



# McAlester City Council

## NOTICE OF MEETING

### Special Meeting of the City Council Agenda

Tuesday, January 25, 2011 – 5:30 pm  
McAlester City Hall – Council Chambers  
28 E. Washington Ave.

Kevin E. Priddle..... Mayor  
Vacant..... 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](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**

*Announce the presence of a Quorum.*

### **ROLL CALL**

### **SCHEDULED BUSINESS**

1. Approval of claims for January 25, 2011.
2. Consideration and possible action to adopt a resolution calling for a special election to be held on June 14, 2011, 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 2010-2011 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 2010-2011.

### **ADJOURNMENT**

**CERTIFICATION**

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

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**Cora M. Middleton, City Clerk**

**CLAIMS FOR EMERGENCY  
MEETING  
JANUARY 25, 2011**

PACKET: 06207 EMER CK ERVIN 1/21/11  
VENDOR SET: 01  
FUND : 01 GENERAL FUND

| VENDOR    | NAME                    | ITEM #         | G/L ACCOUNT NAME | DESCRIPTION                   | CHECK#              | AMOUNT   |
|-----------|-------------------------|----------------|------------------|-------------------------------|---------------------|----------|
| =====     |                         |                |                  |                               |                     |          |
| 01-E00266 | ERVIN & ERVIN ATTORNEYS |                |                  |                               |                     |          |
|           |                         | I-201101212151 | 01 -5214302      | CONSULTANTS LEGAL FEES-BRAVO  | 053700              | 3,910.00 |
|           |                         | I-201101212151 | 01 -5214302      | CONSULTANTS LEGAL FEES-GREEN  | 053700              | 360.00   |
|           |                         | I-201101212151 | 01 -5210302      | CONSULTANTS/L LEGAL FEES-IAFF | 053700              | 465.00   |
|           |                         |                | FUND 01          | GENERAL FUND                  | TOTAL:              | 4,735.00 |
|           |                         |                |                  |                               | REPORT GRAND TOTAL: | 4,735.00 |

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\*\* G/L ACCOUNT TOTALS \*\*

| YEAR      | ACCOUNT                     | NAME                       | AMOUNT   | =====LINE ITEM===== |                  |           | =====GROUP BUDGET===== |                  |           |
|-----------|-----------------------------|----------------------------|----------|---------------------|------------------|-----------|------------------------|------------------|-----------|
|           |                             |                            |          | ANNUAL BUDGET       | BUDGET AVAILABLE | OVER BUDG | ANNUAL BUDGET          | BUDGET AVAILABLE | OVER BUDG |
| 2010-2011 | 01 -5210302                 | CONSULTANTS/LABOR RELATION | 465.00   | 20,000              | 30,009.05        | -         | Y                      |                  |           |
|           | 01 -5214302                 | CONSULTANTS                | 4,270.00 | 109,700             | 52,584.47        |           |                        |                  |           |
|           | ** 2010-2011 YEAR TOTALS ** |                            | 4,735.00 |                     |                  |           |                        |                  |           |

NO ERRORS

\*\* END OF REPORT \*\*



# McAlester City Council

## AGENDA REPORT

Meeting Date: January 25, 2011  
Department: City Manager  
Prepared By: Peter J. Stasiak, City Manager  
Date Prepared: January 24, 2011

Item Number: 2  
Account Code:  
Budgeted Amount:  
Exhibits: 1

### Subject

Consider, and act upon, a Resolution authorizing the calling and holding of an Election to be held in the City of McAlester, Oklahoma, submitting to the registered, qualified voters of said City the question of whether the 2010-2011 Collective Bargaining Agreement between the International Association of Firefighters, Local #2284, and the City of McAlester shall consist of the City of McAlester's Last Best Offer or the International Association of Firefighters, Local #2284's last best offer, and notifying the Pittsburg County Election Board of the holding of such Election.

### Recommendation

Motion to approve a Resolution authorizing the calling and holding of an Election to be held in the City of McAlester, Oklahoma, submitting to the registered, qualified voters of said City the question of whether the 2010-2011 Collective Bargaining Agreement between the International Association of Firefighters, Local #2284, and the City of McAlester shall consist of the City of McAlester's Last Best Offer or the International Association of Firefighters, Local #2284's last best offer, and notifying the Pittsburg County Election Board of the holding of such Election.

### Discussion

### Approved By

|                 | Initial               | Date    |
|-----------------|-----------------------|---------|
| Department Head |                       |         |
| City Manager    | P. Stasiak <i>PJS</i> | 1/24/11 |

RESOLUTION NO. \_\_\_\_

**A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION TO BE HELD IN THE CITY OF MCALESTER, OKLAHOMA, SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF SAID CITY THE QUESTION OF WHETHER THE 2010-2011 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL #2284, AND THE CITY OF MCALESTER SHALL CONSIST OF THE CITY OF MCALESTER'S LAST BEST OFFER OR THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL #2284'S LAST BEST OFFER, AND NOTIFYING THE PITTSBURG COUNTY ELECTION BOARD OF THE HOLDING OF SUCH ELECTION.**

\* \* \* \* \*

**WHEREAS**, pursuant to 11 O.S. Sec. 51-108(A)(2), the City and the I.A.F.F. Local 2284 timely submitted last best offers to one another and to an Interest Arbitration Board which was formed to hear and resolve the Collective Bargaining Agreement between the City and the Union for Fiscal Year 2010-2011, and,

**WHEREAS**, the Interest Arbitration Board convened a hearing on December 15, 2010, for the purpose of resolving the Collective Bargaining Agreement between the City and the I.A.F.F. Local 2284 for Fiscal Year 2010-2011, and,

**WHEREAS**, pursuant to 11 O.S. Sec. 51-108(A)(3), the hearing was deemed closed as a matter of law on January 4, 2011, and,

**WHEREAS**, pursuant to 11 O.S. Sec. 51-108(A)(4), the Arbitration Board had until January 11, 2011, to render its decision, and,

**WHEREAS**, 11 O.S. Sec. 51-108(B) provides that, if the City's last best offer is not selected within the time frame provided for in Section 51-108, then the City has the right to request that its last best offer and the Union's last best offer be submitted to a vote of the people for the purpose of resolving which last best offer will serve as the Collective Bargaining Agreement between the parties for the fiscal year in question, and,

**WHEREAS**, the City Clerk received a request for an election pursuant to Section 51-108(B) on January 21, 2011, from the City Manager, and,

**WHEREAS**, the City Managers January 21, 2011, request was submitted within ten (10) days of the date on which the Interest Arbitration Board was required to issue its ruling as required by 11 O.S. Sec. 51-108(B), and,

**WHEREAS**, upon receipt of a request pursuant to Section 51-108(B), the McAlester City Council may call a special election for the purpose of submitting to the voters of the City of McAlester which last best offer, the City's or the Bargaining Agent's, should be selected with regard to the unresolved issue for the 2010-2011 Collective Bargaining Agreement between the

City of McAlester and the International Association of Firefighters, Local #2284, within ten days of receiving such request, and,

**WHEREAS**, the Mayor has requested that the Council call and hold such an election.

**NOW, THEREFORE, BE IT RESOLVED** BY THE CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA:

Section 1. That the Mayor of the City of McAlester, Oklahoma, be and is hereby authorized and directed to call a special election to be held in the City of McAlester, Oklahoma, on the 14th of June, 2011, for the purpose of submitting to the voters of the City of McAlester which last best offer, the City's or the I.A.F.F., Local #2284's, should be selected with regard to the unresolved issues in the 2010-2011 Collective Bargaining Agreement between the City of McAlester and the International Association of Firefighters, Local #2284.

Section 2. That the ballot language which shall be submitted to the voters of the City of McAlester shall be drafted as required by 11 O.S. Sec. 51-108 (C) and (D).

**PASSED** and **APPROVED** the 25th day of January, 2011.

**CITY OF MCALESTER, OKLAHOMA**  
**A Municipal Corporation**

**ATTEST:**

By: \_\_\_\_\_  
Kevin E. Priddle, Mayor

\_\_\_\_\_  
Cora Middleton, City Clerk