



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, June 25, 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 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 May 28, 2013, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for June 5-June 18, 2013. *(Toni Ervin, Chief Financial Officer)*
- C. Tabled from Previous Meeting. 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)*
- D. Tabled from Previous Meeting. 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)*
- E. Tabled from Previous Meeting. 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)*
- F. Ratify an Agreement for a one-year term with U.S. Cellular for cellular telephone and communication services. *(James Stanford, IT Computer Specialist)*
- G. Consider and act upon, authorizing the Mayor to sign a contract for Professional Services between Robison International, Inc. and the McAlester Defense Support Association and the City of McAlester. The Contract is effective July 1, 2013 through June 30, 2014. Upon approval by Council - Mayor to sign agreement when Robison's signed contract is received. *(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.

- 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 TO ADOPT SECTION 22-94, 22-95 AND 22-96. TO BE ADDED TO ARTICLE II, CHAPTER 22, OF THE CODE OF THE CITY OF McALESTER, OKLAHOMA TO PROHIBITING AGGRESSIVE BEGGING, PANHANDLING OR

SOLICITATION OF ANY PERSON, REPEALING ALL CONFLICTING ORDINANCES, AND DECLARING AN EMERGENCY.

- AN ORDINANCE TO AMEND SECTION 102-233. TO ARTICLE VI, CHAPTER 102, OF THE CODE OF THE CITY OF MCALESTER, OKLAHOMA BY PROHIBITING PEDESTRIANS IN OR AROUND A PUBLIC ROADWAY FROM SOLICITING A RIDE, DONATIONS, EMPLOYMENT OR BUSINESS FROM THE OCCUPANT OF ANY VEHICLE, REPEALING ALL CONFLICTING ORDINANCES, AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. 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, CFO)*

Executive Summary

Motion to approve the budget amendment ordinance.

2. Discussion and update on Financials as of May 31, 2013. *(Toni Ervin, CFO)*

Executive Summary

Discussion Financials as of May 31, 2013.

3. Consider and Act to approve and ordinance of the City of McAlester adopting Section 22-94, 22-95 AND 22-96. To be added to ARTICLE II, CHAPTER 22, of the Code of the City of McAlester, Oklahoma to prohibiting aggressive begging, panhandling or solicitation of any person, Repealing all conflicting ordinances, and declaring and Emergency. *(William J. Ervin, City Attorney and Councilman, Buddy Garvin)*

Executive Summary

Motion to approve Adopting Ordinance.

4. Consider and Act to Approve and Ordinance of the City of McAlester amending Section 102-233. To ARTICLE VI, CHAPTER 102, of the Code by Prohibiting Pedestrians in or around a public roadway from soliciting a ride, donations, employment or business from the occupant of any vehicle, Repealing all conflicting Ordinances, and Declaring an Emergency. *(William J. Ervin, City Attorney and Councilman, Buddy Garvin)*

Executive Summary

Motion to approve Ordinance.

5. Discussion, and possible action, to share in the cost with the Pittsburg County Fire Fighters Association for implementation of a new pager/repeater communication system. Funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve the cost share of communications equipment for Pittsburg County Fire Fighters Association, with funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services.

6. Consider, and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Katcon, Inc. to construct improvements to various concrete panels along portions of Electric Avenue. Mayor to sign agreement when Katcon's Inc. signed contract is received. *(John Modzelewski, PE, City Engineer and Public Works Director)*

Executive Summary

The recommendation is to enter into an agreement with Katcon, Inc. for a Total Bid equal to \$266,148.00 to construct improvements to various concrete panels along portions of Electric Avenue. The funding source for this project is Account Number 01-5865403.

7. Consider, and act upon, a request from Allied Waste/Republic Services increasing the solid waste collection rate for Residential customers by .43% based on the increase in the CPI for Urban Wage Earners and Clerical Workers "All Items Index" Midwest Region, Size Class D (50,000 or less) and the U.S. City Average, other Motor Fuels as of April 2013. Staff does not recommend passing increase on to Citizens. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve the new service residential rate increase of .43% based on the CPI for Urban Wage Earners and Clerical Workers "All Items Index" Midwest Region, Size Class D (50,000 or less) and the U.S. City Average, other Motor Fuels as of April 2013.

8. Consider, and act upon, appointing an Authorized Agent for the City of McAlester's Defined Contribution Retirement Plan. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve the Appointment of an Authorized Agent for the City of McAlester's Defined Contribution Retirement Plan.

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 June 11, 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 18, 2013. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 8, appointing an Authorized Agent for the City of McAlester's Defined Contribution Retirement Plan. *(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 June 11, 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 18, 2013. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, 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, CFO)*
- Confirm action taken on City Council Agenda Item 6, authorizing the Mayor to sign a contract between the City of McAlester and Katcon, Inc. to construct improvements to various concrete panels along portions of Electric Avenue. *(John Modzelewski, PE, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 7, Consider, and act upon, a request from Allied Waste/Republic Services increasing the solid waste collection rate for Residential customers by .43% based on the increase in the CPI for Urban Wage Earners and Clerical Workers "All Items Index" Midwest Region, Size Class D (50,000 or less) and the U.S. City Average, other Motor Fuels as of April 2013. Staff does not recommend passing increase on to Citizens. *(Peter J. Stasiak, City Manager)*

- Confirm action taken on City Council Agenda Item 8, appointing an Authorized Agent for the City of McAlester’s Defined Contribution Retirement Plan. *(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 May 28, 2013, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of June 2013. *(Toni Ervin, Interim Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 8, appointing an Authorized Agent for the City of McAlester’s Defined Contribution Retirement Plan. *(Peter J. Stasiak, City Manager)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING

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