



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, August 24, 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

- Pastor Cliff House, Lakewood 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.

RECOGNITION OF CITY OF MCALESTER EMPLOYEE OF THE MONTH

- Employee of the Month for July 2010 is Brett Brewer, Fire Department.

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 10, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for August 11, 2010 through August 24, 2010. *(Gayla Duke, Chief Financial Officer)*
- C. Authorize the Mayor to sign an Ambulance Services Agreement with Heartland Hospice to provide services to hospice patients in accordance with applicable state and federal law. *(Bret Rivas, Asst. Fire Chief)*
- D. Accept and Place on File Oklahoma for Independent Living (OIL) 2nd Quarter 2010 Report. *(Mike Ward, Executive Director)*

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. Consider, and act upon, approval of a Resolution setting a Special Election date for vacancy in Ward Six Council seat. *(Mayor and Council)*

Executive Summary

This item involves a motion to approve a Resolution to set a Special Election date for vacancy in Ward Six Council seat.

2. **TABLED FROM PREVIOUS MEETING** - Consider, and act upon, authorizing the Mayor to sign a contract with Municipal Code Corporation for recodification of the City of McAlester's Code of Ordinances. *(Cora Middleton, City Clerk)*

Executive Summary

A motion to authorize the Mayor to sign a contract with Municipal Code Corporation for recodification of the City of McAlester's Code of Ordinances.

3. Consider, and act upon, authorizing the City Manager to declare an emergency and waive the competitive bidding requirements to repair portions of two railroad spurs in the Stephen W. Taylor Industrial Park. *(John Modzelewski, PE, Public Works Director/City Engineer)*

Executive Summary

This item involves a motion to authorize the City Manager to declare an emergency and waive the competitive bidding requirements to repair portions of two railroad spurs in the Stephen W. Taylor Industrial Park.

4. Consider, and act upon a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction on the 2009-2010 Community Development Block Grant (CDBG) Small Cities Water and Sewer Improvements. *(David Medley, Utilities Director)*

Executive Summary

A motion to approve and authorize the Mayor to sign the work order for Mehlburger Brawley for Professional Engineering Services to complete work required for the 2009-2010 Community Development Block Grant (CDBG) Small Cities Water and Sewer Improvements upon review and approval of the City Attorney's office. Estimated fee for Professional Services including Engineering and Inspection is \$24,100.

5. Consider, and act upon, authorizing the Mayor to sign a Business Customer Service Agreement with United States Cellular Corporation for cellular telephone service and equipment. *(Peter J. Stasiak, City Manager)*

Executive Summary

A motion to approve authorizing the Mayor to sign the attached contract with US Cellular.

6. Consider and act upon, authorizing the Mayor to sign a Rental Agreement for a city owned dwelling located between Talawanda Lake #1 and Lake #2. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve a Rental Agreement for a city owned dwelling at Talawanda Lake 1 and authorizing the Mayor to sign the rental agreement.

7. 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, CFO)*

Executive Summary

This agenda item involves Ordinance No2361 which established the budget for fiscal year 2010-2011.

8. Consider and act upon, the purchase of three (3) equipped Ford Police Interceptors from Bob Hurley Ford. *(Jim Lyles, Police Chief)*

Executive Summary

This item involves a motion to approve the purchase of three (3) equipped Ford Police Interceptors, from Bob Hurley Ford. Bob Hurley Ford has the state contract for police vehicles and they will also outfit the cars with the proper emergency equipment.

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 August 10, 2010, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, approval of Claims for August 11, 2010 through August 24, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, approval of a Resolution setting a Special Election date for vacancy in Ward Six Council seat. *(Mayor and Council)*
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign a contract with Municipal Code Corporation for recodification of the City of McAlester's Code of Ordinances. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign a Business Customer Service Agreement with United States Cellular Corporation for cellular telephone service and equipment. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 7, 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, CFO)*

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

Majority of a Quorum required for approval

- Approval of the Minutes from the August 10, 2010, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, approval of Claims for August 11, 2010 through August 24, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, approval of a Resolution setting a Special Election date for vacancy in Ward Six Council seat. *(Mayor and Council)*
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign a contract with Municipal Code Corporation for recodification of the City of McAlester's Code of Ordinances. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 3, authorizing the City Manager to declare an emergency and waive the competitive bidding requirements to repair portions of two railroad spurs in the Stephen W. Taylor Industrial Park. *(John Modzelewski, PE, Public Works Director/City Engineer)*
- Confirm action taken on City Council Agenda Item 4, Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction on the 2009-2010 Community Development Block Grant (CDBG) Small Cities Water and Sewer Improvements. *(David Medley, Utilities Director)*
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign a Business Customer Service Agreement with United States Cellular Corporation for cellular telephone service and equipment. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 7, 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, CFO)*

ADJOURN MPWA.**CONVENE AS McALESTER RETIREMENT TRUST AUTHORITY**

Majority of a Quorum required for approval

- Approval of the Minutes from the July 27, 2010, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*

- Approval of Retirement Benefit Payments for the Period of August 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.4 et.seq. Oklahoma Statutes, to wit:

Title 25, Sec. 307.B.4: Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action [but only] if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest.

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 _____ 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