



# McAlester City Council

---

## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, January 26, 2010 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

Kevin E. Priddle .....	Mayor
Chris B. Fiedler .....	Ward One
Donnie Condit .....	Ward Two
John Browne .....	Ward Three
Haven Wilkinson .....	Ward Four
Buddy Garvin .....	Vice-Mayor, Ward Five
Sam Mason .....	Ward Six
Peter J. Stasiak .....	Acting 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**

- Fran Greathouse, First 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**

*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 5, 2010, Special Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- B. **Approval of the Minutes from the January 12, 2010, Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- C. **Approval of Claims for January 13, 2010 through January 26, 2010.** *(Gayla Duke, Chief Financial Officer)*

## **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 amending Ordinance No. 2291, and repealing Resolution No. 06-30, creating Section 2-258, Emergency Fund and Declaring an Emergency.
- An Ordinance amending Ordinance No. 2327 which established the budget for fiscal year 2009-2010; repealing all conflicting ordinances; providing for a severability clause; and Declaring an Emergency.
- An Ordinance amending the Code of Ordinances of the City of McAlester by amending Section 31-75 and Section 31-76 of Chapter 31, Article III, McAlester Codes, by establishing Sanitary Sewer Connection fees for inside and outside the corporate limits, and Declaring an Emergency.
- An Ordinance amending the Code of Ordinances of the City of McAlester by amending the following Sections, 18-53(2) Fees; 18-98 Electrical Inspections and Permit Fees; 18-74 Plumbing Inspections and Permit Fees; 18-250(c) Mechanical Inspection and Permit Fees; 18-348 Moving of Building Fees; Residential Swimming Pool Fees; Construct of Water Well Fees; and Declaring an Emergency.

### **SCHEDULED BUSINESS**

---

1. **(TABLED)** Consider, and act upon, a Resolution of the City of McAlester for direct settlement fund proceeds, obtained in Case Number C-2007-498; City of McAlester vs. Western Surety, ET AL., in the District Court of Pittsburg County State of Oklahoma.

Executive Summary

This item involves an approval of a Resolution for direct settlement fund proceeds City of McAlester vs. Western Surety, ET AL.

2. **Pride of McAlester Status Update Report.** *(Mark Wilkett, Pride of McAlester)*

Executive Summary

This item involves an update on the Pride of McAlester Program.

- 3. Consider, and act upon, an Ordinance amending Ordinance No. 2291, which created Section 2-258, Emergency Funds, and Repealing Resolution No. 06-30, and declaring an emergency. *(Gayla Duke, Chief Financial Officer)*

Executive Summary

This agenda item involves a motion to amend Ordinance No. 2291.

- 4. Consider, and act upon, an Ordinance amending Ordinance No. 2327 which established the budget for fiscal year 2009-2010; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Gayla Duke, Chief Financial Officer)*

Exhibit A-1: **General Fund:** Need to reduce transfer to Nutrition fund for reduced budget in that fund. Also need to increase budget for Fire Department Clothing Allowance. Per contract retroactive increase for 08-09 year as well as 09-10 year.

Exhibit A-2: **CIP Fund:** Appropriate fund balance for water treatment plant for upgrade of filters #3, 4 & 5.

Executive Summary

This agenda item involves amending the budget for fiscal year 2009/10.

- 5. Consider, and act upon, authorizing the Mayor to sign Equipment Maintenance Agreements between the City of McAlester and BizTel Communications for the period of 01-16-2010 through 06-30-2010. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves authorizing the Mayor to sign an Equipment Maintenance Agreements with BizTel Communications.

- 6. Consider, and act upon, an Ordinance amending the Code of Ordinances of the City for inspections and permit fees, and declaring an emergency. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves authorizing the Mayor to sign an Ordinance amending the Code of Ordinances to increase building and inspections fees.

- 7. Consider, and act upon, an Ordinance amending the Code of Ordinances of the City for sanitary sewer connection fees inside and outside the corporate limits, and declaring an emergency. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves authorizing the Mayor to sign an Ordinance amending the Code of Ordinances to increase sanitary sewer connection fees.

- 8. Consider, and act upon, a Resolution approving the sale of Oil and Gas Lease, on City of McAlester property as described in "Exhibit A" of submitted resolution. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a motion to approve the sale of Oil and Gas Lease.

9. Midyear Budget Review – Section 5.07 (a), McAlester City Charter states: Midyear Budget Review. The City Manager shall submit a midyear review of the budget to the Council on or before the last day of January. This shall include the evaluation and modification, if necessary, of revenues and expenses. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

Presentation of the operating revenues and expenses for the period July 1, 2009 thru December 31, 2009.

10. Consider, and act upon, a Resolution authorizing the City of McAlester to commit Economic Development Bond Funds for the construction of a building and infrastructure at the Steven Taylor Industrial Park. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a resolution authorizing Economic Development Bonds Funds for a construction of a building in Steven Taylor Industrial Park.

11. Report on City of McAlester's plan to implement once per week residential collection of solid waste.

Executive Summary

This item involves a report on once per week residential collection of solid waste.

**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**

---

**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 12, 2010, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C regarding claims ending January 26, 2009. *(Gayla Duke, Chief Financial Officer)*
- Confirm Action taken on City Council Agenda Item 3, and act upon, an Ordinance amending Ordinance No. 2291, which created Section 2-258, Emergency Funds, and Repealing Resolution No. 06-30, and declaring an emergency. *(Gayla Duke, Chief Financial Officer)*

- Confirm Action taken on City Council Agenda Item 5 authorizing the Mayor to sign Equipment Maintenance Agreements between the City of McAlester and BizTel Communications for the period of 01-16-2010 through 06-30-2010. (*Peter J. Stasiak, Acting City Manager*)
- Confirm Action taken on City Council Agenda Item 9 Midyear Budget Review – Section 5.07 (a), McAlester City Charter states: Midyear Budget Review. The City Manager shall submit a midyear review of the budget to the Council on or before the last day of January. This shall include the evaluation and modification, if necessary, of revenues and expenses. (*Peter J. Stasiak, Acting City Manager*)

ADJOURN MAU.

**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

---

*Majority of a Quorum required for approval*

- Approval of the Minutes from the January 12, 2010, Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm Action taken on City Council Agenda Item C regarding claims ending December 26, 2009. (*Gayla Duke, Chief Financial Officer*)
- Confirm Action taken on City Council Agenda Item 3, an Ordinance amending Ordinance No. 2291, which created Section 2-258, Emergency Funds, and Repealing Resolution No. 06-30, and declaring an emergency. (*Gayla Duke, Chief Financial Officer*)
- Confirm Action taken on City Council Agenda Item 4, an Ordinance amending Ordinance No. 2327 which established the budget for fiscal year 2009-2010; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Gayla Duke, Chief Financial Officer*)
- Confirm Action taken on City Council Agenda Item 5, authorizing the Mayor to sign Equipment Maintenance Agreements between the City of McAlester and BizTel Communications for the period of 01-16-2010 through 06-30-2010. (*Peter J. Stasiak, Acting City Manager*)
- Confirm Action taken on City Council Agenda Item 6, an Ordinance amending the Code of Ordinances of the city for inspections and permit fees, and declaring an emergency. (*Peter J. Stasiak, Acting City Manager*)
- Confirm Action taken on City Council Agenda Item 7, an Ordinance amending the Code of Ordinances of the City for sanitary sewer connection fees inside and outside the corporate limits, and declaring an emergency. (*Peter J. Stasiak, Acting City Manager*)

- Confirm Action taken on City Council Agenda Item 9, Midyear Budget Review – Section 5.07 (a), McAlester City Charter states: Midyear Budget Review. The City Manager shall submit a midyear review of the budget to the Council on or before the last day of January. This shall include the evaluation and modification, if necessary, of revenues and expenses. *(Peter J. Stasiak, Acting City Manager)*
- Confirm Action taken on City Council Agenda Item 10, a Resolution authorizing the City of McAlester to commit Economic Development Bond Funds for the construction of a building and infrastructure at the Steven Taylor Industrial Park. *(Peter J. Stasiak, Acting City Manager)*

ADJOURN MPWA.

**CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY**

---

*Majority of a Quorum required for approval*

- **Approval of the Minutes from the December 21, 2009, Regular Meeting of the McAlester Retirement Trust Authority.** *(Cora Middleton, City Clerk)*
- **Approval of Retirement Benefit Payments for the Period of January 2010.** *(Gayla Duke, Chief Financial Officer)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING.

**EXECUTIVE SESSION**

---

*Recess into Executive Session in compliance with Section Title 25 Section 307 B.1 et.seq. Oklahoma Statutes, to wit:*

- **Section 307 (B) (1) – Discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager.**

**RECONVENE INTO OPEN SESSION**

---

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

**ADJOURNMENT**

**CERTIFICATION**

---

*I certify that this Notice of Meeting was posted on this \_\_\_\_\_ day of \_\_\_\_\_ 2009 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).*

---

**Cora M. Middleton, City Clerk**