



# McAlester City Council

---

## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, January 24, 2012 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

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**

---

*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 January 10, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for January 3, 2012 through January 17, 2012. *(Toni Ervin, Chief Financial Officer)*
- C. Accept and Place on File Mpower Fiscal Year 2011-2012 2<sup>nd</sup> Quarter Report. *(Shari Cooper, Executive Director, Mpower Economic Development)*
- D. Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No.31617-BJ. *(Cora Middleton, City Clerk)*
- E. Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No.31570-ME. *(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. 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**

---

- 1. Presentation by Mr. Scott Day, Landscape Architect, Urban Development Services. *(Carol Ervin, Executive Director, McAlester Main Street and Scott Day, Principal Urban Development Services, San Antonio, Texas)*

## Executive Summary

**Urban Development Services** specializes in design management and retail economics for commercial revitalization.

- 2. McAlester Regional Health Center Quarterly Presentation for October-December, 2011. *(David Keith, FACHE, President/Chief Executive Officer)*

## Executive Summary

McAlester Regional Health Center Quarterly Presentation for October-December, 2011.

3. A. 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)*
- B. Consider, and Act Upon, approval of the attached Transfer of Appropriations for FY 2011-2012. *(Toni Ervin, Chief Financial Officer)*

## Executive Summary

Motion to approve the budget amendment ordinance 2392 and transfer of Appropriations for FY 2011-2012.

4. Consider and Act Upon, to authorize the release of funds derived from City Ordinance 2159, for the acquisition, construction or equipment of educational facilities. *(Joe Ervin, City Attorney)*

## Executive Summary

Motion to approve release of funds derived from City Ordinance 2159, for the acquisition, construction or equipment of educational facilities.

5. Consider and Act Upon, to approve Memorandum of Understanding with ODOT regarding the deployment and installation of fiber optic cable as part of the statewide OCAN broadband network. *(Peter J. Stasiak, City Manager)*

## Executive Summary

Motion to approve Memorandum of Understanding with ODOT regarding the deployment and installation of fiber optic cable as part of the statewide OCAN broadband network.

6. Consider and Act Upon, authorizing the issuance of a Request for Proposals (RFP) for the development of a new Comprehensive Plan for the City of McAlester and an Economic Development Strategic Plan. *(Peter J. Stasiak, City Manager and Councilman Steve Harrison)*

## Executive Summary

Motion to approve issuance of RFP.

7. Consider, and Act Upon, Change Order No. 2 for the Water Treatment Plant Filter & Clearwell Improvements with J. S. Haren Company of Athens, Tennessee. *(David Medley, PE, Director of Utility Department)*

## Executive Summary

Motion to approve Change Order No. 2 to the Water Treatment Plant Filter & Clearwell Improvements to add \$5,300.00 to the current Contract Price of \$429,340.71 resulting in a Contract Price of \$434,640.71. This Change Order also adds an additional 45 days to the Contract time to allow time for the additional work. Substantial Completion with this Change Order is March 16, 2012.

**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**

---

**RECESS COUNCIL MEETING**

---

**CONVENE AS McALESTER AIRPORT AUTHORITY**

---

*Majority of a Quorum required for approval*

- Approval of the Minutes from the January 10, 2012 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending January 17, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3-A, 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-B, approval of the attached Transfer of Appropriations for FY 2011-2012. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 5, to approve Memorandum of Understanding with ODOT regarding the deployment and installation of fiber optic cable as part of the statewide OCAN broadband network. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 6, authorizing the issuance of a Request for Proposals (RFP) for the development of a new Comprehensive Plan for the City of McAlester and an Economic Development Strategic Plan. *(Peter J. Stasiak, City Manager and Councilman Steve Harrison)*

**ADJOURN MAA**

**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

---

*Majority of a Quorum required for approval*

- Approval of the Minutes from the January 10, 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 January 17, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item D, Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No.31617-BJ. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item E, Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No.31570-ME. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 3-A, 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-B, approval of the attached Transfer of Appropriations for FY 2011-2012. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 4, to authorize the release of funds derived from City Ordinance 2159, for the acquisition, construction or equipment of educational facilities. *(Joe Ervin, City Attorney)*
- Confirm action taken on City Council Agenda Item 5, to approve Memorandum of Understanding with ODOT regarding the deployment and installation of fiber optic cable as part of the statewide OCAN broadband network. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 6, authorizing the issuance of a Request for Proposals (RFP) for the development of a new Comprehensive Plan for the City of McAlester and an Economic Development Strategic Plan. *(Peter J. Stasiak, City Manager and Councilman Steve Harrison)*
- Confirm action taken on City Council Agenda Item 7, Change Order No. 2 for the Water Treatment Plant Filter & Clearwell Improvements with J. S. Haren Company of Athens, Tennessee. *(David Medley, PE, Director of Utility Department)*

ADJOURN MPWA

**CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY**

---

*Majority of a Quorum required for approval*

- Approval of the Minutes from the December 27, 2011, Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of January 2012. (*Toni Ervin, Interim Chief Financial Officer*)

**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) (2) to discuss negotiations concerning employees and representatives of employee groups: IAFF

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

\_\_\_\_\_  
**Cora M. Middleton, City Clerk**