



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, September 10, 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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Pastor, Stephanie Swinnea, All Saints Episcopal 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**

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*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 August 27, 2013 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for August 21 to September 3, 2013. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, to authorize the Mayor to sign the Workers' Compensation Administrative Services Agreement between the Mutual Assurance Administrators, Inc. and the City of McAlester. *(Peter J. Stasiak, City Manager)*
- D. Concur with Mayor's Appointment of Ginny Webb, 1020 S. 9<sup>th</sup> Street, to the McAlester Planning and Zoning Commission to fill an unexpired term of May, 2015. *(Steve Harrison, Mayor)*
- E. Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No.132458-TW. *(Cora Middleton, City Clerk)*

**ITEMS REMOVED FROM CONSENT AGENDA**

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**PUBLIC HEARING**

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*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, adding to said City of McAlester, Oklahoma, Territory adjacent and/or contiguous to the City limits and providing for zoning of said Territory.

An Ordinance of the City of McAlester, Oklahoma, amending Ordinance No. 2467 which established the budget for fiscal year 2013-14; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency.

A Public Hearing concerning a request from New Cingular Wireless PCS, LLC to lease City property located at 1313 South Strong Road. The purpose of the lease is to construct a communication facility which includes installing a 160' monopole antenna on a portion of Tract 1 Lot 15 ½, Townsite Addition #4.

**SCHEDULED BUSINESS**

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1. Consider and act to adopt an ordinance of the City of McAlester, Oklahoma adding certain adjacent and/or contiguous territory to the corporate limits of the City, and providing for zoning of said territory. *(William J. Ervin, City Attorney)*

Executive Summary

The property owners of a majority of the acres to be annexed have consented in writing to the annexation. All notice and the public hearing required by law has been completed. Further, adoption of the ordinance will bring the Steven Taylor Industrial Park and the new Indian Nations Turnpike travel plaza/convenience center into the corporate limits of the City. It is staff's recommendation that the Ordinance be adopted.

2. Citizen request to address the Council regarding Hutchison Park. *(Ms. Charlotte A. McPherson)*

Executive Summary

Citizen Request to address the Council regarding Hutchison Park.

3. Tabled from Previous Meeting. Consider and act upon, to designate certain property owned by the City as a site suitable for a location of a telecom facility, and authorize the Mayor to sign an Option and Lease Agreement between the City of McAlester and New Cingular Wireless PCS, LLC for the purpose of installing, operating and maintaining a communications facility to be located at 1313 South Strong Rd. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve Option and Lease Agreement with New Cingular Wireless PCS, LLC.

4. Consider, and act upon, an Ordinance amending Ordinance No. 2467 which established the budget for fiscal year 2013-2014; 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.

5. Tabled from Previous Meeting. Consider, and Act upon, authorizing the Mayor to sign Lease Agreement No. DTFACN-13-L-00151 between the City of McAlester and the U. S. Department of Transportation Federal Aviation Administration for a term commencing on July 1, 2013 and continuing through June 30, 2015, inclusive. *(John Modzelewski, P.E., City Engineer and Public Works Director)*

Executive Summary

Motion to approve authorizing the Mayor to sign Lease Agreement No. DTFACN-13-L-00151.

6. Discussion of the possibility of leasing City owned Ball Fields to the Boys & Girls Club for a term of 25 years. *(Peter J. Stasiak, City Manager)*

Executive Summary

Discussion Only

**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 August 27, 2013 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending September 3, 2013. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 6, authorizing the Mayor to sign Lease Agreement No. DTFACN-13-L-00151 between the City of McAlester and the U. S. Department of Transportation Federal Aviation Administration for a term commencing on July 1, 2013 and continuing through June 30, 2015, inclusive. *(John Modzelewski, P.E., City Engineer and Public Works Director)*

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

*Majority of a Quorum required for approval*

- Approval of the Minutes from the August 27, 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 September 3, 2013. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 1, to adopt an ordinance of the City of McAlester, Oklahoma adding certain adjacent and/or contiguous territory to the corporate limits of the City, and providing for zoning of said territory. (*William J. Ervin, City Attorney*)
- Confirm action taken on City Council Agenda Item 4, an Ordinance amending Ordinance No. 2467 which established the budget for fiscal year 2013-2014; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Toni Ervin, Chief Financial Officer*)

#### ADJOURN MPWA

#### RECONVENE COUNCIL MEETING

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#### EXECUTIVE SESSION

*Recess into Executive Session in compliance with Section Title 25 Section 307 B.1 et.seq. Oklahoma Statutes, to wit:*

- 1) Proposed executive session pursuant to 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 Attorney, William J. Ervin

#### RECONVENE INTO OPEN SESSION

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

- Consider, and act upon, the City Attorney Contract.

#### 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