



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, May 11, 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 Brandon Parker, New Life 4 Today Ministries

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 April 22, 2010, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for April 28, 2010 through May 11, 2010. *(Gayla Duke, Chief Financial Officer)*
- C. Authorize the Pittsburg County Chapter of the NAACP to use Michael J. Hunter Park on Saturday, June 20, 2009, between the hours of 9:00 a.m. to 6:00 p.m., for the Juneteenth Celebration. *(Maureen Harrison, Pittsburg County Chapter of the NAACP)*

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 Council of the City of McAlester, Oklahoma, amending the Code of Ordinances, Chapter 62, Article V, Division 4; flood hazard overlay district and flood damage prevention. Adopting a flood damage prevention plan, statement of purpose and establishing methods and procedures relating thereto, and declaring an emergency.
- An Ordinance of the City of McAlester, Oklahoma, adding to said City of McAlester, Oklahoma, territory adjacent to the city limits, providing for zoning of said property and declaring an emergency. (i.e., Beginning at the Southwest corner of Lot 94, Townsite Addition No. 5, Pittsburg County, State of Oklahoma)
- An Ordinance of the City of McAlester, Oklahoma, adding to said City of McAlester, Oklahoma, territory adjacent to the city limits, providing for zoning of said property and declaring an emergency. (i.e., A tract of land in Lots 16, 17 and 18, in Townsite Addition No. 2, Pittsburg County, State of Oklahoma.)

SCHEDULED BUSINESS

1. Consider and accept presentation of the Audited Financial Statements and Independent Auditor's Report for Fiscal Year ending June 30, 2009. *(Rheba Henderson of Hulme Rahhal Henderson Inc.)*

Executive Summary

Consider and act upon accepting the annual audit for FY 08-09 for the City of McAlester.

2. Consider, and act upon, authorizing the Mayor to sign an Engagement Letter with Crawford and Associates, P.C., for the period from July 1, 2010 through June 30, 2011. *(Gayla Duke, Chief Financial Officer)*

Executive Summary

This agenda item involves an Engagement Letter covering the accounting services that Crawford and Associates, P.C., might provide during the period from July 1, 2010 through June 30, 2011.

3. **TABLED** - Consider, and act upon, authorizing the Mayor to sign a contract upon City Attorney review with Allied Waste Services of Alderson for the City of McAlester's solid waste collection, removal and disposal. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to accept the Allied Waste Services (AWS) of Alderson proposal subject to review by the City Attorney.

4. Consider, and act upon, an ordinance amending Ordinance No. 1843 which established the "Flood Hazard Overlay District and Flood Damage Prevention"; providing for a severability clause; and declaring an emergency. *(John C. Modzelewski, PE)*

Executive Summary

A motion to approve the amended ordinance.

5. Consider, and act upon, authorizing the Mayor to sign a Remote Deposit Services Agreement with First National Bank and Trust Co. of McAlester, Inc., dated April 22, 2010. *(Gayla Duke, Chief Financial Officer)*

Executive Summary

Motion to authorize the Mayor to sign a Remote Deposit Services Agreement with First National Bank and Trust Co. of McAlester, Inc., pending approval of the contract by the City Attorney.

6. Discuss, consider, and act upon, authorizing approval for the three attached budget transfers for the FY 09-10. *(Gayla Duke, Chief Financial Officer)*

Executive Summary

Motion to approve the three attached budget transfers prepared and approved by staff.

7. Consider, and act upon, a motion to approve the City of McAlester newly elected council members to attend a state required institute for municipal officials consisting of eight (8) hours training. *(Peter J. Stasiak, City Manager)*

Executive Summary

This is required by state law for newly elected municipal official to receive this training.

8. **TABLED** - 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

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.

9. Consider, and act upon, an Ordinance authorizing the City of McAlester to proceed with the annexation of additional lands adjacent to the City. (Dahlgren Annexation) *(Peter J. Stasiak, City Manager)*

Executive Summary

A motion to approve an Ordinance of the City of McAlester, Oklahoma, adding to said City of McAlester, Oklahoma, territory adjacent to the city limits, providing for zoning C-5 (Highway Commercial and Commercial Recreation District) and declaring an emergency.

10. Consider, and act upon, an Ordinance authorizing the City of McAlester to proceed with the annexation of additional lands adjacent to the City. (Stipe Annexation) *(Peter J. Stasiak, City Manager)*

Executive Summary

A motion to approve an Ordinance of the City of McAlester, Oklahoma, adding to said City of McAlester, Oklahoma, territory adjacent to the city limits, providing for zoning R-3 (Multi Family Residential) and declaring an emergency.

11. Presentation of Proposed Annual Operating Budget for FY 2010/2011 and Budget Message. *(Peter J. Stasiak, City Manager)*

Executive Summary

Presentation on Proposed Annual Operating Budget for FY 2010/2011 and Budget Message. The recommendation is to set a Special Meeting and Work Session date to review the 2010/11 Preliminary Budget.

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 April 27, 2010, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending May 11, 2010. *(Gayla Duke, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 1, regarding the presentation of the Audited Financial Statements and Independent Auditor's Report for Fiscal Year ending June 30, 2009. (*Rheba Henderson of Hulme Rahhal Henderson Inc.*)
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign an Engagement Letter with Crawford and Associates, P.C., for the period from July 1, 2010 through June 30, 2011. (*Gayla Duke, Chief Financial Officer*)

ADJOURN MAU.

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the April 27, 2010, Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, regarding claims ending May 11, 2010. (*Gayla Duke, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item 1, regarding the presentation of the Audited Financial Statements and Independent Auditor's Report for Fiscal Year ending June 30, 2009. (*Rheba Henderson of Hulme Rahhal Henderson Inc.*)
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign an Engagement Letter with Crawford and Associates, P.C., for the period from July 1, 2010 through June 30, 2011. (*Gayla Duke, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item 3, authorizing the Mayor to sign a contract upon City Attorney review with Allied Waste Services of Alderson for the City of McAlester's solid waste collection, removal and disposal. (*Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item 4, an ordinance amending Ordinance No. 1843 which established the "Flood Hazard Overlay District and Flood Damage Prevention"; providing for a severability clause; and declaring an emergency. (*John C. Modzelewski, PE*)
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign a Remote Deposit Services Agreement with First National Bank and Trust Co. of McAlester, Inc., dated April 22, 2010. (*Gayla Duke, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item 6, authorizing approval for the three attached budget transfers for the FY 09-10. (*Gayla Duke, Chief Financial Officer*)

- Confirm action taken on City Council Agenda Item 9, an Ordinance authorizing the City of McAlester to proceed with the annexation of additional lands adjacent to the City. (Dahlgren Annexation) *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 10, an Ordinance authorizing the City of McAlester to proceed with the annexation of additional lands adjacent to the City. (Stipe Annexation) *(Peter J. Stasiak, City Manager)*

ADJOURN MPWA.

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