



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, March 23, 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	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

J.T. Carnell, Church of the Nazarene

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

RECOGNITION OF MCALESTER LADY BUFFS – 2010 STATE BASKETBALL CHAMPIONS

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 March 4, 2010, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the March 9, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for March 10, 2010 through March 23, 2010. *(Gayla Duke, Chief Financial Officer)*
- D. A Resolution appointing John C. Modzelewski, PE to serve on the Board of Directors of the Association for Landfill Financial Assurance (ALFA). *(David Medley, Utilities 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.

- 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.

SCHEDULED BUSINESS

1. Consider and act upon a recommendation from the McAlester Cemetery Board to expend up to \$22,000.00 for purchase of a ¾ ton pickup for the Cemetery using Cemetery Perpetual Care funds. *(Mel Priddy, Director Community Services)*

Executive Summary

Motion to approve the Cemetery Board recommendation for expenditure of up to \$22,000.00 for a ¾ ton pickup for the Cemetery using Cemetery Perpetual Care funds.

2. Consider, and act upon, taking action to abolish the Cemetery Care Perpetual Trust and in place allow Cemetery Care Board to provide recommendations to council regarding the investments for the Cemetery Care Fund. (*Gayla Duke, Chief Financial Officer*)

Executive Summary

Motion to abolish the Cemetery Care Perpetual Trust.

3. Presentation of Treasury Report and financial information for Month ending February 28, 2010. (*Gayla Duke, Chief Financial Officer*)

Executive Summary

Treasury Report and Financials for Month ending February 28, 2010.

4. **(TABLED)** Consider and act upon an Agreement for the Fireworks Display with Extreme Pyro for 2010 scheduled July 4th Celebration in the amount of \$13,905.00 (*Mel Priddy, Director Community Services*)

Executive Summary

Approve and sign agreement for the 2010 Firework Display with Extreme Pyro in the amount of \$13,905.00.

5. Consider, and act upon, Approving Request from Pride in McAlester to close a street on April 24, 2010 for the Pride in McAlester's Award Festival, authorize free Saturday Landfill use for the citizens of McAlester and the use of the Choctaw Parking lot for their Household Hazardous Waste Clean UP. (*Cora Middleton, City Clerk/Mark Wilkett, Pride-in-McAlester*)

Executive Summary

Motion to approve Request from Pride in McAlester to close a street on April 24, 2010, for the Pride in McAlester's Award Festival, authorize free Saturday Landfill use for the citizens of McAlester, and the use of the Choctaw Parking lot for their Household Hazardous Waste Clean UP.

6. **(TABLED)** 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

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.

7. Report on City of McAlester's Solid Waste Collection, Removal and Disposal. (*John C. Modzelewski, PE*)

Executive Summary

Present analysis of RFP for Solid Waste Collection, Removal and Disposal. Options will be presented.

8. Consider, and act upon a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction of the U.S. 69 Utility

Relocate, ODOT State Job No. 14999 (04) as required by the Oklahoma Department of Transportation. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

Motion to approve and authorize the Mayor to sign the work order for Mehlburger Brawley to complete work required for U.S. 69 Utility Relocate, ODOT State Job No.14999 (04) for an estimated fee of \$50,000 upon review and approval of by the City Attorney's Office.

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

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CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the March 9, 2010, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C regarding claims ending March 23, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 5, approving request from Pride in McAlester to close a street on April 24, 2010 for the Pride in McAlester's Award Festival, authorize free Saturday Landfill use for the citizens of McAlester and the use of

the Choctaw Parking lot for their Household Hazardous Waste Clean UP. *(Mark Wilkett, Pride-in-McAlester)*

- Confirm action taken on City Council Agenda Item 6, 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 8, a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction of the U.S. 69 Utility Relocate, ODOT State Job No. 14999 (04) as required by the Oklahoma Department of Transportation. *(Peter J. Stasiak, Acting City Manager)*

ADJOURN MPWA.

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the February 23, 2010, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of March 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