



McAlester City Council

NOTICE OF MEETING

Revised Regular Meeting Agenda

Tuesday, September 11, 2012 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

Steve Harrison Mayor
Weldon Smith Ward One
John Titsworth 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 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

Linda Lowber, First Baptist 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 August 28, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for August 22 through September 4, 2012. *(Toni Ervin, Chief Financial Officer)*
- C. Concur with Mayor's Re-appointment of John Goodyear to the McAlester Community Tree Board for a term to expire September, 2014. *(Steve Harrison, Mayor)*
- D. Concur with Mayor's Re-appointment of Doris Hackler to the McAlester Community Tree Board for a term to expire September, 2014. *(Steve Harrison, Mayor)*
- E. Concur with Mayor's Re-appointment of Karen Harrison to the McAlester Community Tree Board for a term to expire September, 2014. *(Steve Harrison, Mayor)*
- F. Concur with Mayor's Appointment of David Cantrell to the McAlester Community Tree Board for a term to expire September, 2013. *(Steve Harrison, Mayor)*

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. 2425 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2012-2013; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.
- AN ORDINANCE AMENDING SECTIONS 106.71(A) AND 106.71(C) OF THE MCALESTER CITY CODES FIXING WATER RATES; AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Tabled - Discussion and possible action, on a Resolution put forward by the Gaines Creek Association of Free Will Baptist opposing the removal of figurines depicting U.S. Military Kneeling in Silent Prayer from the 3rd Street intersection and asking the City of McAlester to reverse the decision and reinstall the silhouette. *(Peter J. Stasiak, City Manager)*

Executive Summary

Discussion and possible action, regarding silhouettes on City street signs.

2. Consider, and act upon, an Ordinance amending Ordinance No. 2425 which established the budget for fiscal year 2012-2013; 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.

3. Consider and Act Upon, an Ordinance amending Ordinance 2235 Sections 106.71 (a) and 106.71 (c) of the McAlester City Codes Fixing Water Rates and Declaring an Emergency. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve Ordinance amending Sections 106.71 (a) and 106.71 (c) of the McAlester City Codes.

4. Consider and act upon awarding bid in the amount of \$27,171.00, for one new and unused One Ton Truck for the Waste Water Maintenance Department. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve the award of bid to Nix Ford, McAlester, Oklahoma, for the purchase of one (1) New and Unused 2012 F-350 1 Ton Truck.

5. Consider, and act upon, the Collective Bargaining Agreement between the City of McAlester and the International Association of Fire Fighters (IAFF) Local No. 2284, effective July 1, 2012 through June 30, 2013 and to include 2012-2013 Memorandum of Understanding. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to accept the IAFF 2012-2013 Collective Bargaining Agreement; this includes a 2012-2013 Memorandum of Understanding.

6. Final review of Marketing Alliance Agreement with City Attorney changes and comments. *(Peter J. Stasiak, City Manager)*

Executive Summary

The agreement was approved on August 28, 2012, subject to City Attorney changes. This is a final review of Market Alliance Agreement with City Attorney recommended changes.

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

MAYORS COMMENTS AND COMMITTEE APPOINTMENTS

RECESS COUNCIL MEETING

CONVENE AS McALESTER AIRPORT AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the August 28, 2012 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending September 4, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 6, final review of Marketing Alliance Agreement with City Attorney changes and comments. *(Peter J. Stasiak, City Manager)*

ADJOURN MAA**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

Majority of a Quorum required for approval

- Approval of the Minutes from the August 28, 2012 Special Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending September 4, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3, an Ordinance amending Ordinance 2235 Sections 106.71 (a) and 106.71 (c) of the McAlester City Codes Fixing Water Rates and Declaring an Emergency. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 4, awarding bid in the amount of \$27,171.00, for one new and unused One Ton Truck for the Waste Water Maintenance Department. *(David Medley, PE, Director of Utilities)*
- Confirm action taken on City Council Agenda Item 6, final review of Marketing Alliance Agreement with City Attorney changes and comments. *(Peter J. Stasiak, City Manager)*

ADJOURN MPWA

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:

- 1) 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; Jerry McCormick v. McAlester, USDC ED OK 11-CV-166; Michelle & Jerry McCormick v. McAlester, et.al., USDC ED OK 12-CV-62

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 _____ 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.

Cora M. Middleton, City Clerk