385.58 bid award to Bobcat Company of West Fargo, North Dakota for the purchase of one (1) New and Unused Model S150 Skid-Steer Loader.

- 6. Consider, and act upon, award of bid to Riverside Autoplex, for the purchase of one (1) New and Unused 2012 Ford F-350 1 Ton Utility Truck. *(David Medley, PE, Director Utilities)*

Executive Summary

Motion to approve a \$28,071 bid award to Riverside Autoplex of Poteau, Oklahoma for the purchase of one (1) New and Unused 2012 F-350 1 Ton Utility Truck.

- 7. Consider, and act upon, Change Order No. 2 for the Water Treatment Plant Filter & Clearwell Improvements with J. S. Haren Company of Athens, Tennessee. *(David Medley, PE, Director Utilities)*

Executive Summary

Motion to approve Change Order No. 2 to the Water Treatment Plant Filter & Clearwell Improvements to add \$3,300.00 to the current Contract Price of \$429,340.71 resulting in a Contract Price of \$432,640.71. This Change Order also adds an additional 30 days to the Contract time to allow time for the additional work. Substantial Completion with this Change Order is March 1, 2012.

- 8. Consider, and act upon, award of bid to Hudiburg Auto Group, for the purchase of one (1) New and Unused 2012 Chevy Silverado 1 Ton Utility Truck. *(David Medley, PE, Director Utilities)*

Executive Summary

Motion to approve a \$33,383 bid award to Hudiburg Auto Group of Midwest City, Oklahoma for the purchase of one (1) New and Unused 2012 Chevy Silverado 3500 Crew Cab 1 Ton Utility Truck.

- 9. Consider, and act upon, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2- 286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2- 287. *(John C. Modzelewski, PE, City Engineer and Director, Public Works)*

Executive Summary

Motion to declare certain vehicles and equipment surplus property and authorizing the sale of them.

- 10. Consider and act upon a change in zoning from R1-B (Single Family Residential District) to C-3 (General Commercial District) *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve and act upon changing the existing zoning R1-B (Single Family Residential District) to C-3 (General Commercial District) and authorizing the Mayor to sign the attached Ordinance.

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 22, 2011 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending December 6, 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, on a Resolution of the City of McAlester against the United States Postal Service closing of the McAlester processing facility. *(Councilman John Browne)*
- **TABLED FROM PREVIOUS MEETING.** Confirm action taken on City Council Agenda Item 3, 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)*
- Confirm action taken on City Council Agenda Item 4, approval to purchase seven (7) new Automated External Defibrillator Units and two (2) Surface-Mount AED Wall Cabinets with alarm feature. The new AED Units will replace the obsolete AED Units currently installed at various City of McAlester facilities. *(Peter J. Stasiak, CM)*

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CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the November 22, 2011 Regular Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending December 6, 2011. *(Toni Ervin, Interim Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item E, to authorize the Oklahoma Turnpike Authority to put together competitive bidding plans for 2 Mainline and 2 ramp signs at an estimated cost of \$7500.00.
- 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, on a Resolution of the City of McAlester against the United States Postal Service closing of the McAlester processing facility. *(Councilman John Browne)*
- **TABLED FROM PREVIOUS MEETING.** Confirm action taken on City Council Agenda Item 3, 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)*
- Confirm action taken on City Council Agenda Item 4, approval to purchase seven (7) new Automated External Defibrillator Units and two (2) Surface-Mount AED Wall Cabinets with alarm feature. The new AED Units will replace the obsolete AED Units currently installed at various City of McAlester facilities. *(Peter J. Stasiak, CM)*
- Confirm action taken on City Council Agenda Item 5, award of bid to Bobcat Company, for the purchase of one (1) New and Unused 2012 S150 Bobcat Skid-Steer Loader. *(David Medley, PE, Director Utilities)*
- Confirm action taken on City Council Agenda Item 6, award of bid to Riverside Autoplex, for the purchase of one (1) New and Unused 2012 Ford F-350 1 Ton Utility Truck. *(David Medley, PE, Director Utilities)*
- Confirm action taken on City Council Agenda Item 7, Change Order No. 2 for the Water Treatment Plant Filter & Clearwell Improvements with J. S. Haren Company of Athens, Tennessee. *(David Medley, PE, Director Utilities)*
- Confirm action taken on City Council Agenda Item 8, award of bid to Hudiburg Auto Group, for the purchase of one (1) New and Unused 2012 Chevy Silverado 1 Ton Utility Truck. *(David Medley, PE, Director Utilities)*
- Confirm action taken on City Council Agenda Item 9, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2- 286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2- 287. *(John C. Modzelewski, PE, City Engineer and Director, Public Works)*

- Confirm action taken on City Council Agenda Item 10, upon a change in zoning from R1-B (Single Family Residential District) to C-3 (General Commercial District) *(Peter J. Stasiak, City Manager)*

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RECONVENE COUNCIL MEETING

EXECUTIVE SESSION

Recess into Executive Session in compliance with Section Title 25 Section 307.B.4 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 a pending investigations, claims, or actions, more particularly: City of McAlester v. Randy Green, Case No. C-06-844.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

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