



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, September 28, 2010 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington
McAlester, Oklahoma 74501

Kevin E. Priddle	Mayor
Chris B. Fiedler	Ward One
Steve Harrison	Ward Two
John Browne	Vice-Mayor, Ward Three
Robert Karr	Ward Four
Buddy Garvin	Ward Five
Vacant	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

- Kay Crawford, Kings House

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 September 14, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of assigning additional duties for the City Clerk: Supervision of Central Receptionist for the City of McAlester. *(Peter J. Stasiak)*
- C. Accept and place on file MPOWER Economic Development Third Quarter Report. *(Shari Cooper, Executive Director)*
- D. Approval of Claims for September 15, 2010 through September 28, 2010. *(Gayla Duke, Chief Financial Officer)*
- E. Approval of Mayor and City Councilmen who are interested in attending OML 2010 District Dinner Meeting; Cost per person is \$30.00.
- F. Approval of Mayor and City Councilmen who are interested in attending an OKRA Recycling Seminar in Stillwater on Friday, October 15, 2010. Cost per person is \$40.00 per person – includes continental breakfast, lunch and breaks. If lodging is required the cost is \$89.00 per night.

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. 2361 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2010-2011; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

SCHEDULED BUSINESS

1. Presentation by Bill Gray, Oklahoma District Director of the Gold Wing Road Riders Association regarding the 2011 State Convention at the Southeast Expo Center October 27-29, 2011. *(Jerry Lynn Wilson and Bill Gray)*

Executive Summary

To support the Gold Wing Road Riders Association and agree to partner with them for the Expo Center facility charges of \$2,875.00 in the 2011/2012 budget year.

2. (1) Consider, and act upon, a Partnership Request by Kellye Medley, Committee President/Event Coordinator of the Ryan McAfee Memorial Scholarship Fund, for the use of the Southeast Expo Center for the Matthew West Concert scheduled October 30, 2010 by partnering with them in the amount of \$875.00.

(2) Consider, and act upon, a request for this group to provide & operate concession inside the Expo. *(Kellye Medley, Committee President/Event Coordinator, Jerry Lynn Wilson, Expo Center Manager, Mel Priddy, Director Community Services)*

Executive Summary

(1) Consider approval of Partnership Request in the amount of \$875.00.

(2) To deny their request to have concession per Item # 6 of the Rules and Regulations of the Expo which state "City of McAlester, Expo Center, retains all rights to food and beverage concessions".

3. Consider, and act upon a lease with Wallace Air, LLC, the City of McAlester, and the McAlester Airport Authority to build a 6400 sq. ft. hangar at the McAlester Airport. *(Mel Priddy, Director of Community Services)*

Executive Summary

A motion to approve a lease with Wallace Air, LLC to build a 6400 sq. ft. hangar at the McAlester Airport.

4. Consider, and act upon, five (5) items dealing with the City of McAlester FY 2011 NPE Airport Development Grant to improve runways 2-20 safety areas, remove runway 2-20 approach surface obstruction, and improve ROFA east of runway 2-20. *(Mel Priddy, Director of Community Services)*

Executive Summary

A motion to approve five (5) items regarding the FY 2011 NPE Airport Development Grant.

5. Consider, and act upon, Change Order No. 4 – Final and Contractor's Pay Estimate No. 5 – Final for the 14th Street & Village Blvd. Utility Extensions Project. Change Order No. 4 reconciles the final quantities and results for a deduction of \$235.09 to the contract amount resulting in a final contract amount of \$469,959.12. *(David Medley, PE Director of Utilities)*

Executive Summary

A motion to approve final payment for the 14th Street & Village Blvd. Utility Extensions Project to Bravo Construction Inc. of Wilburton, Oklahoma and authorization for the Mayor to sign Change Order No. 4 and the Final Application of Payment.

6. Consider, and act upon a revised work order for Mehlburger Brawley Corporation for engineering services required for the design of construction of the U.S. 69 Water and Sewer Utilities Relocation ODOT State Job No. 14999(06) as required by the Oklahoma Department of Transportation. *(David Medley, PE Director of Utilities)*

Executive Summary

This item involves a motion to approve and authorize the Mayor to sign the revised work order for Mehlburger Brawley to complete work required for U.S. 69 Utility Relocate, ODOT State Job No.14999 (04) for a Total Not To Exceed fee of \$50,000 for the engineering and \$44,600 for the residential inspection upon review and approval by the City Attorney's Office.

- 7. Consider, and act upon a Utility Relocation Agreement with the Oklahoma Department of Transportation to relocate water and sewer utilities required for the design and construction of the U.S. Highway 69 Comanche Avenue Interchange project. *(David Medley, PE Director of Utilities)*

Executive Summary

A motion to approve and authorize the Mayor to sign the Utility Relocation Agreement for water and sewer utilities relocation to complete work required for U.S. 69 Utility Relocate, ODOT State Job No.14999 (06) upon review and approval of by the City Attorney's Office.

- 8. Consider, and act upon, an Ordinance amending Ordinance No. 2361 which established the budget for fiscal year 2010-2011; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Gayla Duke, Chief Financial Officers)*

Executive Summary

This item involves amending Ordinance No. 2361 which established the budget for fiscal year 2010-2011.

- 9. Consider, and act upon, authorizing the Mayor to sign an agreement with James Earl Tannehill for the storage and display of an electric chair formerly housed at the Oklahoma State Penitentiary. *(Mayor, Kevin E. Priddle)*

Executive Summary

A motion to approve the authorizing the Mayor to sign an agreement with James Earl Tannehill for the storage and display of the electric chair formerly housed at the Oklahoma State Penitentiary. The Oklahoma Prisons' Historical Association no longer provides a museum for display of the electric chair.

- 10. A presentation and discussion regarding the Tulsa State Fair Booth 2010. *(Councilman, Chris Fiedler)*

Executive Summary

The item involves a discussion on the Tulsa State Fair Booth 2010 and update.

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 September 14, 2010, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, approval of Claims for September 15, 2010 through September 28, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3, a lease with Wallace Air, LLC, the City of McAlester, and the McAlester Airport Authority to build a 6400 sq. ft. hangar at the McAlester Airport. *(Mel Priddy, Director of Community Services)*
- Confirm action taken on City Council Agenda Item 4, five (5) items dealing with the City of McAlester FY 2011 NPE Airport Development Grant to improve runways 2-20 safety areas, remove runway 2-20 approach surface obstruction, and improve ROFA east of runway 2-20. *(Mel Priddy, Director of Community Services)*

ADJOURN MAU.**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

Majority of a Quorum required for approval

- Approval of the Minutes from the September 14, 2010, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, approval of Claims for September 14, 2010 through September 28, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 5, Change Order No. 4 – Final and Contractor’s Pay Estimate No. 5 – Final for the 14th Street & Village Blvd. Utility Extensions Project. Change Order No. 4 reconciles the final quantities and results for a deduction of \$235.09 to the contract amount resulting in a final contract amount of \$469,959.12. *(David Medley, PE Director of Utilities)*
- Confirm action taken on City Council Agenda Item 6, a revised work order for Mehlburger Brawley Corporation for engineering services required for the design of construction of the U.S. 69 Water and Sewer Utilities Relocation ODOT State Job No. 14999(06) as required by the Oklahoma Department of Transportation. *(David Medley, PE Director of Utilities)*
- Confirm action taken on City Council Agenda Item 7, a Utility Relocation Agreement with the Oklahoma Department of Transportation to relocate water and sewer utilities required for the design of construction of the U.S. Highway 69 Comanche Avenue Interchange project. *(David Medley, PE Director of Utilities)*

- Confirm action taken on City Council Agenda Item 8, an Ordinance amending Ordinance No. 2361 which established the budget for fiscal year 2010-2011; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Gayla Duke, Chief Financial Officers)*
- Confirm action taken on City Council Agenda Item 9, authorizing the Mayor to sign an agreement with James Earl Tannehill for the storage and display of an electric chair formerly housed at the Oklahoma State Penitentiary. *(Mayor, Kevin E. Priddle)*

ADJOURN MPWA.

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the August 24, 2010, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of September 2010. *(Gayla Duke, Chief Financial Officer)*

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2010 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