



McAlester City Council

NOTICE OF MEETING

Rescheduled Regular Meeting Agenda

Thursday, December 19, 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
Vacant.....	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

Glenn Meyer, Trinity Lutheran 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 November 26, 2013, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for December 4, 2013 through December 12, 2013. *(Toni Ervin, Chief Financial Officer)*

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 TO AMEND SECTIONS 54-45 AND 54-48. TO ARTICLE III, CHAPTER 54, OF THE CODE OF THE CITY OF MCALESTER, OKLAHOMA BY PROHIBITING POSSESSION OF ~~LIGHTED~~ ANY TOBACCO PRODUCT; AND PROHIBITING TOBACCO USE ON CITY-OWNED PREMISES OR OPERATED ~~AND~~ PROPERTIES; ADDING SUBSECTION E AND CREATING SECTION 54-52; DEFINITIONS.

AN ORDINANCE TO AMEND ARTICLE 1, IN GENERAL; CHAPTER 6, ALCOHOLIC BEVERAGES AND NON-INTOXICATING BEVERAGES; SECTION 6-1, OF THE CODE OF THE CITY OF MCALESTER, OKLAHOMA.

SCHEDULED BUSINESS

1. Discussion and possible action to appoint a new Ward 6 Councilman and appointment of a Vice Mayor. *(Cora Middleton, City Clerk)*

Executive Summary

Motion to appoint a new Ward 6 Councilman and appointment of a Vice Mayor.

2. Consider and act upon an ordinance to amend Sections 54-45 and 54-48 to Article III, Chapter 54, of the code of the City of McAlester, Oklahoma, prohibiting possession of any tobacco product; and prohibiting tobacco use on City-owned premises or operated properties; adding subsection E and creating Section 54-52 Definitions. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve Ordinance.

3. Consider and act upon an Ordinance to amend Article 1, in General; Chapter 6, Alcoholic Beverages and non-intoxicating beverages; Section 6-1, of the Code of the City of McAlester, Oklahoma. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve Ordinance.

4. Consider and act upon two Resolutions of Support for the Southwinds Aldridge Apartments, LP Development and authorizing direct contribution, expense reimbursement, provision of in-kind service, fee waiver or any combination thereof in the amount of \$14,001 in support of the Development from Economic Development funds. *(Leroy Alsup, Community and Economic Development Director)*

Executive Summary

Motion to approve a Resolution of support of Economic Development and promoting affordable housing, and a second Resolution authorizing direct contribution, expense reimbursement, provision of in-kind service, fee waiver or any combination thereof in the amount of \$14,001 in support of the Development from Economic Development funds .

5. Consider and act upon authorizing the Mayor to sign a Disaster Emergency Proclamation for the City of McAlester. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve the Disaster Emergency Proclamation for the City of McAlester.

6. Consider and act upon Change Order No. 1 to the contract 2013 Concrete Panel Replacement Project 4 with Katcon, Inc. adding \$26,272.44 to their contract for a total amount of \$288,472.44. *(Robert Karr, City Councilman, Ward 4)*

Executive Summary

Motion to approve Change Order No. 1 (Final) to Katcon, Inc. of McAlester and authorizing the Mayor to sign the Change Order changing the Contract amount to \$288,472.44.

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 December 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 December 12, 2013. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, to appoint a new Ward 6 Councilman and appointment of a Vice Mayor. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 2, an ordinance to amend Sections 54-45 and 54-48 to Article III, Chapter 54, of the code of the City of McAlester, Oklahoma, prohibiting possession of any tobacco product; and prohibiting tobacco use on City-owned premises or operated properties; adding subsection E and creating Section 54-52 Definitions. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 3 an Ordinance to amend Article 1, in General; Chapter 6, Alcoholic Beverages and non-intoxicating beverages; Section 6-1, of the Code of the City of McAlester, Oklahoma. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign a Disaster Emergency Proclamation for the City of McAlester. *(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 December 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 December 12, 2013. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, to appoint a new Ward 6 Councilman and appointment of a Vice Mayor. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 2, an ordinance to amend Sections 54-45 and 54-48 to Article III, Chapter 54, of the code of the City of McAlester,

Oklahoma, prohibiting possession of any tobacco product; and prohibiting tobacco use on City-owned premises or operated properties; adding subsection E and creating Section 54-52 Definitions. *(Peter J. Stasiak, City Manager)*

- Confirm action taken on City Council Agenda Item 3, an Ordinance to amend Article 1, in General; Chapter 6, Alcoholic Beverages and non-intoxicating beverages; Section 6-1, of the Code of the City of McAlester, Oklahoma. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 4, two Resolutions of Support for the Southwinds Aldridge Apartments, LP Development and authorizing direct contribution, expense reimbursement, provision of in-kind service, fee waiver or any combination thereof in the amount of \$14,001 in support of the Development from Economic Development funds. *(Leroy Alsup, Community and Economic Development Director)*
- Confirm action taken on City Council Agenda Item 5 authorizing the Mayor to sign a Disaster Emergency Proclamation for the City of McAlester. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 6, Change Order No. 1 to the contract 2013 Concrete Panel Replacement Project 4 with Katcon, Inc. adding \$26,272.44 to their contract for a total amount of \$288,472.44. *(Robert Karr, City Councilman, Ward 4)*

ADJOURN MPWA

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the November 26, 2013, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of December 2013. *(Toni Ervin, Interim Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, to appoint a new Vice Mayor. *(Cora Middleton, City Clerk)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

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.

Cora M. Middleton, City Clerk