



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, March 11, 2014 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

Steve Harrison ..... Mayor  
Weldon Smith ..... Ward One  
John Titsworth ..... Ward Two  
Travis Read, Vice Mayor ..... Ward Three  
Robert Karr ..... Ward Four  
Buddy Garvin ..... Ward Five  
Jason Barnett ..... 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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### ROLL CALL

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### SWEARING-IN CERMONY

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Judge Deborah Hackler will administer the Oath of Office to the Council member:

- Oath of Office – Council Member for Ward 2, John Titsworth

**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 February 25, 2014, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for February 18, 2014 through March 4, 2014. *(Toni Ervin, Chief Financial Officer)*
- C. Concur with Mayor's Re-Appointment of Mark Emmons, 504 E. Washington, McAlester 74501 to the Planning Commission for a term to expire May 31, 2017. *(Steve Harrison, Mayor)*
- D. Concur with Mayor's Re-Appointment of Harvey Bollinger, 2702 Hardy Springs, McAlester 74501 to the Planning Commission for a term to expire May 31, 2017. *(Steve Harrison, Mayor)*
- E. Concur with Mayor's Re-Appointment of Justin Few, 1423 Timber Lane, McAlester, Ok 74501 to the Planning Commission for a term to expire May 31, 2017. *(Steve Harrison, Mayor)*
- F. Concur with Mayor's Re-Appointment of John McNally, 702 Flamingo, McAlester 74501 to the Planning Commission for a term to expire May 31, 2017. *(Steve Harrison, Mayor)*
- G. Concur with Mayor's Re-Appointment of John McNally, 702 Flamingo, McAlester 74501 to the Board of Adjustment (BOA) for a term to expire March 31, 2017. *(Steve Harrison, Mayor)*
- H. Consider and act upon, authorizing the Mayor to sign an agreement between the City of McAlester and MegaPath for providing local and long distance calling services. *(James Stanford, IT Computer Specialist)*
- I. Ratify and approve for a one-year term an Agreement between the City of McAlester and the Missouri-Kansas-Texas Railroad Company for a Private Road Crossing License. *(Cora Middleton, City Clerk)*
- J. Ratify and approve for a one-year term Agreement between the City of McAlester ex rel McAlester Public Library Board and the Southeastern Public Library Board System of

Oklahoma, a multi-county public library system, relating to the use of that part of the premises for administrative offices and service center. *(Cora Middleton, City Clerk)*

- K. Tabled from Previous Meeting. Consider, and act upon, approving ADDENDUM NO. 6, to the Water Purchase Contract between the City of McAlester and Oklahoma State Penitentiary and authorizing the Mayor to sign ADDENDUM NO. 6. *(Cora Middleton, City Clerk)*
- L. Tabled from Previous Meeting. Consider, and act upon, approving ADDENDUM NO. 6, to the Water Purchase Contract between the City of McAlester and Pittsburg County Rural Water District No. 6 and authorizing the Mayor to sign ADDENDUM NO. 6. *(Cora Middleton, City Clerk)*

## **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.*

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. Take necessary steps to fill Ward 4 Council seat. *(Cora Middleton, City Clerk)*
  - a. Consider, and act upon, declaring a vacancy in Ward 4 Council seat.
  - b. Consider, and act upon, a resolution setting the Special election date for Ward 4.

#### Executive Summary

- a. Motion to declare Ward 4 Council seat as vacant.
- b. Motion to approve resolution setting the Special election dates for Ward 4.

1. 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.

- 2. Discussion, and possible action, on approval of certain costs related to the Fire Department. 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 purchase of Firefighting Bunker Gear, approx. cost not to exceed \$6,000.00, 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.

- 4. Discussion, and possible action, on approval of expenditures related to the Fire Department. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve the replacement of our 2001 ford E-350 ambulance. Approx. cost to the city, \$150,000.

- 5. Consider and act upon a recommendation from the McAlester Cemetery Board to expend Cemetery Perpetual Care Funds for the purchase of (2) zero turn mowers, roof replacement at office building, trees for Cemetery grounds and funeral set-up supplies. *(Mel Priddy, Community Services Director)*

Executive Summary

Motion to approve Cemetery Board recommendation to purchase (2) zero turn mowers, roof replacement for office, trees for grounds and funeral set-up supplies.

- 6. Consider and act upon to approve agreement with Tyler Technologies to provide products and services and authorize the Mayor to sign subject to the City Attorney recommended change.

Executive Summary

Motion to approve agreement and authorize the Mayor to sign.

**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**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the February 25, 2014 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending March 4, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item H, authorizing the Mayor to sign an agreement between the City of McAlester and MegaPath for providing local and long distance calling services. *(James Stanford, IT Computer Specialist)*
- Confirm action taken on City Council Agenda Item 1 Confirm action taken on City Council Agenda Item 1, to take necessary steps to fill Ward 4 Council seat. *(Cora Middleton, City Clerk)*
  - a. Consider, and act upon, declaring a vacancy in Ward 4 Council seat.
  - b. Consider, and act upon, a resolution setting the Special election date for Ward 4.
- Confirm action taken on City Council Agenda Item 2, 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 MAA****CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the February 25, 2014 Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending March 4, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item K, Consider, and act upon, approving ADDENDUM NO. 6, to the Water Purchase Contract between the City of McAlester and Oklahoma State Penitentiary and authorizing the Mayor to sign ADDENDUM NO. 6. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item L, Consider, and act upon, approving ADDENDUM NO. 6, to the Water Purchase Contract between the City of McAlester and Pittsburg County Rural Water District No. 6 and authorizing the Mayor to sign ADDENDUM NO. 6. *(Cora Middleton, City Clerk)*

- Confirm action taken on City Council Agenda Item 1, to take necessary steps to fill Ward 4 Council seat. *(Cora Middleton, City Clerk)*
  - a. Consider, and act upon, declaring a vacancy in Ward 4 Council seat.
  - b. Consider, and act upon, a resolution setting the Special election date for Ward 4.
- Confirm action taken on City Council Agenda Item 2, 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

## **EXECUTIVE SESSION**

*Recess into Executive Session in compliance with Section Title 25 Section 307 B.1 & 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 COUNCIL MEETING**

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## **ADJOURNMENT**

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## **CERTIFICATION**

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*I certify that this Notice of Meeting was posted on this \_\_\_\_\_ day of \_\_\_\_\_ 2014 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**