



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, November 13, 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

Mother Stephanie Swinnea, All-Saints Episcopal Church

ROLL CALL

AWARDS CEREMONY

The State of Oklahoma Citation Recognition to the City of McAlester for being selected by Keep Oklahoma Beautiful as a finalist in the 22nd Annual Environmental Excellence Competition. Presented by Representative Donnie Condit and Senator Richard Lerblance.

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 October 23, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for October 17, 2012 – November 6, 2012. *(Toni Ervin, Chief Financial Officer)*
- C. Accept and Place on File the Pride In McAlester First Quarter (July, August, and September) Report for FY 2012-2013. *(Stephanie Giacomo, Executive Director Pride in McAlester)*
- D. Consider, and Act Upon, an expenditure of \$85.00 registration fee and applicable related charges for John Titsworth to attend the New Municipal Officials Institute on February 9, 2013 in Stillwater, Oklahoma. *(Cora Middleton, City Clerk)*

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.

SCHEDULED BUSINESS

1. 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. *(Joe Ervin, City Attorney)*

Executive Summary

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

2. Discussion, and possible action, on approval of Water Leak adjustment and late fees waiver for Rural Water District #5. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Staff recommends Waiver of late fees that were paid in full for the month and on time.

3. 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.

4. Discussion, and possible action, on approval of a bid award for SCBA's (self contained breathing apparatus) to Chief Fire & Safety. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve a bid award to purchase 10 new and unused SCBA'S (self contained breathing apparatus) with 10 replacement cylinders in the amount of \$48,650.00

5. Consider, and act upon, approval of Change Order No. 1 to the existing contract with Traffic Signals, Inc. for installation of the Traffic Signal Improvements at the intersection of Wyandotte Avenue and Strong Boulevard. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

Motion to approve Change Order No. 1 in the amount of \$2,550.00 to the contract with Traffic Signals, Inc. for installation of the Traffic Signal Improvements at the intersection of Wyandotte Avenue and Strong Boulevard.

6. Discussion, and possible action, authorizing the mayor to sign a lease agreement between McAlester Regional Airport Authority and City of McAlester, McAlester, Oklahoma, and EagleMed, LLC for Corporate Hanger No. 30 located at the McAlester Regional Airport for a term of five (5) years beginning October 1, 2012 and ending on October 1, 2017. *(Joe Ervin, City Attorney)*

Executive Summary

Motion to approve the lease agreement between McAlester Regional Airport Authority and City of McAlester, McAlester, Oklahoma, and EagleMed, LLC and authorize the Mayor to sign the said documents.

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 October 23, 2012 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending November 6, 2012.
- Confirm action taken on City Council Agenda Item 3, 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)*
- Confirm action taken on City Council Agenda Item 6, authorizing the mayor to sign a lease agreement between McAlester Regional Airport Authority and City of McAlester, McAlester, Oklahoma, and EagleMed, LLC for Corporate Hanger No. 30 located at the McAlester Regional Airport for a term of five (5) years beginning October 1, 2012 and ending on October 1, 2017. *(Joe Ervin, City Attorney)*

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

Majority of a Quorum required for approval

- Approval of the Minutes from the October 23, 2012 Regular Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending November 6, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 2, on approval of Water Leak adjustment and late fees waiver for Rural Water District #5. *(Toni Ervin, Chief Financial Officer)*

ADJOURN MPWA

RECONVENE COUNCIL MEETING

EXECUTIVE SESSION

Recess into Executive Session in compliance with Section Title 25 Section 307 (B) (2) 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.

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