



# McAlester City Council

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## NOTICE OF MEETING

### Revised Regular Meeting Agenda

Tuesday, September 24, 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**

*Announce the presence of a Quorum.*

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

Pastor Charles Neff, First Methodist 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 September 10, 2013, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for September 4, 2013 through September 17, 2013. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon to authorize the Mayor to execute a City-County Jail Services Agreement. *(Bill Ervin, City Attorney)*
- D. Concur with Mayor's Re-Appointment of Sabra Tate, 601 S. 2<sup>nd</sup>, McAlester 74501 to the McAlester Tree Board for a term to expire September, 2015. *(Steve Harrison, Mayor)*
- E. Concur with Mayor's Appointment of Tedi Graham, 1104 Ono Court, McAlester 74501 to the McAlester Tree Board for a term to expire September, 2015. *(Steve Harrison, Mayor)*
- F. Concur with Mayor's Re-Appointment of David Cantrell, 1030 W. Mitchell Rd, McAlester 74501 to the McAlester Tree Board for a term to expire September, 2015. *(Steve Harrison, Mayor)*
- G. Concur with Mayor's Re-Appointment of Sabra Tate, 601 S. 2<sup>nd</sup>, McAlester 74501 to the McAlester Tree Board for a term to expire September, 2015. *(Steve Harrison, Mayor)*
- H. Concur with Mayor's Re-Appointment of Theo Webb, 831 W. Monroe, McAlester 74501 to the McAlester Tree Board for a term to expire September, 2015. *(Steve Harrison, Mayor)*
- I. Concur with Mayor's Re-Appointment of Joyce Carlson, 312 W. Fillmore Ave, McAlester 74501 to the Pittsburg County Regional Expo Authority Board for a term to expire June, 2015. *(Steve Harrison, Mayor)*

**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. 2467 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR**

**2013-14; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.****SCHEDULED BUSINESS**

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1. Presentation of the Actuarial Report as of July 1, 2013 for the City of McAlester Defined Benefit Retirement Plan and Trust. *(Bruce R. Nordstrom, FSA, EA, MAAA, Senior Consulting Actuary, MHBT Inc.)*

## Executive Summary

Actuarial Report as of July 1, 2013 for the City of McAlester Defined Benefit Retirement Plan and Trust.

2. Discussion and update on Capital Expenditures and funding. *(Toni Ervin, CFO)*

## Executive Summary

Presentation on Capital Expenditures and funding.

3. 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, CFO)*

## Executive Summary

Motion to approve the budget amendment ordinance.

4. Consider, and act upon, approval of Change Order No. 2, for an extension of twenty-one days to the existing contract with K-Bar Company for Mallard and Flamingo Drainage Improvements. *(John C. Modzelewski, P.E., City Engineer and Public Works)*

## Executive Summary

Motion to approve Change Order No. 2 for the extension of time to the construction contract with K- Bar Company for Mallard and Flamingo drainage Improvements.

5. Consider, and act upon, approval of bid to Nix Ford of McAlester for the purchase of four (4) new and unused 2014 Ford Police SUV'S.

## Executive Summary

Motion to approve the low bid of \$134,000.72 to Nix Ford of McAlester for the purchase of four (4) new and unused 2014 Ford Police SUV AWD patrol vehicles.

**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 September 10, 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 17, 2013. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3, 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, CFO)*

## **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 September 10, 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 17, 2013. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3, 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, CFO)*
- Confirm action taken on City Council Agenda Item 4, approval of Change Order No. 2, for an extension of twenty-one days to the existing contract with K-Bar Company for Mallard and Flamingo Drainage Improvements. *(John C. Modzelewski, P.E., City Engineer and Public Works)*

ADJOURN MPWA

**CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the August 27, 2013, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of September 2013. *(Toni Ervin, Interim Chief Financial Officer)*

ADJOURN MRTA

**RECONVENE COUNCIL MEETING**

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**EXECUTIVE SESSION**

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*Recess into Executive Session in compliance with Section Title 25 Section 307 B.4 et.seq. Oklahoma Statutes, to wit:*

- 1) Proposed executive session pursuant to Title 25, Sec. 307(B) (4) for Confidential communications between a public body and its attorney concerning a pending investigations, claims, or actions, more particularly: Mitchell Weeks

**RECONVENE INTO OPEN SESSION**

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

- 1) Consider, and Act Upon, the Mitchell Weeks Workers Compensation Claim.

**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**