



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, September 13, 2011 – 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](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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Glenn Myer, Trinity Lutheran Church

### **ROLL CALL**

### **AWARD PRESENTATION**

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Employee of the Month for August 2011 is Danny Bennett of the Fire Department.

**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 August 23, 2011 Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for August 17, 2011 through September 6, 2011. *(Toni Ervin, Interim Chief Financial Officer)*
- C. Authorize the Mayor to sign a resolution of the City of McAlester which supports the protection and maintenance of existing rail lines, and the reopening of the rail line between Shawnee, Oklahoma and McAlester, Oklahoma. *(Peter J. Stasiak, CM)*
- D. To ratify 2011-2012 Memorandum of Understanding between the City of McAlester and Ki Bois Community Action Foundation, Inc. for the development of a recycling program for the City of McAlester. *(Peter J. Stasiak, CM and R. Carroll Huggins, CEO Ki Bois Community Action, Inc.)*
- E. Authorize the Mayor to sign a Lease Agreement between McAlester Regional Airport Authority and City of McAlester hereinafter referred to as "Lessor" and EASTOK hereinafter referred to as "Lessee" for a term of one year beginning July 1, 2011 and ending on June 30, 2012. *(Mel Priddy, Director of Community Services.)*
- F. To ratify a Business Customer Service Agreement with U.S. Cellular Corporation for cellular telephone service and equipment, that will expire on June 30, 2012. The Terms of this Agreement shall renew thereafter for a single one year unless either party notifies the other party in writing of its intent not to renew this Agreement, or such notice is provided at least five days prior to the expiration of the Initial Term. *(Cora Middleton, City Clerk)*
- G. Authorize the Mayor to sign an agreement for Administration of the Sales and Use Tax Ordinances of the City Town of McAlester. *(Toni Ervin, Interim Chief Financial Officer)*
- H. Concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 30807 and 30808-ME. *(Cora Middleton, City Clerk)*
- I. Concur with Mayor's Re-Appointment of Sabre Tate to the Tree Board for a term to expire September 2013. *(Kevin E. Priddle, Mayor)*
- J. Concur with Mayor's Re-Appointment of Marsha Green to the Tree Board for a term to expire September 2013. *(Kevin E. Priddle, Mayor)*

- K. Concur with Mayor's Re-Appointment of Theo Webb to the Tree Board for a term to expire September 2013. (*Kevin E. Priddle, Mayor*)

## **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. 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 TO RESCIND ORDINANCE NO. 2391 THAT AMENDED CHAPTER 82; OFFENSES AND MISCELLANEOUS PROVISIONS, CREATED SECTION 82-3, RESTRICTION ON SALES OF PSEUDOEPHEDRINE, OF ARTICLE I, IN GENERAL AND DECLARING AN EMERGENCY.**

### **SCHEDULED BUSINESS**

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1. Discussion and possible action to hire LANDPLAN Consultants Inc. to prepare a Trails Master Plan for the City of McAlester. (*Peter J. Stasiak, CM and Councilman Steve Harrison*)

#### Executive Summary

Discussion and possible action to approve hiring LANDPLAN Consultants Inc. to prepare a Trails Master Plan for the City of McAlester in the amount of \$46,000 (\$36,500 Citywide Trail Master Plan and \$9,500 Conceptual Trail Design) and authorizing the Mayor to sign the appropriate documents.

2. 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, Interim Chief Financial Officer*)

#### Executive Summary

Motion to approve the budget amendment ordinance.

3. Discussion and possible action, on a recommendation by Councilman Sam Mason to rescind Ordinance 2391 (restriction on sales of pseudoephedrine) based on the Oklahoma Attorney General's Opinion. (*Councilman Sam Mason*)

#### Executive Summary

A recommendation to rescind Ordinance 2391.

4. Consider, and act upon, a 2011-2012 Oklahoma Highway Safety Grant Agreement between the City of McAlester Police Department, and the Oklahoma Highway Safety Office. *(Jim Lyles, Police Chief)*

Executive Summary

Motion to Approve, and authorize the mayor to sign a 2011-2012 Oklahoma Highway Safety Grant Agreement in the amount of \$30,000.00.

## **NEW BUSINESS**

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*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)**

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- Report on activities for the past two weeks.

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

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## **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 August 23, 2011 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending September 6, 2011. *(Toni Ervin, Interim Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item E, Authorize the Mayor to sign a Lease Agreement between McAlester Regional Airport Authority and City of McAlester hereinafter referred to as "Lessor" and EASTOK hereinafter referred to as "Lessee" for a term of one year beginning July 1, 2011 and ending on June 30, 2012. *(Mel Priddy, Director of Community Services.)*
- Confirm action taken on City Council Agenda Item F, to ratify a Business Customer Service Agreement with U.S. Cellular Corporation for cellular telephone service and equipment, which will expire on June 30, 2012. The Terms of this Agreement shall renew thereafter for a single one year unless either party notifies the other party in writing of its intent not to renew this Agreement, or such notice is provided at least five days prior to the expiration of the Initial Term. *(Cora Middleton, City Clerk)*

- Confirm action taken on City Council Agenda Item 2, 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, Interim 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 August 23, 2011 Regular Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending September 6, 2011. *(Toni Ervin, Interim Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item D, to ratify 2011-2012 Memorandum of Understanding between the City of McAlester and Ki Bois Community Action Foundation, Inc. for the development of a recycling program for the City of McAlester. *(Peter J. Stasiak, CM and R. Carroll Huggins, CEO Ki Bois Community Action, Inc.)*
- Confirm action taken on City Council Agenda Item F, to ratify a Business Customer Service Agreement with U.S. Cellular Corporation for cellular telephone service and equipment, which will expire on June 30, 2012. The Terms of this Agreement shall renew thereafter for a single one year unless either party notifies the other party in writing of its intent not to renew this Agreement, or such notice is provided at least five days prior to the expiration of the Initial Term. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 1, to hire LANDPLAN Consultants Inc. to prepare a Trails Master Plan for the City of McAlester. *(Peter J. Stasiak, CM and Councilman Steve Harrison)*
- Confirm action taken on City Council Agenda Item 2, 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, Interim Chief Financial Officer)*

#### ADJOURN MPWA

#### **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 \_\_\_\_\_ 2011 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**