



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, July 27, 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
Louis Smitherman 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 Clint Gray, Arpelar Faith

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 FIRST NATIONAL DEVELOPMENT CORPORATION

- In appreciation to the First National Development Corporation for the generous donation to the 4th of July, 2010 Fireworks Show. Mr. Bruce Hall accepting for the First National Development Corporation.

RECOGNITION OF CITY OF MCALESTER EMPLOYEE OF THE MONTH

- Employee of the Month for June 2010 is Cora Middleton, City Clerk.

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 June 29, 2010, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the July 1, 2010, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the July 13, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Approval of Claims for June 30, 2010. *(Gayla Duke, Chief Financial Officer)*
- E. Approval of Claims for July 14, 2010 through July 27, 2010. *(Gayla Duke, Chief Financial Officer)*
- F. Authorize the Mayor to sign ratification of Lease Purchase No. 133 with First National Bank & trust Company, McAlester, Oklahoma, for nine 2009 Ford Crown Victoria vehicles and one 2009 Ford Ranger PK. *(Cora Middleton, City Clerk)*
- G. A Resolution of support for the appointment of Peter J. Stasiak to serve on the Board of Directors of the Oklahoma Municipal League. *(Kevin E. Priddle, Mayor)*
- H. Authorize Mayor to sign the Kiamichi Area Nutrition Project, Inc. Contract for July 1, 2010 and ending on June 30, 2011. *(Gayla Duke, Chief Financial Officer)*
- I. Concur with Mayor's Appointment of Sandy Brock Bahe to the Pittsburg County Expo Authority for a term to expire June 30, 2014. *(Kevin E. Priddle, Mayor)*

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. 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 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. Pride in McAlester Quarterly Update Report (PIM). *(Mark Wilkett, President)*

Executive Summary

This agenda item involves a Quarterly Report for PIM.

2. Consider, and act upon, authorizing the Mayor to sign a contract with Pride In McAlester, Inc. (PIM), in the amount of \$50,400 for Fiscal Year 2010-2011. *(Mark Wilkett, President)*

Executive Summary

A motion to sign a contract with the Pride In McAlester, Inc., for clean up and beautification activities on behalf of the City for \$50,400.

3. Consider, and act upon, authorizing the Mayor to sign a contract with Oklahomans for Independent Living (OIL) for a maximum amount of \$20,160 for fiscal year 2010/2011. *(Mike Ward, Director)*

Executive Summary

A motion to sign a contract with the Oklahomans for Independent Living (OIL), which sets forth the scope of services they will provide for the City's payment of \$20,160 for fiscal year 2010/2011, and authorize the Mayor to sign the document.

4. Consider, and act upon, authorizing the Mayor to sign an Agreement and Memorandum of Understanding with Pittsburg County/City of McAlester Emergency Management in the amount of \$42,000 for Fiscal Year 2010-2011. *(Trent Myers, Pittsburg County/City of McAlester Emergency Manager)*

Executive Summary

A motion to sign a Memorandum of Understanding with Pittsburg County/City of McAlester Emergency Management in the amount of \$42,000.

5. Consider, and act upon, authorizing the Mayor to sign a Contract and Resolution with McAlester Main Street Association, Inc., for a maximum amount of \$25,200 for fiscal year 2010/2011. (*Kathy Wall, McAlester Main Street Association, Inc.*)

Executive Summary

A motion to sign a contract with the McAlester Main Street Association, Inc., which sets forth the scope of services they will provide for the City's payment of \$25,200.

6. Consider, and act upon, authorizing the Mayor to sign a Campus Police Agreement between the Board of Education for the McAlester School District and the City of McAlester for Fiscal Year 2010-2011. (*Jim Lyles, Chief of Police*)

Executive Summary

This agenda item relates to an Agreement delineating police responsibility between the City and School District for this fiscal year.

7. Consider, and act upon a Resolution authorizing the City of McAlester to seek a Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce. (*David Medley PE, Utilities Director*)

Executive Summary

Motion to approve a Resolution to seek funding from the Oklahoma Department of Commerce through the Community Development Block Grant (CDBG) 2010 State Small Cities Program and authorize the Mayor to sign the CDBG application.

8. Consider, and act upon, authorizing the City of McAlester to implement a Citizen Participation Plan for the application process for its 2010 Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce. (*David Medley PE, Utilities Director*)

Executive Summary

This agenda item involves implementing a City of McAlester Citizen Participation Plan for the application process to seek funding from the Oklahoma Department of Commerce through the Community Development Block Grant (CDBG) 2010 State Small Cities Program and authorize the Mayor to sign the Citizen Participation Plan.

9. 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*)

Executive Summary

Motion to approve the budget amendment ordinance.

10. 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 Officer*)

Executive Summary

Motion to approve the budget amendment ordinance.

11. Consider, and act upon, approving purchase of excess workers compensation insurance. Quotes are still being received and staff will bring recommendation to the Council meeting upon further analysis. *(Gayla Duke, Chief Financial Officer)*

Executive Summary

Motion to approve management's recommendation for excess workers compensation insurance.

12. Consider, and act upon, approving agreement to provide the City of McAlester's third party administration of our self-insured workers compensation. Management recommendation is to approve this contract with Mutual Assurance Administrators, Inc., pending approval of City Attorney. *(Gayla Duke, Chief Financial Officer)*

Executive Summary

Motion to approve management's proposal administration of our self-insured workers compensation.

13. Consider, and act upon, approving and authorizing management to sell at auto auction a 2002 Chevy S10 PU with 163,480 miles in extremely poor condition. . *(Gayla Duke, Chief Financial Officer)*

Executive Summary

Motion to approve management's proposal to sell the attached vehicle at auto auction.

14. Consider, and act upon, a request by the Italian Festival Foundation to waive the rental fee for the use of the Southeast Expo Center for the 2011 Annual Italian Festival by partnering with them in the amount of \$2,125.00.

Executive Summary

Consider appropriating \$2,125.00 of the \$5,000.00 approved annual partnering budget for the 2011 Italian Festival at the Expo.

15. Consider, and act upon, adopting a Resolution supporting application for Federal Assistance with the FAA.

Executive Summary

Motion to approve a Resolution supporting application for Federal Assistance with the FAA.

16. Consider, and act upon, to authorize the Mayor to sign the Pledge and Guarantee document which authorizes the annual renewal of the Participation Agreement with the Association for Landfill Financial Assurance. *(John Modzelewski, P.E. Engineering Dept)*

Executive Summary

Motion to approve the document and authorize the Mayor to sign after review and approval by City Attorney's Office.

17. Consider, and act upon, an Agreement for Engineering Services with Meshek & Associates, PLC for Phase II Stormwater Management Program New Permit for the City

of McAlester to meet Oklahoma Department of Environmental Quality (ODEQ) requirements and EPA's National Pollutant Discharge Elimination System (NPDES).
(John Modzelewski, P.E. Engineering Dept)

Executive Summary

Motion to approve an Agreement for Engineering Services with Meshek & Associates, Inc. for Phase II Stormwater Management Program activities during FY 2010-2011 for a fee not to exceed \$50,000.

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 July 13, 2010, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item E, approval of Claims for July 14, 2010 through July 27, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 4, authorizing the Mayor to sign an Agreement and Memorandum of Understanding with Pittsburg County/City of McAlester Emergency Management in the amount of \$42,000 for Fiscal Year 2010-2011. *(Trent Myers, Pittsburg County/City of McAlester Emergency Manager)*
- Confirm action taken on City Council Agenda Item 11, approving purchase of excess workers compensation insurance. Quotes are still being received and staff will bring recommendation to the Council meeting upon further analysis. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 12, approving agreement to provide the City of McAlester's third party administration of our self-insured workers compensation. Management recommendation is to approve this contract with Mutual Assurance Administrators, Inc., pending approval of City Attorney. *(Gayla Duke, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 14, adopting a Resolution supporting application for Federal Assistance with the FAA. (*Mel Priddy, Community Services Director*)

ADJOURN MAU.

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the July 13, 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 June 30, 2010. (*Gayla Duke, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item E, approval of Claims for July 14, 2010 through July 27, 2010. (*Gayla Duke, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign a contract with Pride In McAlester, Inc., in the amount of \$50,400. (*Mark Wilkett, President*)
- Confirm action taken on City Council Agenda Item 4, authorizing the Mayor to sign an Agreement and Memorandum of Understanding with Pittsburg County/City of McAlester Emergency Management in the amount of \$42,000 for Fiscal Year 2010-2011. (*Trent Myers, Pittsburg County/City of McAlester Emergency Manager*)
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign a Contract and Resolution with McAlester Main Street Association, Inc., for a maximum amount of \$25,200 for fiscal year 2010/2011. (*Kathy Wall, McAlester Main Street Association, Inc.*)
- Confirm action taken on City Council Agenda Item 7, a Resolution authorizing the City of McAlester to seek a Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce. (*David Medley, Utilities Director*)
- Confirm action taken on City Council Agenda Item 8, authorizing the City of McAlester to implement a Citizen Participation Plan for the application process for its 2010 Community Development Block Grant (CDBG) from the Oklahoma Department of Commerce. (*David Medley, Utilities Director*)
- Confirm action taken on City Council Agenda Item 9, 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 10, 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 Officer)*
- Confirm action taken on City Council Agenda Item 11, approving purchase of excess workers compensation insurance. Quotes are still being received and staff will bring recommendation to the Council meeting upon further analysis. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 12, approving agreement to provide the City of McAlester's third party administration of our self-insured workers compensation. Management recommendation is to approve this contract with Mutual Assurance Administrators, Inc., pending approval of City Attorney. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 14, a request by the Italian Festival Foundation to waive the rental fee for the use of the Southeast Expo Center for the 2011 Annual Italian Festival by partnering with them in the amount of \$2,125.00. *(Mel Priddy, Community Services Director)*
- Confirm action taken on City Council Agenda Item 16, to authorize the Mayor to sign the Pledge and Guarantee document which authorizes the annual renewal of the Participation Agreement with the Association for Landfill Financial Assurance. *(John Modzelewski, PE)*
- Confirm action taken on City Council Agenda Item 17, an Agreement for Engineering Services with Meshek & Associates, PLC for Phase II Stormwater Management Program New Permit for the City of McAlester to meet Oklahoma Department of Environmental Quality (ODEQ) requirements and EPA's National Pollutant Discharge Elimination System (NPDES). *(John Modzelewski, PE)*

ADJOURN MPWA.

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the June 22, 2010, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of July 2010. *(Gayla Duke, Chief Financial Officer)*

ADJOURN MRTA

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