



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, March 27, 2012 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

Steve Harrison ..... Mayor  
Weldon Smith ..... Ward One  
Vacant ..... Ward Two  
Travis Read ..... 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](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**

David Massey, Central Christian 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**

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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 Claims for March 7 through March 20, 2012 (*Toni Ervin, Chief Financial Officer*)
- B. Authorize the Mayor to sign a Fulfillment Agreement between Oklahoma Tourism and Recreation Commission and City of McAlester for costs of postage to distribute the new McAlester Guide Fulfillment Program Agreement. (*Steve Harrison, Mayor*)

## **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.*

- A PUBLIC HEARING FOR PROPOSED FY 2011-2012 COMMUNITY DEVELOPMENT BLOCK GRANT – ECONOMIC DEVELOPMENT INFRASTRUCTURE FINANCING (CDBG-EDIF) FOR THE HAMPEL OIL WATERLINE/RAILROAD CROSSING PROJECT AT STEVEN TAYLOR INDUSTRIAL PARK.
- AN ORDINANCE RELATING TO ECONOMIC DEVELOPMENT WITHIN THE CITY OF McALESTER, OKLAHOMA, PROVIDING FOR MANDATORY PROVISION OF EMPLOYMENT AND BENEFICIARY INFORMATION TO BE FURNISHED BY ANY ENTITY USING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED INFRASTRUCTURE IMPROVEMENTS.

### **SCHEDULED BUSINESS**

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1. Discussion, and possible action to expend funds to attend the McAlester Stampede in Washington D.C. (*Gene Walker, Vice Chairman, McAlester Defense Support Association (MDSA)*)

#### **Executive Summary**

The MDSA Leadership and Citizens will have meetings with Congressional staff and Senators/Representatives on specific topics related to the McAlester Army Ammunition Depot.

2. Discussion, CDBG-EDIF documents, (Statement of Compliance, Ordinance Job Tracking, Resolution Accepting and Job Tracking) to be approved after notification of CDBG-EDIF Grant is funded. (*Cora Middleton, City Clerk, and Millie Vance, Private Consultant*)

## Executive Summary

Discussion only of CDBG-EDIF related documents. To be considered after notification of award of Grant.

3. Consider, and act upon, Resolution to apply for CDBG-EDIF Funds from the Oklahoma Department of Commerce (ODOC) for the CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project. *(Cora Middleton, City Clerk, and Millie Vance, Private Consultant)*

## Executive Summary

Motion to approve Resolution to apply for CDBG-EDIF Funds from the Oklahoma Department of Commerce (ODOC) for the CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project.

4. Consider, and act upon, adopting Residential Anti-Displacement Plan for CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project. *(Cora Middleton, City Clerk, and Millie Vance, Private Consultant)*

## Executive Summary

Motion to adopt Residential Anti-Displacement Plan for CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project.

5. **Tabled from Previous Meeting.** Discussion and possible action to enter into a Participation Agreement with Today In America. *(Peter J. Stasiak, City Manager)*

## Executive Summary

Discussion and possible action to enter into a Participation Agreement with Today In America for filming of a five minute segment on the attributes of McAlester Oklahoma and authorizing the Mayor to sign the appropriate documents.

6. Consider and act upon awarding bid in the amount of \$51,971.98, for one new and unused tractor with flail mower to Grissom LLC of Prague, Oklahoma. *(Mel Priddy, Director of Community Services)*

## Executive Summary

Motion to approve the award of bid to Grissom LLC for tractor with flail mower.

7. Consider, and act upon approval of bid to Bob Hurley Ford of Oklahoma City, for the purchase of one (1) new and unused 2013 Ford Police Interceptor patrol car. *(Darrell Miller, Asst. Police Chief)*

## Executive Summary

Motion to approve the low bid of \$27,717.00 to Bob Hurley Ford of Oklahoma City for the purchase of one (1) new and unused 2013 Ford Police Interceptor Patrol Car.

8. Consider, and act upon, award of bid to Altivia Chemical Solutions for the supply of the chemicals for the McAlester Water Treatment Plant on a unit price basis the following chemicals: aluminum sulfate, 40% polymer, and copper sulfate. *(David Medley, P.E., Utilities Director)*

**Executive Summary**

Motion to award of bid for Items 1, 6, and 8 of the March, 2012 to August, 2012 Water Treatment Plant Chemical Chemicals, after review and approval by the City Attorney's Office, with Altivia Chemical Solutions of Houston, Texas at the unit prices per the attached bid tabulation and agreement.

9. Consider, and act upon, award of bid to Southwest Chemical Service for the supply of the chemicals for the McAlester Water Treatment Plant on a unit price basis the following chemicals: 30% caustic, polyphosphate, and 40% Polymer (Dadmac). *(David Medley, P.E., Utilities Director)*

**Executive Summary**

Motion to award of bid for Items 3, 4, and 6 of the March 16, 2012 to August, 2012 Water Treatment Plant Chemical Chemicals, after review and approval by the City Attorney's Office, with Southwest Chemical Service of McAlester, Oklahoma at the unit prices per the attached bid tabulation and agreement.

10. Consider, and act upon, award of bid to Brentag Southwest for the supply of the chemicals for the McAlester Water Treatment Plant on a unit price basis the following chemicals: chlorine and activated carbon. *(David Medley, P.E., Utilities Director)*

**Executive Summary**

Motion to award of bid for Items 2, and 5 of the September, 2011 to March, 2012 to August, 2012 Water Treatment Plant Chemical Chemicals, after review and approval by the City Attorney's Office, with Brentag Southwest of Nowata, Oklahoma at the unit prices per the attached bid tabulation and agreement.

11. Consider, and act upon, a resolution declaring a vacancy on the City Council and setting the election dates for Ward 2. *(Cora Middleton, City Clerk)*

**Executive Summary**

Motion to approve resolution declaring a vacancy on the City Council and setting the election date for Ward 2.

**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**

- Audit & Finance Advisory Committee
- Mpower Committee
- Charter Committee

## **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 March 13, 2012 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending March 20, 2012. *(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 March 13, 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 March 20, 2012. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 2, a Resolution to apply for CDBG-EDIF Funds from the Oklahoma Department of Commerce (ODOC) for the CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project. *(Cora Middleton, City Clerk, and Millie Vance, Private Consultant)*
- Confirm action taken on City Council Agenda Item 3, Resolution to apply for CDBG-EDIF Funds from the Oklahoma Department of Commerce (ODOC) for the CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project. *(Cora Middleton, City Clerk, and Millie Vance, Private Consultant)*
- Confirm action taken on City Council Agenda Item 4, adopting Residential Anti-Displacement Plan for CDBG-EDIF – Hampel Oil Distributors, Inc. Water Line/Railroad Crossing Project. *(Cora Middleton, City Clerk, and Millie Vance, Private Consultant)*
- Confirm action taken on City Council Agenda Item 8, award of bid to Altivia Chemical Solutions for the supply of the chemicals for the McAlester Water Treatment Plant on a unit price basis the following chemicals: aluminum sulfate, 40% polymer, and copper sulfate. *(David Medley, P.E., Utilities Director)*
- Confirm action taken on City Council Agenda Item 9, award of bid to Southwest Chemical Service for the supply of the chemicals for the McAlester Water Treatment

Plant on a unit price basis the following chemicals: 30% caustic, polyphosphate, and 40% Polymer (Dadmac). *(David Medley, P.E., Utilities Director)*

- Confirm action taken on City Council Agenda Item 10, award of bid to Brentag Southwest for the supply of the chemicals for the McAlester Water Treatment Plant on a unit price basis the following chemicals: chlorine and activated carbon. *(David Medley, P.E., Utilities Director)*

## 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 February 28, 2012, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of March 2012. *(Toni Ervin, Interim Chief Financial Officer)*

## **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.2 & 4 et.seq. Oklahoma Statutes, to wit:*

- 1) Proposed executive session pursuant to Title 25, Sec. 307 (B) (2 & 4) to discuss negotiations concerning employees and representatives of employee groups: FOP
- 2) Proposed executive session pursuant to Title 25, Sec. 307 (B) (2) to discuss negotiations concerning employees and representatives of employee groups: IAFF
- 3) 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: City of McAlester v. Randy Green, Case No. C-06-844; Mary Baird v. City of McAlester, Case No. C-09-244; Jerry McCormick v. McAlester, USDC ED OK 11-CV-166; Michelle & Jerry McCormick v. McAlester, et.al., USDC ED OK 12-CV-62; Jerry Few v. McAlester, et.al., Pittsburg County, CJ-10-039; Kozel v. City of McAlester USDC ED OK 2011-CIV-361-JHP; City of McAlester vs. IAFF (Declaratory Judgment Action)(CV-2012-8); Cox et al v. City of McAlester, Oklahoma USDC ED OK 12-CV-100- KEW.

## **RECONVENE INTO OPEN SESSION**

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

- 1) Consider, and Act Upon the Fraternal Order of Police, Lodge 97, 2012-2013 Contract.

**ADJOURNMENT**

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**CERTIFICATION**

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*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](http://www.cityofmcalester.com).*

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**Cora M. Middleton, City Clerk**