



# McAlester City Council

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## NOTICE OF MEETING

### AMENDED Regular Meeting Agenda

Tuesday, June 11, 2013 – 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](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.*

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

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Robert Tate, First Indian Baptist Church

#### **ROLL CALL**

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#### **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

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*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 May 21, 2013 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for May 22, 2013 to June 4, 2013. *(Toni Ervin, Chief Financial Officer)*
- C. Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No.33460-TW. *(Cora Middleton, City Clerk)*
- D. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and the Oklahomans for Independent Living. *(Peter J. Stasiak, City Manager)*
- E. Consider and act upon, a request from the Pittsburg County Regional Expo Authority for funding in the amount of \$9,000. *(Peter J. Stasiak, City Manager)*
- F. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Main Street Association. *(Peter J. Stasiak, City Manager)*
- G. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Pride-in-McAlester. *(Peter J. Stasiak, City Manager)*
- H. Discussion and possible action, a funding request of \$18,000 for the Old Town Association 17<sup>th</sup> Wild West Festival, October 5, 2013. *(Old Town Association, Eddie Gray/Councilman Buddy Garvin)*
- I. Consider and act upon, authorizing the Mayor to sign a City County Agreement for a Joint Civil Defense/Emergency Management Administration between the Board of County Commissioners of Pittsburg County of Oklahoma and the City of McAlester. *(Peter J. Stasiak, City Manager)*
- J. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester Public Works Project and the Oklahoma Department of Corrections (Prisoners Public Works). *(Peter J. Stasiak, City Manager)*
- K. Consider and act upon, authorizing the Mayor to sign an Equipment Maintenance Agreement between the City of McAlester and BizTel Business Telephone Systems for July 1, 2013 through June 30, 2014. (No increase in service rates – same as last year.) *(James Stanford, IT Computer Specialist and Peter J. Stasiak, City Manager)*
- L. Consider and act upon, a one year agreement between the Public Finance Law Group and the City of McAlester, Oklahoma to engage as bond counsel for the purposes of

consultation on any contemplated financing which the City or the Authority may undertake. *(Peter J. Stasiak, City Manager)*

- M. Ratify and approve an agreement between Municipal Finance Services, Inc. and the City of McAlester to render financial consulting services to the Mayor, City Council and Staff on certain financial matters. *(Peter J. Stasiak, City Manager)*
- N. Consider and act upon, authorizing the Mayor to sign a Resolution extending Healthcare Coverage with Oklahoma Public Employees Health & Wellness in the amount of \$469.10/per full time regular employee for a period of July 1, 2013 through June 30, 2014, and appointing a member of the City Council to the OPEH&W Plan Board. *(Pamela Kirby, Human Resources Manager & Peter J. Stasiak, City Manager)*
- O. Ratify and approve application with for a dental insurance plan for all full time regular employees with **Guardian** for the period of July 1, 2013 through June 30, 2014. *(Pamela Kirby, Human Resources Manager)*
- P. Ratify and approve application with **Superior Vision Services, Inc.** for vision care for full time regular employee for a period of July 1, 2013 through June 30, 2014. *(Pamela Kirby, Human Resources Manager)*
- Q. Ratify and approve application and participation agreement with **Lincoln National Life Insurance Company** for Life Insurance and Long Term Disability Insurance for full time regular employee for a period of July 1, 2013 through June 30, 2014. *(Pamela Kirby, Human Resources Manager)*
- R. Consider and act upon, authorizing the Mayor to sign a Letter of Agreement between the Oklahoma Tobacco Settlement Endowment Trust and City of McAlester for grant funds received from the Oklahoma Tobacco Settlement Endowment Trust Fund (TSET), through the Healthy Communities Incentive Grant Program. *(Pamela Kirby, Human Resources Manager)*
- S. Consider, and act upon, a one (1) year Agreement between the City of McAlester and McAlester Regional Health Center Authority (MRHC) for services of MRHC's Wellness Center Facility for City Employees *(Pamela Kirby, Human Resources Manager)*

## **ITEMS REMOVED FROM CONSENT AGENDA**

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### **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.*

- **TO RECEIVE PUBLIC COMMENT ON CITY OF MCALESTER PROPOSED FISCAL YEAR 2013-2014 ANNUAL OPERATING BUDGET.**

- **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 THE CITY OF MCALESTER CODE OF ORDINANCES, CHAPTER 62, LAND DEVELOPMENT CODE, ARTICLE VI, SUBDIVISION REGULATIONS, DIVISION 3. DESIGN STANDARDS, GENERALLY, SECTION 62-397, SUBDIVISION DESIGN STANDARDS (A) STREETS (11). REPEALING ALL CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.**

### **SCHEDULED BUSINESS**

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1. CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION AUTHORIZING THE MCALESTER PUBLIC WORKS AUTHORITY (THE "AUTHORITY") TO ISSUE ITS UTILITY SYSTEM AND SALES TAX REVENUE NOTE, SERIES 2013 (THE "NOTE") IN THE AGGREGATE PRINCIPAL AMOUNT OF \$8,890,000.00; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE NOTE TO BE SOLD ON A NEGOTIATED BASIS; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN THE CITY OF MCALESTER, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUE; APPROVING AND AUTHORIZING EXECUTION OF AN INDENTURE AUTHORIZING THE ISSUANCE AND SECURING THE PAYMENT OF THE NOTE; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURE; RATIFYING AND CONFIRMING A LEASE PERTAINING TO THE CITY'S WATER, SANITARY SEWER, AND GARBAGE SYSTEMS; ESTABLISHING THE AUTHORITY'S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY THE AUTHORITY IN CALENDAR YEAR 2013, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AUTHORIZING AND DIRECTING THE EXECUTION OF THE NOTE AND OTHER DOCUMENTS RELATING TO THE TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO. (*Jon Wolff Municipal Finance Services, Inc. and Alan Brooks, Public Finance Law Group PLLC*)

#### Executive Summary

Motion to approve Resolution Authorizing the McAlester Public Works Authority (The "Authority") to issue its Utility System and Sales Tax Revenue Series 2013.

2. CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE MCALESTER PUBLIC WORKS AUTHORITY (THE "AUTHORITY") ISSUING ITS UTILITY SYSTEM AND SALES TAX REVENUE NOTE, SERIES 2013 (THE "NOTE");

PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURE AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN THE CITY OF MCALESTER, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO THE YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUES; RATIFYING AND CONFIRMING A LEASE PERTAINING TO THE CITY'S WATER, SANITARY SEWER, AND GARBAGE SYSTEMS; ESTABLISHING THE CITY'S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY OR ON BEHALF OF SAID CITY IN CALENDAR YEAR 2013, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AND CONTAINING OTHER PROVISIONS RELATING THERETO. *(Jon Wolff Municipal Finance Services, Inc. and Alan Brooks, Public Finance Law Group PLLC)*

Executive Summary

MOTION TO APPROVE RESOLUTION WITH RESPECT TO A RESOLUTION APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE MCALESTER PUBLIC WORKS AUTHORITY (THE "AUTHORITY") ISSUING ITS UTILITY SYSTEM AND SALES TAX REVENUE NOTE, SERIES 2013 (THE "NOTE")

3. Discussion and act upon, a Resolution confirming the City of McAlester has the resources or can obtain the resources necessary to provide Economic Development service to the Citizens of McAlester. *(Councilman Travis Read)*

Executive Summary

Motion to approve Resolution to conduct economic development activities internally within the City of McAlester organizational structure.

4. Discussion and act upon, a contract requesting funding for economic development services between MPower Economic Development Corporation and the City of McAlester. *(MPower Board of Directors)*

Executive Summary

Motion to approve the contract with MPower E.E. for FY 13/14.

5. 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.

6. Consider, and act upon, approval of special claims list attached hereto for pay-off of capital leases. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Motion to approve the special claims list.

7. Consider and act upon, authorizing the Mayor to sign a Master Agreement for Internet Services between the City of McAlester and AT&T. (*James Stanford, IT Computer Specialist*)

Executive Summary

Motion to approve Master Agreement for Internet Services.

8. Consider and act upon, authorizing the Mayor to sign a Service Agreement with MegaPath for local and long distance phone calling for the City of McAlester. (*James Stanford, IT Computer Specialist*)

Executive Summary

Motion to approve agreement with MegaPath.

9. Consider and act upon a Resolution of Support for the Southwinds Aldridge Apartments, LP for Development for the Aldridge Apartments, LP Development and authorizing a monetary contribution from Economic Development funds in minimum amount of \$14,001.

Executive Summary

Motion to approve a Resolution of support for Economic Development and promoting affordable housing, and authorizing a monetary contribution from Economic Development funds in minimum amount of \$14,001 or combination of in-kind services with a monetary contribution to offset the remaining obligation up to \$14,001.

10. Consider and act upon, authorizing the Mayor to sign a Mutual Aid Interlocal Agreement between the City of Savanna and the City of McAlester to combine and coordinate resources for responses to calls for services.

Executive Summary

Motion to approve the Mutual Aid Interlocal Agreement with the City of Savanna.

11. Consider and act upon, an Ordinance amending the City of McAlester Code of Ordinances, Chapter 62, Land Development Code, Article VI, Subdivision Regulations, Division 3, Design Standards, Generally, Section 62-397, Subdivision Design Standards (A) Streets (11). Repealing all conflicting Ordinances; and Declaring an Emergency. (*Peter J. Stasiak, City Manager*)

Executive Summary

Motion to approve amending Ordinance of the City of McAlester Code of Ordinances, Chapter 62, Section 397. Subdivision Design Standards (A) Streets (11).

12. Ratify and approve, an Agreement for the Fireworks Display for the 2013 show scheduled July 4<sup>th</sup>, 2013. (*Jerry Lynn Wilson, Expo Center Manager*)

Executive Summary

Motion to approve agreement for the 2013 Firework Display with Liberty Pyrotechnics, LLC in the amount of \$13,495.00.

13. Consider, and act upon, a Professional Services Agreement with a consultant to be named for the design of road and infrastructure improvements along Seventeenth Street from Comanche Avenue to South Avenue. (*John C. Modzelewski, PE, City Engineer and Public Works Director*)

#### Executive Summary

Motion to approve authorizing the Mayor to sign a Professional Services Agreement with a consultant, to be named on June 11, 2013, for the design of road and infrastructure improvements along Seventeenth Street from Comanche Avenue to South Avenue.

### **NEW BUSINESS**

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*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)**

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- Report on activities for the past two weeks.

### **REMARKS AND INQUIRIES BY CITY COUNCIL**

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### **MAYORS COMMENTS AND COMMITTEE APPOINTMENTS**

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### **RECESS COUNCIL MEETING**

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### **CONVENE AS McALESTER AIRPORT AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the May 28, 2013 Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, regarding claims ending June 4, 2013. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item I, authorizing the Mayor to sign a City County Agreement for a Joint Civil Defense/Emergency Management Administration between the Board of County Commissioners of Pittsburg County of Oklahoma and the City of McAlester. (*Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item J, authorizing the Mayor to sign a contract between the City of McAlester Public Works Project and the Oklahoma Department of Corrections (Prisoners Public Works). (*Peter J. Stasiak, City Manager*)

- Confirm action taken on City Council Agenda Item K, authorizing the Mayor to sign an Equipment Maintenance Agreement between the City of McAlester and BizTel Business Telephone Systems for July 1, 2013 through June 30, 2014. (No increase in service rates – same as last year.) (*James Stanford, IT Computer Specialist and Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item L, a one year agreement between the Public Finance Law Group and the City of McAlester, Oklahoma to engage as bond counsel for the purposes of consultation on any contemplated financing which the City or the Authority may undertake. (*Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item M, an agreement between Municipal Finance Services, Inc. and the City of McAlester to render financial consulting services to the Mayor, City Council and Staff on certain financial matters. (*Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item N, authorizing the Mayor to sign a Resolution extending Healthcare Coverage with Oklahoma Public Employees Health & Wellness in the amount of \$469.10/per full time regular employee for a period of July 1, 2013 through June 30, 2014, and appointing a member of the City Council to the OPEH&W Plan Board. (*Pamela Kirby, Human Resources Manager & Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item O, to approve application with for a dental insurance plan for all full time regular employees with **Guardian** for the period of July 1, 2013 through June 30, 2014. (*Pamela Kirby, Human Resources Manager*)
- Confirm action taken on City Council Agenda Item P, to approve application with **Superior Vision Services, Inc.** for vision care for full time regular employee for a period of July 1, 2013 through June 30, 2014. (*Pamela Kirby, Human Resources Manager*)
- Confirm action taken on City Council Agenda Item Q, to approve application and participation agreement with **Lincoln National Life Insurance Company** for Life Insurance and Long Term Disability Insurance for full time regular employee for a period of July 1, 2013 through June 30, 2014. (*Pamela Kirby, Human Resources Manager*)
- Confirm action taken on City Council Agenda Item R, to authorize the Mayor to sign a Letter of Agreement between the Oklahoma Tobacco Settlement Endowment Trust and City of McAlester for grant funds received from the Oklahoma Tobacco Settlement Endowment Trust Fund (TSET), through the Healthy Communities Incentive Grant Program. (*Pamela Kirby, Human Resources Manager*)
- Confirm action taken on City Council Agenda Item S, a one (1) year Agreement between the City of McAlester and McAlester Regional Health Center Authority (MRHC) for services of MRHC's Wellness Center Facility for City Employees (*Pamela Kirby, Human Resources Manager*)

- Confirm action taken on City Council Agenda Item 7, authorizing the Mayor to sign a Master Agreement for Internet Services between the City of McAlester and AT&T. (*James Stanford, IT Computer Specialist*)
- Confirm action taken on City Council Agenda Item 8, authorizing the Mayor to sign a Service Agreement with MegaPath for local and long distance phone calling for the City of McAlester. (*James Stanford, IT Computer Specialist*)

#### ADJOURN MAA

#### **CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the May 21, 2013 Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- Approval of the Minutes from the May 28, 2013 Regular Meeting of the McAlester Public Works Authority (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, regarding claims ending June 4, 2013. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item C, Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No.33460-TW. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item I, authorizing the Mayor to sign a City County Agreement for a Joint Civil Defense/Emergency Management Administration between the Board of County Commissioners of Pittsburg County of Oklahoma and the City of McAlester. (*Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item J, authorizing the Mayor to sign a contract between the City of McAlester Public Works Project and the Oklahoma Department of Corrections (Prisoners Public Works). (*Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item K, authorizing the Mayor to sign an Equipment Maintenance Agreement between the City of McAlester and BizTel Business Telephone Systems for July 1, 2013 through June 30, 2014. (No increase in service rates – same as last year.) (*James Stanford, IT Computer Specialist and Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item L, a one year agreement between the Public Finance Law Group and the City of McAlester, Oklahoma to engage as bond

- counsel for the purposes of consultation on any contemplated financing which the City or the Authority may undertake. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item M, an agreement between Municipal Finance Services, Inc. and the City of McAlester to render financial consulting services to the Mayor, City Council and Staff on certain financial matters. *(Peter J. Stasiak, City Manager)*
  - Confirm action taken on City Council Agenda Item N, authorizing the Mayor to sign a Resolution extending Healthcare Coverage with Oklahoma Public Employees Health & Wellness in the amount of \$469.10/per full time regular employee for a period of July 1, 2013 through June 30, 2014, and appointing a member of the City Council to the OPEH&W Plan Board. *(Pamela Kirby, Human Resources Manager & Peter J. Stasiak, City Manager)*
  - Confirm action taken on City Council Agenda Item O, to approve application with for a dental insurance plan for all full time regular employees with **Guardian** for the period of July 1, 2013 through June 30, 2014. *(Pamela Kirby, Human Resources Manager)*
  - Confirm action taken on City Council Agenda Item P, to approve application with **Superior Vision Services, Inc.** for vision care for full time regular employee for a period of July 1, 2013 through June 30, 2014. *(Pamela Kirby, Human Resources Manager)*
  - Confirm action taken on City Council Agenda Item Q, to approve application and participation agreement with **Lincoln National Life Insurance Company** for Life Insurance and Long Term Disability Insurance for full time regular employee for a period of July 1, 2013 through June 30, 2014. *(Pamela Kirby, Human Resources Manager)*
  - Confirm action taken on City Council Agenda Item R, to authorize the Mayor to sign a Letter of Agreement between the Oklahoma Tobacco Settlement Endowment Trust and City of McAlester for grant funds received from the Oklahoma Tobacco Settlement Endowment Trust Fund (TSET), through the Healthy Communities Incentive Grant Program. *(Pamela Kirby, Human Resources Manager)*
  - Confirm action taken on City Council Agenda Item S, a one (1) year Agreement between the City of McAlester and McAlester Regional Health Center Authority (MRHC) for services of MRHC's Wellness Center Facility for City Employees *(Pamela Kirby, Human Resources Manager)*
  - CONFIRM ACTION TAKEN ON CITY COUNCIL AGENDA ITEM 1, WITH RESPECT TO A RESOLUTION AUTHORIZING THE MCALESTER PUBLIC WORKS AUTHORITY (THE "AUTHORITY") TO ISSUE ITS UTILITY SYSTEM AND SALES TAX REVENUE NOTE, SERIES 2013 (THE "NOTE") IN THE AGGREGATE PRINCIPAL AMOUNT OF \$8,890,000.00; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE NOTE TO BE SOLD ON A NEGOTIATED BASIS; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN THE CITY

OF MCALESTER, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUE; APPROVING AND AUTHORIZING EXECUTION OF AN INDENTURE AUTHORIZING THE ISSUANCE AND SECURING THE PAYMENT OF THE NOTE; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURE; RATIFYING AND CONFIRMING A LEASE PERTAINING TO THE CITY'S WATER, SANITARY SEWER, AND GARBAGE SYSTEMS; ESTABLISHING THE AUTHORITY'S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY THE AUTHORITY IN CALENDAR YEAR 2013, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AUTHORIZING AND DIRECTING THE EXECUTION OF THE NOTE AND OTHER DOCUMENTS RELATING TO THE TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO. (*Jon Wolff Municipal Finance Services, Inc. and Alan Brooks, Public Finance Law Group PLLC*)

- CONFIRM ACTION TAKEN ON CITY COUNCIL AGENDA ITEM 2, WITH RESPECT TO A RESOLUTION APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE MCALESTER PUBLIC WORKS AUTHORITY (THE "AUTHORITY") ISSUING ITS UTILITY SYSTEM AND SALES TAX REVENUE NOTE, SERIES 2013 (THE "NOTE"); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURE AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN THE CITY OF MCALESTER, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO THE YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUES; RATIFYING AND CONFIRMING A LEASE PERTAINING TO THE CITY'S WATER, SANITARY SEWER, AND GARBAGE SYSTEMS; ESTABLISHING THE CITY'S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY OR ON BEHALF OF SAID CITY IN CALENDAR YEAR 2013, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AND CONTAINING OTHER PROVISIONS RELATING THERETO. (*Jon Wolff Municipal Finance Services, Inc. and Alan Brooks, Public Finance Law Group PLLC*)
- Confirm action taken on City Council Agenda Item 3, a Resolution confirming the City of McAlester has the resources or can obtain the resources necessary to provide Economic Development service to the Citizens of McAlester. (*Councilman Travis Read*)
- Confirm action taken on City Council Agenda Item 4, a contract requesting funding for economic development services between MPower Economic Development Corporation and the City of McAlester. (*MPower Board of Directors*)

- Confirm action taken on City Council Agenda Item 5, 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, approval of special claims list attached hereto for pay-off of capital leases. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 7, authorizing the Mayor to sign a Master Agreement for Internet Services between the City of McAlester and AT&T. *(James Stanford, IT Computer Specialist)*
- Confirm action taken on City Council Agenda Item 8, authorizing the Mayor to sign a Service Agreement with MegaPath for local and long distance phone calling for the City of McAlester. *(James Stanford, IT Computer Specialist)*
- Confirm action taken on City Council Agenda Item 9, a Resolution of Support for the Southwinds Aldridge Apartments, LP for Development for the Aldridge Apartments, LP Development and authorizing a monetary contribution from Economic Development funds in minimum amount of \$14,001.
- Confirm action taken on City Council Agenda Item 11, an Ordinance amending the City of McAlester Code of Ordinances, Chapter 62, Land Development Code, Article VI, Subdivision Regulations, Division 3, Design Standards, Generally, Section 62-397, Subdivision Design Standards (A) Streets (11). Repealing all conflicting Ordinances; and Declaring an Emergency. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 13, a Professional Services Agreement with a consultant to be named for the design of road and infrastructure improvements along Seventeenth Street from Comanche Avenue to South Avenue. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*

#### ADJOURN MPWA

#### **RECONVENE COUNCIL MEETING**

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#### **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 & FOP

#### **RECONVENE INTO OPEN SESSION**

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

## **ADJOURNMENT**

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## **CERTIFICATION**

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*I certify that this Notice of Meeting was posted on this \_\_\_\_\_ day of \_\_\_\_\_ 2013 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**