



# McAlester City Council NOTICE OF MEETING



## Special Meeting Agenda Wednesday, January 28, 2026 - 6:00 PM 28 E. Washington Ave

### Attending in Person

Justin Few	Mayor
Levi Gilmore	Ward One
Robin Woodley	Ward Two
Chris Stone	Ward Three
Randy Roden	Ward Four
Billy J. Boatright	Ward Five
Kevin Beaty-Vice Mayor	Ward Six
Ken Wimer	Interim City Manager
Cora M. Middleton	City Clerk
John T. Hammons	City Attorney

*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.*

*Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When the public body desires more information on an item, the public body may refer the matter to City staff or back to a committee. Under certain circumstances, items may be deferred to a specific date or stricken from the agenda entirely.*

### **CALL TO ORDER**

**Announce the presence of a Quorum.**

### **INVOCATION, PLEDGE OF ALLEGIANCE & LAND ACKNOWLEDGMENT**

**The Choctaw Nation Reservation is located within the original homelands of the Caddo and Wichita peoples. The Pawnee and Arikara have ancestral ties here. The Shawnee and Quapaw established settlements in this region during the 1700s and early 1800s, while the Osage and Kiowa visited the area. The Quapaw Tribe ceded this land by treaty to the United States, before it was later ceded to the Choctaw**

**Nation. Shortly after being the first to endure the Trail of Tears and Death, the Choctaw people arrived here, followed by the Chickasaw, who lived among them before moving farther west. Through this acknowledgment, we remember those who came before us, honor the sovereignty and traditions of the Native peoples who remain connected to this land, and commit ourselves to respect and partnership with Indigenous communities — past, present, and future.**

## **ROLL CALL**

## **RECOGNITION AND AWARDS**

- A. United Acts of Kindness Day Proclamation

## **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 Minutes from the January 13, 2026, Special Meeting of the McAlester City Council. *(Elizabeth Neboyia, Chief Executive Assistant)*
- B. Approval of Minutes from the January 13, 2026, Regular Meeting of the McAlester City Council. *(Elizabeth Neboyia, Chief Executive Assistant)*
- C. Approval of Claims for 01/07/26 through 01/20/26. *(Sherri Swift, Chief Financial Officer)*
- D. Approval of declaring certain equipment surplus property in accordance with the Code of Ordinances Sec. 2-410 and authorizing the City Manager to dispose of this property in accordance with the Code of Ordinances Sec. 2-411. *(Tommy Hill, Public Works Director)*
- E. Acknowledge receipt of ODEQ Permit Number WL000011250812 for DWSRF Project #19A, B Street Water Line Project. *(Jonathan "Lucky" Huff, Utilities Director)*
- F. Indefinitely postpone Tort Claim No. 218073-1-LR filed by Diane Tyler. *(Cora Middleton, City Clerk)*
- G. Utility Rate Increases due to CPI increase *(Sherri Swift, Chief Financial Officer)*

## **ITEMS REMOVED FROM CONSENT AGENDA**

**Any item pulled from the consent agenda can be discussed and considered with action and/or possible amendments.**

## **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.**

- A. **AN ORDINANCE PERTAINING TO FINANCE AND TAXATION, CREATING THE 2026 INFRASTRUCTURE IMPROVEMENT SALES TAX ORDINANCE, ENACTING A NEW ORDINANCE ASSESSING AND LEVYING AN EXCISE TAX OF ONE PERCENT**

**(1.00%) IN ADDITION TO ALL OTHER EXCISE TAXES ASSESSED AND LEVIED BY THE CITY OF MCALESTER, OKLAHOMA, AND ALL OTHER TAXING AUTHORITIES, UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM ALL SALES TO ANY PERSON TAXABLE UNDER THE OKLAHOMA SALES TAX CODE, 68 OS § 1350 ET SEQ, AS AMENDED; AND FOR OTHER PURPOSES; PROVIDING FOR AN EFFECTIVE DATE; AND REQUIRING THE FULL TEXT BE PUBLISHED**

- B. AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING THE MCALESTER CITY CODE, CHAPTER 2, ADMINISTRATION; ARTICLE V, BOARDS, COMMISSIONS, AND COMMITTEES; BY ADDING DIVISION 8, CITIZENS STREET IMPROVEMENT COMMISSION, PROVIDING FOR CODIFICATION, SEVERABILITY, REPEALER, AND SETTING AN EFFECTIVE DATE.**
- C. AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2845, WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2025-2026; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

#### **SCHEDULED BUSINESS**

1. Discussion and possible action, to approve an Ordinance pertaining to Finance and Taxation, creating the 2026 Infrastructure Improvement Sales Tax Ordinance, enacting a new ordinance assessing and levying an excise tax of one percent (1.00%). In addition to all other excise taxes assessed and levied by the City of McAlester, Oklahoma, and all other taxing authorities, upon the gross proceeds for gross receipts derived from all sales to any person taxable under the Oklahoma Sales Tax Code, 68 OS § 1350 ET SEQ, as amended; and for other purposes; providing for an effective date; and requiring the full text be published. *(John Hammons, City Attorney)*
2. Discussion and possible action to adopt a Resolution authorizing the calling and holding of a Special Election in the City of McAlester, Pittsburg County, State of Oklahoma, on Tuesday, the 7th day of April 2026, for the purpose of submitting to the qualified electors of the City of McAlester, Pittsburg County, State of Oklahoma, the question of their approval or reject of the proposed 2026 Infrastructure Improvement Sales Tax Ordinance, and for other purposes. *(John Hammons, City Attorney)*
3. Discussion and possible action to approve an Ordinance of the City of McAlester, Oklahoma, amending the McAlester City Code Charter 2, Administration; Article V, Boards, Commissions, and Committees; by adding Division 8; Citizens Street Improvements Commission, providing for codification, severability, repealer and setting an effective date. *(John Hammons, City Attorney)*
4. Discussion and possible action to accept the East Van Buren Utility Extension Project as complete and authorize the Mayor to sign Final Pay Application #4 for Pinnacle Construction Services, LLC DBA Pinnacle Underground in the amount of \$37,617.50. *(Robert Vaughan, P.E., Infrastructure Solutions Group, LLC, Jonathan "Lucky" Huff, Utilities Director)*
5. Discussion, in accordance with City of McAlester City Code Section 66-28 b and c, regarding the attached list of found property that has been destroyed. *(Kevin Hearod, Chief of Police)*
6. Discussion and possible action to direct the City Attorney to draft an ordinance to make the City

responsible for maintaining city right-of-way instead of the property owners' responsibility. *(Billy Jack Boatright, Councilor)*

7. Discussion and possible action to approve an ordinance amending Ordinance 2845, which established the budget for fiscal year 2025-2026; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Sherri Swift, Chief Financial Officer)*

8. Presentation and discussion on mid-year budget update. *(Ken Wimer, Interim City Manager)*

## **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.**

## **STAFF REPORT**

A. Update to City Council from Rebecca Kerns, Tourism Manager

## **CITY MANAGER'S REPORT**

## **REMARKS AND INQUIRIES BY CITY COUNCIL**

## **MAYORS COMMENTS**

## **RECESS COUNCIL MEETING**

## **CONVENE AS MCALESTER AIRPORT AUTHORITY**

**Majority of a Quorum required for approval**

- A. Approval of Minutes from the January 13, 2026, Regular Meeting of the McAlester Airport Authority. *(Elizabeth Neboyia, Chief Executive Assistant)*
- B. Confirm action taken on City Council Agenda Item C, regarding claims ending 1-20-2026. *(Sherri Swift, Chief Financial Officer).*

## **CONVENE AS MCALESTER PUBLIC WORKS AUTHORITY**

**Majority of a Quorum required for approval**

- A. Approval of Minutes from the January 13, 2026, Regular Meeting of the McAlester Public Works Authority. *(Elizabeth Neboyia, Chief Executive Assistant)*
- B. Confirm action taken on City Council Agenda Item D, declaring certain items of equipment surplus property in accordance with the Code of Ordinance Sec. 2-410 and authorizing the City Manager to dispose of this property in accordance with the Code of Ordinances Sec. 2-411. *(Tommy Hill, Public Works Director)*
- C. Confirm action taken on City Council Agenda Item E, acknowledge receipt of ODEQ Permit Number WL000011250812 for DWSRF Project #19A, B Street Water Line Project. *(Jonathan "Lucky" Huff, Utilities Director)*
- D. Confirm action taken on City Council Agenda Item No. 4, accepting the East Van Buren Utility Extension Project as complete and authorizing the Mayor to sign Final Pay Application #4 for

Pinnacle Construction Services, LLC DBA Pinnacle Underground in the amount of \$37,617.50.  
(Jonathan "Lucky" Huff, Utilities Director)

- E. Confirm action taken on City Council Agenda Item C, regarding claims ending 1-20-2026. (Sherri Swift, Chief Financial Officer).

### **CONVENE AS MCALESTER ECONOMIC DEVELOPMENT AUTHORITY**

#### **Majority of a Quorum required for approval**

- A. Approval of Minutes from the January 13, 2026, Regular Meeting of the McAlester Economic Development Authority. (Elizabeth Neboyia, Chief Executive Assistant)
- B. Confirm action taken on City Council Agenda Item C, regarding claims ending 1-20-2026. (Sherri Swift, Chief Financial Officer).

### **CONVENE AS MCALESTER RETIREMENT AUTHORITY**

#### **Majority of a Quorum required for approval**

- A. Approval of Minutes from December 23, 2025, Regular Meeting of the McAlester Retirement Trust Authority. (Elizabeth Neboyia, Chief Executive Assistant)
- B. Approval of Retirement Benefit Payments for January 1, 2026. (Sherri Swift, CFO)

### **RECONVENE COUNCIL MEETING**

### **RECESS COUNCIL MEETING**

### **EXECUTIVE SESSION**

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

- A. Motion to recess the regular meeting for an Executive Session in accordance with Title 25, Sec. 307.B.1; Discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, more specifically: Ken Wimer, Interim City Manager

### **RECONVENE COUNCIL MEETING**

**Take Any Action Necessary From Executive Session**

### **ADJOURNMENT**

### **CERTIFICATION**

I certify that this Notice of Meeting was posted on this \_\_\_\_\_ day of \_\_\_\_\_ 2026 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