



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, May 25, 2010 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

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 Wayne Hanway, All Saints Episcopal 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 April 2010 is Terri Edwards, Police 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 April 27, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the May 5, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the May 11, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D: Approval of Claims for May 12, 2010 through May 25, 2010. *(Gayla Duke, Chief Financial Officer)*
- E. Concur with Mayor's appointment of Walter Bethune to the Audit & Finance Advisory Committee for a term to expire March 31, 2012. *(Kevin E. Priddle, Mayor)*
- F. Concur with Mayor's appointment of Shaun Beggs to the Audit & Finance Advisory Committee for a term to expire March 31, 2012. *(Kevin E. Priddle, Mayor)*
- G. Authorize the Mayor to sign ratification of Lease No. 131, for two (2) 2009 Freightliner tandem axle Trucks and two (2) 25 yard Wayne Phoenix III rear loader trash compactors.
- H. Authorize the Mayor to sign ratification of Lease No. 132, for one (1) 2008 Ford E450 Type III Ambulance with Wheeled Coach Conversion.
- I. Authorize the Mayor to sign a One (1) year agreement with SimplexGrinnell for maintenance and annual testing of Fire Alarm System in City Hall.

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 AMENDING THE MCALESTER CITY CODE, CHAPTER 50, ARTICLE II, FIRE DEPARTMENT. TO AUTHORIZE BILLING FOR FIRST RESPONSE BOTH INSIDE AND OUTSIDE THE CITY LIMITS OF THE CITY OF MCALESTER AND DECLARING AN EMERGENCY.**

- **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.**

SCHEDULED BUSINESS

1. Consider, and act upon, authorizing the Mayor to sign agreements with Claims Management Resources (CMR) for damage claim billing and recovery services for both the fiscal year 2009-2010 and 2010-2011. (*Harold Stewart, Fire Chief and Cora Middleton, City Clerk*)

Executive Summary

Motion to authorize the Mayor to sign agreements with Claims Management Resources (CMR) for damage claim billing and recovery services for both the fiscal year 2009-2010 and 2010-2011.

2. Consider, and act upon, an Ordinance amending Chapter 50 of the City of McAlester Code of Ordinances by adding section 50-32, authorizing the billing for First Response services both inside and outside the city limits of the City of McAlester. (*Harold Stewart, Fire Chief and Cora Middleton, City Clerk*)

Executive Summary

Motion to approve an Ordinance amending Chapter 50 of the City of McAlester Code of Ordinances by adding section 50-32, authorizing the billing for First Response services both inside and outside the city limits of the City of McAlester.

3. **TABLED FROM PREVIOUS MEETING** - Discuss, consider, and act upon, taking action to resolve the present audit findings regarding the investments of the Cemetery Care Perpetual Trust. (*Gayla Duke, Chief Financial Officer*)

Executive Summary

A motion to take action and vote upon a method that will satisfy the audit findings regarding the investments of the Trustee for the Cemetery Care Perpetual Trust.

4. Consider, and act upon, a resolution approving The Benham Companies, LLC to provide engineering services to the City of McAlester for compliance with National Bridge Inspection Standards. (*John C. Modzelewski, PE, City Engineer & Public Works Director*)

Executive Summary

Motion to approve a resolution approving The Benham Companies, LLC to provide engineering services to the City of McAlester for compliance with National Bridge Inspection Standards.

5. Financial Reports for Month ending May 31, 2010. (*Gayla Duke, Chief Financial Officer*)

Executive Summary

Financials for Month ending May 31, 2010.

6. 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.

7. Consider, and act upon, authorizing the allocation of funds to purchase one new, and unused, 2010 Freightliner M2-106V 52,000 pound GVW truck with a 15' dump bed. *(John C. Modzelewski, PE, City Engineer & Public Works Director)*

Executive Summary

Motion to approve the allocation of funds to purchase one new, and unused, 2010 Freightliner M2-106V 52,000 pound GVW truck with a 15' dump bed at a cost of approximately \$95,000.

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 May 11, 2010, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending May 25, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, authorizing the Mayor to sign agreements with Claims Management Resources (CMR) for damage claim billing and recovery services for both the fiscal year 2009-2010 and 2010-2011. *(Harold Stewart, Fire Chief and Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending Chapter 50 of the City of McAlester Code of Ordinances by adding section 50-32, authorizing the billing for First Response services both inside and outside the city limits of the City of McAlester. *(Harold Stewart, Fire Chief and Cora Middleton, City Clerk)*

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

Majority of a Quorum required for approval

- Approval of the Minutes from the May 11, 2010, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item D, regarding claims ending May 25, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, authorizing the Mayor to sign agreements with Claims Management Resources (CMR) for damage claim billing and recovery services for both the fiscal year 2009-2010 and 2010-2011. *(Harold Stewart, Fire Chief and Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending Chapter 50 of the City of McAlester Code of Ordinances by adding section 50-32, authorizing the billing for First Response services both inside and outside the city limits of the City of McAlester. *(Harold Stewart, Fire Chief and Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 4, a resolution approving The Benham Companies, LLC to provide engineering services to the City of McAlester for compliance with National Bridge Inspection Standards. *(John C. Modzelewski, PE, City Engineer & Public Works Director)*
- Confirm action taken on City Council Agenda Item 6, 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 7, authorizing the allocation of funds to purchase one new, and unused, 2010 Freightliner M2-106V 52,000 pound GVW truck with a 15' dump bed. *(John C. Modzelewski, PE, City Engineer & Public Works Director)*

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

Majority of a Quorum required for approval

- Approval of the Minutes from the April 27, 2010, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of May, 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.2 et.seq. Oklahoma Statutes, to wit:

- Section 307 (B) (2) – Discussion of negotiations concerning employees and representatives of employee group: IAFF Local 2284.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

- Consider, and act upon, the IAFF, Local 2284 Collective Bargaining Agreement for FY 2009-2010.

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