



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, February 14, 2012 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

Kevin E. Priddle Mayor
Weldon Smith Ward One
Steve Harrison Ward Two
John Browne..... Vice-Mayor, Ward Three
Robert Karr Ward Four
Buddy Garvin Ward Five
Sam Mason 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

Pastor Stephanie Swinnea, All-Saints Episcopal 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 January 24, 2012 Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for January 18 through February 7, 2012 *(Toni Ervin, Chief Financial Officer)*
- C. Accept and place on file the Oklahomans for Independent Living Report for October, November and December for 2011. *(Mike Ward, Executive Director)*
- D. Accept and place on file Mayor Kevin E. Priddle, State of the City Address. *(Cora Middleton, City Clerk)*
- E. Authorize the Mayor to sign Continental Resources Inc. Division Order for Property No. 199527, MARILYN 1-29H, Pittsburg County, Oklahoma. The Division Order is confirmation that the well has reached producing status, provides a legal description of the property and confirms the City's interest in revenues. *(Cora Middleton, City Clerk)*

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. 2392 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2011-2012; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

AN ORDINANCE AMENDING ARTICLE IV. SOLID WASTE, DIVISION 1 AND MUNICIPAL COLLECTION SERVICE, DIVISION 2. GENERALLY, SECTION 106-301, DEFINITIONS, SECTION 106-303, BURNING OF REFUSE, SECTION 106-304(a) UNLAWFUL SCATTERING, STORING, ETC., SECTION 106-306, AND REMOVAL OF WASTE MATERIAL, CONSTRUCTION DEBRISM, SECTION 106-321, CITY'S EXCLUSIVE RIGHT TO COLLECT REFUSE, SECTION 106-323, GENERAL REFUSE CONTAINER AND STRAGE REQUIREMENTS – FOR DWELLINGS, SECTION 106-324, SAME-FOR BUSINESS AND INDUSTRIAL ESTABLISHMENTS LARGE COMMERCIAL AND INDUSTRIAL UNITS, SECTION 106-325, MAINTENANCE, REPAIR AND REPLACEMENT OF REFUSE-CONTAINERS POLYCARTS AND COMMERCIAL DUMPSTERS, SECTION 106-326(a), PROHIBITING THE UNAUTHORIZED DEPOSIT OF REFUSE IN GARAGE CONTAINERS BELONG OR

ASSIGNED TO SOMEONE ELSE, SECTION 106-327, CHARGES FOR REMOVAL OF REFUSE PERMISSIBLE SOLID WASTE, AND ADDING SECTION 106-328, RECYCLING AND SECTION 106-329, ADMINISTRATIVE PROCEDURES OF THE CODE OF ORDINANCES OF THE CITY OF McALESTER; AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Consider, and Act Upon, a funding request from the Pittsburg County Regional EXPO Authority (PCREA). *(Peter Stasiak, City Manager and Bill Derichsweiler, Expo Authority)*

Executive Summary

Motion to consider and act upon approval for a funding request from the Pittsburg County Regional EXPO Authority in the amount of \$10,000.

2. Consider, and Act Upon, a Memorandum of Understanding between the McAlester Public Works Authority and the Board of Education of Independent School District No. 80, Pittsburg County, Oklahoma that sets out in the agreement to the terms and understandings of both parties. *(Joe Ervin, City Attorney)*

Executive Summary

Motion to approve the Memorandum of Understanding that conveys to ISD80 the sum of \$700,000.00.

3. Consider, and Act Upon, an Ordinance amending Ordinance No. 2392 which established the budget for fiscal year 2011-2012; 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 2392.

4. Consider, and Act Upon, a request by the Italian Festival Foundation to partner with them for the rental fee for the use of the Southeast Expo Center for the 2012 Annual Italian Festival in the amount of \$2,125.00. *(Jerry Lynn Wilson, Expo Manager)*

Executive Summary

Consider partnering in the amount of \$2,125.00 for the 2012 Italian Festival for the use of the Expo.

5. Consider, and Act Upon, approval of bid to Nix Ford of McAlester, Oklahoma, for the purchase of one (1) new and unused 2012 Ford Crew Cab 4wd work truck with standard long bed. *(Mel Priddy, Community Services Director)*

Executive Summary

Motion to approve the low bid of \$26,189.00 to Nix Ford of McAlester, Oklahoma for the purchase of one (1) new and unused 2012 Ford Crew Cab 4wd work truck with standard long bed.

6. Consider, and Act Upon, approval of bid to Nix Ford of McAlester, Oklahoma, for the purchase of one (1) new and unused 2012 Ford Crew Cab 4wd work truck with standard long bed. *(Mel Priddy, Community Services Director)*

Executive Summary

Motion to approve the low bid of \$26,189.00 to Nix Ford of McAlester, Oklahoma for the purchase of one (1) new and unused 2012 Ford Crew Cab 4wd work truck with standard long bed

7. Consider, and Act Upon, a Solid Waste Ordinance amending Article IV. Solid Waste, Division 1 and Municipal Collection Service, Division 2. Sections 106-301, 106-303, 106-304(a), 106-306, 106-321, 106-323, 106-324, 106-325, 106-326(a), 106-327, 106-328 and 106-329 and declaring an emergency. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve and act upon a 3.5% rate increase to Allied Waste Services (AWS) of Alderson for solid waste collection, removal and disposal retroactive to July 1, 2011.

8. TABLED FROM PREVIOUS MEETING - Consider, and Act Upon, authorizing the issuance of a Request for Proposals (RFP) for the development of a new Comprehensive Plan for the City of McAlester and an Economic Development Strategic Plan. *(Peter J. Stasiak, City Manager and Councilman Steve Harrison)*

Executive Summary

Motion to approve issuance of RFP.

9. Discussion of City of McAlester Cable Television Franchise. *(Councilman, Steve Harrison)*

Executive Summary

Discussion regarding the City of McAlester Cable Television Franchise.

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

RECESS COUNCIL MEETING

CONVENE AS McALESTER AIRPORT AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the January 24, 2012 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending February 7, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item D, to accept and place on file Mayor's State of the City Address. *(Mayor, Kevin E. Priddle)*
- Confirm action taken on City Council Agenda Item 8, authorizing the issuance of a Request for Proposals (RFP) for the development of a new Comprehensive Plan for the City of McAlester and an Economic Development Strategic Plan. *(Peter J. Stasiak, City Manager and Councilman Steve Harrison)*

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

Majority of a Quorum required for approval

- Approval of the Minutes from the January 24, 2012 Regular Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending February 7, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item D, to accept and place on file Mayor's State of the City Address. *(Mayor, Kevin E. Priddle)*
- Confirm action taken on City Council Agenda Item E, Authorize the Mayor to sign Continental Resources Inc. Division Order for Property No. 199527, MARILYN 1-29H, Pittsburg County, Oklahoma. The Division Order is confirmation that the well has reached producing status, provides a legal description of the property and confirms the City's interest in revenues. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda 2, a Memorandum of Understanding between the McAlester Public Works Authority and the Board of Education of Independent School District No. 80, Pittsburg County, Oklahoma that sets out in the agreement to the terms and understandings of both parties. *(Joe Ervin, City Attorney)*
- Confirm action taken on City Council Agenda Item 3, an Ordinance amending Ordinance No. 2392 which established the budget for fiscal year 2011-2012; repealing all

conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 7, a Solid Waste Ordinance amending Article IV. Solid Waste, Division 1 and Municipal Collection Service, Division 2. Sections 106-301, 106-303, 106-304(a), 106-306, 106-321, 106-323, 106-324, 106-325, 106-326(a), 106-327, 106-328 and 106-329 and declaring an emergency. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 8, authorizing the issuance of a Request for Proposals (RFP) for the development of a new Comprehensive Plan for the City of McAlester and an Economic Development Strategic Plan. *(Peter J. Stasiak, City Manager and Councilman Steve Harrison)*

ADJOURN MPWA

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