



# McAlester City Council

## NOTICE OF MEETING

### Special Meeting of the City Council

#### Agenda

Tuesday, January 31, 2012 – 4:30 pm  
McAlester City Hall – Council Chambers  
28 E. Washington Ave.

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](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.*

#### ROLL CALL

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#### EXECUTIVE SESSION

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

- **Section 307 (B) (2)** – Proposed executive session pursuant to Title 25, Sec. 307 (B) 2 to discuss negotiations concerning employees and representatives of employees groups: IAFF

**RECONVENE INTO OPEN SESSION**

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

- Consider and Act Upon, a Resolution amending Resolution No. 11-21, which authorized 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 2011-2012 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.

**ADJOURNMENT**

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**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

RESOLUTION NO. \_\_\_\_

A RESOLUTION AMENDING PRIOR RESOLUTION NUMBER 11-21, WHICH AUTHORIZED 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 2011-2012 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 2011-2012, and,

WHEREAS, the Interest Arbitration Board convened a hearing on October 11, 2011, for the purpose of resolving the Collective Bargaining Agreement between the City and the I.A.F.F. Local 2284 for Fiscal Year 2011-2012, and,

WHEREAS, pursuant to 11 O.S. Sec. 51-108(A)(4), the Arbitration Board, by two-to-one vote, issued its opinion which did not select the City's last best offer, and,

WHEREAS, 11 O.S. Sec. 51-108(B) provides that, if the City's last best offer is not selected by the Board, 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 November 14, 2011, from the City Manager, and,

WHEREAS, the City Manager's November 14, 2011, request was submitted within ten (10) days of the date on which the Interest Arbitration Board issued 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 2011-2012 Collective Bargaining Agreement between the City of McAlester and the International Association of Firefighters, Local #2284, within ten (10) days of receiving such request, and,

WHEREAS, the City Manager requested that the Council call and hold such an election, and,

WHEREAS, on the November 22, 2011, the City, pursuant to Section 51-108(B), timely enacted Resolution No. 11-21, which authorized and called the 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 2011-2012 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, and,

WHEREAS, the McAlester City Council, has, since setting the date for said election, encountered irregularities on the part of the Interest Arbitration Board, in submitting this issue to the voters of the City of McAlester, which in the Council's opinion require action by the District Court, prior to the holding of said election.

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

Section 1. That Resolution No. 11-21 be and is hereby amended and that the date for the election described therein shall be modified from March 6, 2012 to June 26, 2012, and the Special election of the City of McAlester, Oklahoma, authorized and directed therein, be held on the 26th day of June, 2012, for the purpose of submitting to the voters of the City of McAlester which last best offer should be selected with regard to the unresolved issues in the 2011-2012 Collective Bargaining Agreement between the City of McAlester and the International Association of Firefighters, Local #2284.

Section 2. That the ballot language submitted to the voters of the City of McAlester shall comply with by 11 O.S. Sec. 51-108 (C) and (D).

**PASSED and APPROVED** at the Special meeting of the City Council of the City of McAlester, Oklahoma, and duly signed by the Mayor this 31st day of January, 2012.

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

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

**ATTEST:**

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**Cora Middleton, City Clerk**