



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, March 9, 2010 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington, McAlester, Ok 74501

Kevin E. Priddle Mayor
Chris B. Fiedler Ward One
Donnie Condit Ward Two
John Browne Ward Three
Haven Wilkerson Ward Four
Buddy Garvin Vice-Mayor, Ward Five
Sam Mason Ward Six
Peter J. Stasiak Acting 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

Donald E. Brown, First Baptist, Rentiesville

PRESENTATION AND SWEARING IN CEREMONY

ROLL CALL

ELECTION OF VICE MAYOR

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 February 23, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for January 28, 2010 through March 9, 2010. *(Gayla Duke, Chief Financial Officer)*
- C. Accept, and place on file the McAlester Economical Development Service, Inc. Audit for year ending June 30, 2009. *(Shari Cooper, Executive Director, MEDS)*

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.

- 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.
- Consider, and act upon, an Ordinance amending Ordinance 2218, SECTION 62-213 (C), Wade Watts Avenue Corridor Development changing 454, 455, 456, 457, 458, 459, 460 and 461 to read "ALL" of the McAlester Code of Ordinance, City of McAlester, Oklahoma and declaring an emergency.
- Consider, and act upon, an Ordinance of the city of McAlester, Oklahoma to annul, vacate, and close all that part of "D" street located within lots 181 and 182, in Townsite Addition #1, in the city of McAlester, Pittsburg County, State of Oklahoma, more particularly described as follows: beginning at the southwest corner of said lot 182; thence east along south line of said lot 182 a distance of 30 feet; thence north and parallel to the west line of said lots 182 and 181 a distance of 311.8 feet; thence west in a straight line a distance of 30 feet to a point on the west lot line of said lot 181; thence south along the west line of said lots 181 and 182 a distance of 311.8 feet to the point of beginning. Granting ownership to said property to the abutting property owners.

- Consider, and act upon, an Ordinance of the City of McAlester, Oklahoma to annul, vacate, and close the platted alley in Block 457, formerly South McAlester, City of McAlester Pittsburg County, State Of Oklahoma. Granting ownership to said property to the abutting property owners.

SCHEDULED BUSINESS

1. Consider, and act upon, waiving the standard bidding procedure and authorizing the Mayor to sign a Lease Purchase Agreement for the lease of one truck-mounted DuraPatcher and one Emulsion Storage DuraTank. (*John C. Modzelewski, PE, Engineering/Public Works Director*)

Executive Summary

This item involves a motion to approve the Mayor signing the Lease Purchase Agreement for the lease one truck-mounted DuraPatcher and one Emulsion Storage DuraTank.

2. Consider, and act upon, a Budget Authorizations to prepare amendments to allow for construction of the Buffalo Tank Repair and Upgrades. (*David Medley, Director of Utilities*)

Executive Summary

This item involves a motion to approve and authorize the City Chief Financial Officer to perform Budget Amendments for work required for the Buffalo Tank Repair and Upgrades.

3. Consider, and act upon, McAlester Airport Advisory Board proposal to raise hangar rental rates by \$25.00 per hangar at Airport. (*Mel Priddy, Community Services Director*)

Executive Summary

This item involves a motion to approve raising the hangar rental rates at McAlester Regional Airport by \$25.00 per hangar.

4. Consider, and act upon, an Inter-Agency Agreement between the City of McAlester and the City of Krebs for Police Dispatch services and waive the annual fee. (*Jim Lyles, Chief of Police*)

Executive Summary

This item involves a motion to approve the Inter-Agency Agreement to provide dispatch services to the City of Krebs and waive the annual fee for fiscal year 2010-2011.

5. Consider, and act upon, a Memorandum of Understanding and Agreement, and Standard Assurances regarding grant funds for 9-1-1 services. (*Jim Lyles, Chief of Police*)

Executive Summary

This item involves a motion to approve the Memorandum of Understanding and Agreement, and Standard Assurances regarding grant funds for 9-1-1 services.

6. **TABLED** Consider, and act upon, an agreement for fireworks display with Hance Pyrotechnics for the 2010 scheduled July 4th celebration in the amount of \$25,000.

Executive Summary

This item involves a motion to approve an agreement for the July 4th fireworks display.

7. Consider, and act upon, approving and authorizing the Mayor and City Clerk to sign corrected Oil & Gas Leases from the City of McAlester to Antero Resources Corporation dated 9th day of February regarding Section 2, T5N, Rg. 14E and Section 31, T7N, Rg. 16E, Pittsburg County, OK. *(Cora Middleton, City Clerk)*

Executive Summary

This item involves a motion to approve and authorize the Mayor and City Clerk to sign corrected Oil & Gas Leases from the City of McAlester to Antero Resources Corporation dated 9th day of February.

8. 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)*

Exhibit A-1: General Fund: Transfer to CIP (Repayment) Fund for capital projects. Transfer funds for ambulance billing service. Reduce budgeted transfer to Emergency Fund.

Exhibit A-2: Transfer to General Fund for pass-through to Repayment (CIP) Fund.

Exhibit A-3: Repayment Fund (CIP): Capital projects, detailed list attached.

Exhibit A-4: Nutrition Fund: Appropriate grant funding and transfer funds for new van.

Executive Summary

This agenda item involves amending the budget for fiscal year 2009/10.

9. Consider, and act upon, expanding the Wade Watts Avenue Corridor Development. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

Motion to approve and act upon expanding the Wade Watts Corridor Development to include all of blocks 412, 413, 414, 415, 416, 417, 418, 419, 454, 455, 456, 457, 458, 459, 460, and 461 of the City of McAlester and authorizing the Mayor to sign the attached Ordinance.

10. Consider, and act upon, closing a portion of the Right of Way on "D" Street. This portion of "D" Street is thirty (30) feet of a One Hundred Sixty (160) foot Right of Way. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a motion to approve and act upon the closing a thirty (30) foot wide section of "D" Street and authorizing the Mayor to sign the attached Ordinance.

11. Consider, and act upon, the closing of an alleyway located between Fourteenth Street and Fifteenth Street in Block 457 of the City of McAlester. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a motion to approve and act upon the closing of an alleyway located between Fourteenth Street and Fifteenth Street in Block 457 of the City of McAlester and authorizing the Mayor to sign the attached Ordinance.

12. Consider, and act upon, signing a Division Order from Newfield Exploration Mid-Continent Inc. for the production of a oil well with royalty interest. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a motion to approve a Division Order from Newfield Exploration Mid-Continent Inc. and authorizing the Mayor to sign the document.

13. Consider, and act upon, Rescinding Resolution No. 10-04, and canceling the request for May 11, 2010 Special Election to authorize financing for the acquisition of a medical/physician office building. *(William J. Ervin, City Attorney)*

Executive Summary

This item involves a motion to rescind Resolution No. 10-04 and cancel the request for May 11, 2010 Special Election to authorize financing for the acquisition of a medical/physician office building.

14. Submission and Presentation of the Proposed Capital Budget by March 15, 2010 per the City Charter. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a submission and presentation of the Capital Budget per the City Charter.

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 February 23, 2010, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B regarding claims ending March 9, 2010. *(Gayla Duke, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 3, McAlester Airport Advisory Board proposal to raise hangar rental rates by \$25.00 per hangar at Airport. (*Mel Priddy, Community Services Director*)
- Confirm action taken on City Council Agenda Item 14, submission and presentation of the Capital Budget by March 15, 2010 per the City Charter. (*Peter J. Stasiak, Acting City Manager*)

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CONVENE AS MCALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the February 23, 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 March 9, 2010. (*Gayla Duke, Chief Financial Officer*)
- Confirm Action taken on City Council Agenda Item 1, waiving the standard bidding procedure and authorizing the Mayor to sign a Lease Purchase Agreement for the lease of one truck-mounted DuraPatcher and one Emulsion Storage DuraTank. (*John C. Modzelewski, PE, Engineering/Public Works Director*)
- Confirm Action taken on City Council Agenda Item 2, a Budget authorizations to prepare amendments to allow for construction of the Buffalo Tank Repair and Upgrades. (*David Medley, Director of Utilities*)
- Confirm Action taken on City Council Agenda Item 8, 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 9, expanding the Wade Watts Avenue Corridor Development. (*Peter J. Stasiak, Acting City Manager*)
- Confirm Action taken on City Council Agenda Item 10, closing a portion of the Right of Way on "D" Street. This portion of "D" Street is thirty (30) feet of a One Hundred Sixty (160) foot Right of Way. (*Peter J. Stasiak, Acting City Manager*)
- Confirm Action taken on City Council Agenda Item 11, closing of an alleyway located between Fourteenth Street and Fifteenth Street in Block 457 of the City of McAlester. (*Peter J. Stasiak, Acting City Manager*)

- Confirm action taken on City Council Agenda Item 14, submission and presentation of the Capital Budget by March 15, 2010 per the City Charter. (*Peter J. Stasiak, Acting 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

