



# McAlester City Council

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## NOTICE OF MEETING

### AMENDED Regular Meeting Agenda

Tuesday, June 12, 2012 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

Steve Harrison ..... Mayor  
Weldon Smith ..... Ward One  
Vacant ..... Ward Two  
Travis Read ..... Ward Three  
Robert Karr ..... Ward Four  
Buddy Garvin ..... Ward Five  
Sam Mason, Vice Mayor ..... 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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Linda Lowber, First Baptist Church

#### **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 May 15, 2012 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the May 22, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the May 29, 2012 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Approval of Claims for May 16-June 5, 2012. *(Toni Ervin, Chief Financial Officer)*
- E. Concur with Mayor's Appointment of Ms. Jane Woodliff to the Southeastern Public Library Advisory Board for a term to expire May, 2017. *(Mayor Steve Harrison)*
- F. Ratify and approve an Entity Addendum for a one year term between Blackboard Connect Inc. and City of McAlester. *(Cora Middleton, City Clerk)*
- G. Ratify and approve an agreement indenture lease for a one year term between the City of McAlester, the McAlester Airport Authority and the First National Bank and Trust Company of McAlester for the purpose of leasing an airport hangar. *(Cora Middleton, City Clerk)*
- H. Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No.32138-ME. *(Cora Middleton, City Clerk)*
- I. Authorize the Pittsburg County NAACP permission to use Michal J. Hunter Park, 14<sup>th</sup> & Chickasaw on Saturday, June 16, 2012 from 9:00 a.m. until 12:00 noon to hold their "**Juneteenth**" ceremony. *(Cora Middleton, City Clerk)*
- J. Accept and place on file MPower Fiscal Year 2011-2012 - 3<sup>rd</sup> Quarterly Report. *(Shari Cooper, MPower, Executive Director)*
- K. Ratify and approve an agreement for a one year term for Legal Services with Ervin & Ervin, Attorneys at Law, L.L.P. firm. *(Peter J. Stasiak, City Manager)*

**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.*

- Receive Public comment on City of McAlester Proposed Fiscal Year 2012/2013 Annual Operating Budget.
- 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.

## **SCHEDULED BUSINESS**

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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, Chief Financial Officer)*

### Executive Summary

Motion to approve the budget amendment ordinance.

2. Consider, and act upon, a Resolution to Extend the Term of the Cable Television Permit for the Allegiance Communications, LLC to five (5) years, which will expire on October 28, 2017. *(Peter J. Stasiak, City Manager)*

### Executive Summary

Motion to approve the Resolution to extend the Allegiance Communications, LLC permit for five (5) years.

3. Consider, and act upon, awarding bid proposal from Oklahoma Municipal Assurance Group (OMAG) for General Liability, Property, Auto Fleet and Equipment Insurance coverage. *(Cora Middleton, City Clerk)*

### Executive Summary

Motion to award bid proposal to Oklahoma Municipal Assurance Group (OMAG) for General Liability, Property, Auto Fleet and Equipment Insurance coverage choosing the \$1,000.00 deductible option.

4. Consider, and act upon, awarding bid proposal from Jordan-Carris Insurance for Excess Worker's Compensation Insurance coverage. *(Cora Middleton, City Clerk)*

### Executive Summary

Motion to approve awarding bid proposal from Jordan-Carris Insurance for Excess Worker's Compensation Insurance coverage choosing the Option #3 at \$53,921 Premium option with a \$450,000/ \$500,000 retention.

5. Discussion, and possible action, on approval of certain costs related to the Fire Department. Funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services. *(Brett Brewer, Fire Chief)*

### Executive Summary

Motion to approve the purchase of Structural Firefighting Boots, with funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services.

6. Consider, and act upon, an award bid to Total Investment Company for future construction of FAA AIP 3-40-0057-011 & 012-2011 and OAC Project #MLCC-12-75 at McAlester Regional Airport. This project is to improve safety area, remove obstruction and improve runway obstacle free area. *(Mel Priddy, Community Services Director)*

Executive Summary

Motion to approve an award bid of \$1,550,086.00 to Total Investment Company for construction of FAA AIP 3-40-0057-011 & 012-2011 and OAC Project #MLCC-12-75 at McAlester Regional Airport and authorize the mayor to sign all the required documents, the construction contract, the sponsor's certifications, and any other documents related to the FAA-AIP or OAC Project.

7. Consider, and act upon, an Agreement with U.S. Cellular for cellular telephone and communication services. *(Peter J. Stasiak, City Manager and James Stanford, IT Computer Specialist)*

Executive Summary

Motion to approve a Business Customer Service Agreement between U.S. Cellular and the City of McAlester.

8. Consider and Act to Dissolve or Recognize the Dissolution of the McAlester Parking Authority. *(William J. Ervin, Jr., City Attorney)*

Executive Summary

Staff recommends that the Council take action to formally dissolve, or to formally recognize the dissolution of the McAlester Parking Authority.

9. Consider, and act upon, authorizing the purchase of one New and Unused 2012 heavy duty work truck with service bed. *(John C. Modzelewski, P.E., City Engineer and PW Director)*

Executive Summary

Motion to approve the purchase of one New and Unused 2012 heavy duty work truck with service bed at a cost of \$34,365.00, from Nix Ford, Inc., located at 720 South George Nigh Expressway, McAlester, Oklahoma.

10. Consider and act upon, a contract for economic development services between the City of McAlester and MPower Economic Development Corporation. *(Peter J. Stasiak, CM)*

Executive Summary

The Council committee, appointed by Mayor Harrison, following several meetings with the MPower committee recommends approval by the McAlester City Council.

11. Consider and act upon, the funding of McAlester Main Street Association in the amount of \$28,000 and for FY 1213. *(Peter J. Stasiak, CM)*

Executive Summary

Motion to approve the funding of \$28,000 to McAlester Main Street Association for FY 1213 and approval of FY 1213 Budget.

12. Consider and act upon, the funding of Pride-in-McAlester in the amount of \$60,000 for FY 1213. *(Peter J. Stasiak, CM)*

**Executive Summary**

Motion to approve the funding of \$60,000 to Pride-in-McAlester for FY 1213 and approval of FY 1213 Budget.

**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 May 22, 2012 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending May 1, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item F, an Entity Addendum for a one year term between Blackboard Connect Inc. and City of McAlester. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item G, an agreement indenture lease for a one year term between the City of McAlester, the McAlester Airport Authority and the First National Bank and Trust Company of McAlester for the purpose of leasing an airport hangar. *(Cora Middleton, City Clerk)*
- 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, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 3, awarding bid proposal from Oklahoma Municipal Assurance Group (OMAG) for General Liability, Property, Auto Fleet and Equipment Insurance coverage. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 4, awarding bid proposal from Jordan-Carris Insurance for Excess Worker's Compensation Insurance coverage. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 6, an award bid to Total Investment Company for future construction of FAA AIP 3-40-0057-011 & 012-2011 and OAC Project #MLCC-12-75 at McAlester Regional Airport. This project is to improve safety area, remove obstruction and improve runway obstacle free area. *(Mel Priddy, Community Services Director)*
- Confirm action taken on City Council Agenda Item 7, an Agreement with U.S. Cellular for cellular telephone and communications services. *(Peter J. Stasiak, City Manager and James Stanford, IT Computer Specialist)*

#### 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 May 22, 2012 Regular Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending May 1, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item F, an Entity Addendum for a one year term between Blackboard Connect Inc. and City of McAlester. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item H, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No.32138-ME. *(Cora Middleton, City Clerk)*
- 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, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 2, a Resolution to Extend the Term of the Cable Television Permit for the Allegiance Communications, LLC to five (5) years, which will expire on October 28, 2017. *(Peter J. Stasiak, City Manager)*

- Confirm action taken on City Council Agenda Item 3, awarding bid proposal from Oklahoma Municipal Assurance Group (OMAG) for General Liability, Property, Auto Fleet and Equipment Insurance coverage. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 4, awarding bid proposal from Jordan-Carris Insurance for Excess Worker's Compensation Insurance coverage. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 7, an Agreement with U.S. Cellular for cellular telephone and communication services. *(Peter J. Stasiak, City Manager and James Stanford, IT Computer Specialist)*
- Confirm action taken on City Council Agenda Item 9, authorizing the purchase of one New and Unused 2012 heavy duty work truck with service bed. *(John C. Modzelewski, P.E., City Engineer and PW Director)*
- Confirm action taken on City Council Agenda Item 10, a contract for economic development services between the City of McAlester and MPower Economic Development Corporation. *(Peter J. Stasiak, CM)*

#### ADJOURN MPWA

### RECONVENE COUNCIL MEETING

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#### EXECUTIVE SESSION

*Recess into Executive Session in compliance with Section Title 25 Section 307 B.2 & B.4 et.seq. Oklahoma Statutes, to wit:*

- 1) Proposed executive session pursuant to Title 25, Sec. 307 (B) (2) to discuss negotiations concerning employees and representatives of employee groups: IAFF
- 2) 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: IAFF, Case No. CV-2012-70.

#### RECONVENE INTO OPEN SESSION

*Take any action as a result from Executive Session.*

- Consider, and act, to authorize filing of an appeal from the May 17, 2012, Public Employee Relations Board order in matter number 2011-ULPC-510.

#### ADJOURNMENT

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**CERTIFICATION**

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*I certify that this Notice of Meeting was posted on this \_\_\_\_\_ day of \_\_\_\_\_ 2012 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**