



McAlester City Council

NOTICE OF MEETING

Revised Regular Meeting Agenda

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

Steve Harrison.....Mayor
Weldon Smith.....Ward One
VacantWard Two
Travis Read.....Ward Three
Robert Karr.....Ward Four
Buddy GarvinWard Five
Sam Mason, Vice MayorWard 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

Pastor Glenn Meyers, Trinity Lutheran Church

ROLL CALL

1. Recess the meeting of the City of McAlester City Council to be reconvened on Thursday, April 26, 2012 at 5:30 p.m.

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 March 27, 2012 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the March 27, 2012 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for April 4 through April 17, 2012. *(Toni Ervin, Chief Financial Officer)*
- D. Authorize the Mayor to sign a Resolution directing filing and notification for the publication of biennial supplements to the McAlester City Code of 1972. *(Cora Middleton, City Clerk)*
- E. Ratify a One (1) year State Contract SW403 between City of McAlester and SimplexGrinnell in the amount of \$4,118 for maintenance and annual testing of Fire Alarm System in City Hall. *(Peter J. Stasiak, City Manager)*
- F. Ratify a one (1) year Contract between the City of McAlester and Z-Bird Vending for Full Service Vending. *(Peter J. Stasiak, City Manager)*
- G. Ratify a ten (10) year contract between the City of McAlester and Ronald and Billy Jo Polk for lease of track of land laying north of Lake McAlester. *(Peter J. Stasiak, City Manager)*
- H. Ratify a twenty (20) year contract between the City of McAlester and Union Pacific Railroad Company for lease of lot at Main and Choctaw. *(Peter J. Stasiak, City Manager)*
- I. Ratify an indefinite lease agreement between the City of McAlester and McAlester Scottish Rite Building Company for a parking lot adjacent to the City of McAlester Library. *(Peter J. Stasiak, City Manager)*
- J. Ratify a ninety-nine (99) year lease agreement between the City of McAlester and McAlester Boys' Club for Lots 1, 2, 7, 8 of Block 488, formerly South McAlester. *(Peter J. Stasiak, City Manager)*
- K. Ratify a five (5) year lease-purchase agreement between the City of McAlester and Welch State Bank for a John Deere 410J Backhoe. *(Peter J. Stasiak, City Manager)*

- L. Ratify a thirty (30) year lease agreement between the Pittsburg County Commissioner and City of McAlester for a tract of land in Section 33 and 34, T6N, R14E in Pittsburg County Oklahoma. *(Peter J. Stasiak, City Manager)*
- M. Ratify a year to year until terminated use agreement between the City of McAlester and Independent School District No. 1080 for the use of Pittsburg County Expo Softball Complex. *(Peter J. Stasiak, City Manager)*
- N. Ratify a ninety-nine (99) year lease agreement between the City of McAlester and Board of Education of Frink-Chambers Elementary School C029, Pittsburg County, Oklahoma for a tract of land located in the SW ¼ of Section 25, T5N, R14E *(Peter J. Stasiak, City Manager)*
- O. Ratify an indefinite remote deposit service agreement between the First National Bank and City of McAlester to provide certain electronic capture services, specifically remote deposit capture. *(Peter J. Stasiak, City Manager)*
- P. Ratify a ten (10) year contract between the City of McAlester and the U.S. General Services Administration for the Carl Albert Federal Building/Courthouse located at 301 E. Carl Albert. *(Peter J. Stasiak, City Manager)*
- Q. Ratify a two (2) year letter of engagement for actuarial services between the City of McAlester and Apex Global Partners. *(Peter J. Stasiak, City Manager)*
- R. Ratify an ongoing agreement between the City of McAlester and Fraternal Order of Police, Lodge #97, specifically outlines the policies and procedures for the individually assigned vehicle (IAV) Program. *(Peter J. Stasiak, City Manager)*
- S. Ratify an ongoing Campus Police Agreement between the City of McAlester and the McAlester Public Schools. *(Peter J. Stasiak, City Manager)*
- T. Ratify a ninety-nine (99) year Lease of Real Property between the City of McAlester and DLI McAlester LLC for a DEA Field Office on Airport Road. *(Peter J. Stasiak, City Manager)*
- U. Ratify a twenty-five (25) year contract between the City of McAlester and the McAlester Regional Health Center Authority for a residential structure located on Lot 4 & 5, Block 164, South McAlester. *(Peter J. Stasiak, City Manager)*
- V. Ratify an ongoing New Public Highway Crossing Agreement between the City of McAlester and Union Pacific Railroad Company. *(Peter J. Stasiak, City Manager)*
- W. Ratify an indefinite period for a Facilities Space Agreement between the City of McAlester and Oklahoma Department of Environmental Quality for the Air Quality

Monitoring Site located at the Manager's Airport Control Tower Building. *(Peter J. Stasiak, City Manager)*

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.

- A Public Hearing on the proposed Capital Program for FY 2012/2013 – 2016/2017 for the City of McAlester.
- 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. Discussion and Quarterly Report for McAlester Regional Health Center. *(David Keith, CEO, McAlester Regional Hospital Center)*

Executive Summary

McAlester Regional Health Center Quarterly Report.

2. 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.

3. Discussion and update on Financials as of March 31, 2012. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Discussion and Presentation of Financial Reports as of March 31, 2012.

4. **Tabled from Previous Meeting.** Discussion and possible action on Agreement between the City of McAlester and McAlester Public Schools for Funding of \$15,000 in support of the 2012 Junior Sunbelt Baseball Classic scheduled for June 7-14, 2012. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve funding of \$15,000 and authorizing the Mayor to sign agreement between the City of McAlester and McAlester Public Schools for the 2012 Junior Sunbelt Baseball Classic scheduled for June 7-14, 2012.

5. Consider, and act upon, a request by Eastern Oklahoma State College – GEAR UP Program to partner with them for the rental fee in the amount of \$315.00 for the use of the Expo Center on May 7th, 2012.

Executive Summary

Consider approving this partnership request in the amount of \$315.00.

6. Consider and act upon a Personal Services Agreement with QwikGro Erosion Control, LLC for haybaling on the McAlester Water Shed, the Southside Business Development Center, and the Steven Taylor Industrial Park in the amount of \$7100.00.

Executive Summary

Motion to approve a Personal Services Agreement with QwikGro Erosion Control for haybaling in the amount of \$7100.00.

7. Consider and act upon, a quote from AT&T for the upgrade of existing data and equipment in the E-911 Dispatch Center, utilizing the current E-911 Grant. (*Jim Lyles, Police Chief*)

Executive Summary

Motion to approve the quote for an upgrade to the current E-911 equipment, utilizing the E-911 Grant.

8. Consider and act upon, awarding a bid to BullEx, Inc., in the amount of \$74,740.00 for one Fire Safety Training Trailer. (*Brett Brewer, Fire Chief*)

Executive Summary

Motion to approve a bid award to purchase one new and unused Fire Safety Training Trailer. In the amount of \$74,740.00.

9. **Tabled from Previous Meeting.** Consider, and act upon, an Agreement for Engineering Services with Meshek & Associates, PLC for the design of drainage improvements design at the intersection of Mallard Lane and Flamingo Road. (*John C. Modzelewski, PE, City Engineer and Public Works Director*)

Executive Summary

Motion to approve authorizing the Mayor to sign an Agreement for Engineering Services with Meshek & Associates, PLC for the design of drainage improvements design at the intersection of Mallard Lane and Flamingo Road.

10. Consider and act upon, a Resolution to adopt the Capital Improvement Program 2012/2013-2016/2017. (*Peter J. Stasiak, City Manager*)

Executive Summary

Motion to approve a Resolution adopting the Capital Improvement Program.

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 April 10, 2012 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending April 17, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item O, to ratify an indefinite remote deposit service agreement between the First National Bank and City of McAlester to provide certain electronic capture services, specifically remote deposit capture. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item Q, to ratify a two (2) year letter of engagement for actuarial services between the City of McAlester and Apex Global Partners. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item T, to ratify a ninety-nine (99) year Lease of Real Property between the City of McAlester and DLI McAlester LLC for a DEA Field Office on Airport Road. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item W, ratify an indefinite period for a Facilities Space Agreement between the City of McAlester and Oklahoma Department of Environmental Quality for the Air Quality Monitoring Site located at the Manager's Airport Control Tower Building. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 2, 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 10, a Resolution to adopt the Capital Improvement Program 2012/2013-2016/2017. *(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 April 10 , 2012 Regular Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending April 17, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item D, Authorize the Mayor to sign a Resolution directing filing and notification for the publication of biennial supplements to the McAlester City Code of 1972. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item E, Ratify a One (1) year State Contract SW403 between City of McAlester and SimplexGrinnell in the amount of \$4,118 for maintenance and annual testing of Fire Alarm System in City Hall. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item F, Ratify a one (1) year Contract between the City of McAlester and Z-Bird Vending for Full Service Vending. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item K, to ratify a five (5) year lease-purchase agreement between the City of McAlester and Welch State Bank for a John Deere 410J Backhoe. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item O, Ratify an indefinite remote deposit service agreement between the First National Bank and City of McAlester to provide certain electronic capture services, specifically remote deposit capture. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item Q, to ratify a two (2) year letter of engagement for actuarial services between the City of McAlester and Apex Global Partners. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 2, 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 7, a quote from AT&T for the upgrade of existing data and equipment in the E-911 Dispatch Center, utilizing the current E-911 Grant. *(Jim Lyles, Police Chief)*
- Confirm action taken on City Council Agenda Item 9, an Agreement for Engineering Services with Meshek & Associates, PLC for the design of drainage improvements design at the intersection of Mallard Lane and Flamingo Road. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 10, a Resolution to adopt the Capital Improvement Program 2012/2013-2016/2017. *(Peter J. Stasiak, City Manager)*

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the March 27, 2012, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of April 2012. *(Toni Ervin, Interim Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item O, Ratify an indefinite remote deposit service agreement between the First National Bank and City of McAlester to provide certain electronic capture services, specifically remote deposit capture. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item Q, to ratify a two (2) year letter of engagement for actuarial services between the City of McAlester and Apex Global Partners. *(Peter J. Stasiak, City Manager)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING

EXECUTIVE SESSION

Recess into Executive Session in compliance with Section Title 25 Section 307 B.1 & 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

- 2) Title 25, Sec. 307.B.1: Discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: City Manager, Peter J. Stasiak; City Clerk, Cora Middleton.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

- Consider, and act upon the City Manager Contract.

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