



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, April 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	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

- Dr. Charles Neff, First United Methodist 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 KAREN BOATRIGHT THE ANNE THOMPSON COURT CLERK OF THE YEAR AWARD

RECOGNITION OF CITY OF MCALESTER EMPLOYEE OF THE MONTH

- Employee of the Month for March 2010 is Nick Mitchell – Utility Maintenance 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 6, 2010, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the April 12, 2010, Re-Scheduled Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for April 13, 2010 through April 27, 2010. *(Gayla Duke, Chief Financial Officer)*
- D. A Resolution to adopt the Capital Improvement Program 2010-2015 as stated by the City Charter Section 5.12 (b) City Council Action on Capital Program, which states “The City Council by resolution shall adopt the capital program with or without amendment after the public hearing(s) on or before the last day of April of the current fiscal year. If the City Council fails to adopt the capital program by such date, the current capital program will continue in effect.” *(Peter J. Stasiak, Acting City Manager)*

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 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.
- Public Hearing Notice to close out a completed prior CDBG Grant. This grant was utilized for water and wastewater improvements.

SCHEDULED BUSINESS

1. Presentation of Quarterly Report of the Pride of McAlester. (*Mark Wilkett, President, Pride of McAlester*)

Executive Summary

Quarterly Report by the PIM – President, Mark Wilkett.

2. Presentation of Quarterly Report of the McAlester Economic Development Service, Inc. (*Ms. Shari Cooper, Executive Director, MEDS*)

Executive Summary

Quarterly Report by the MEDS – Executive Director, Shari Cooper.

3. Consider, and act upon, the City of McAlester to host a Business, Economic & Development Summit to be held on June 14, 2010. Amount requested to fund summit is \$2500.00. (*Vice Mayor John Browne*)

Executive Summary

A motion to approve the City of McAlester to host a Business, Economic & Development Summit. Amount requested to fund summit is \$2500.00

4. Consider, and act upon, the purchase of AT&T equipment for a third workstation for the E-911 Command Center. (*Jim Lyles, Chief of Police*)

Executive Summary

A motion to approve a \$95,000 purchase of equipment for the third workstation for the E-911 Command Center.

5. Consider and act upon, authorizing the Mayor to sign a contract for Administrative Services with the Kiamichi Economic Development District of Oklahoma (KEDDO) for the 2009-2010 Community Development Block Grant (CDBG) Small Cities in the amount of \$4,200. (*Peter Stasiak, Acting City Manager*)

Executive Summary

A motion to approve a Contract For Administrative Services with KEDDO for the 2009-2010 CDBG-Small Cities grant program in the amount of \$4,200 and authorizing the Mayor to sign the contract.

6. Consider, and act upon, authorizing the Mayor to sign Tulsa State Fair Lease Agreement for booth rental space during the fair September 30, through October 10, 2010. (*Councilman, Chris Fiedler*)

Executive Summary

A motion to authorize the Mayor to sign the Tulsa State Fair Lease Agreement.

7. Financial Reports for Month ending March, 2010. (*Gayla Duke, Chief Financial Officer*)

Executive Summary

Financials for Month ending March 31, 2010.

- 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)*

The budget amendment ordinance is necessary to cover proposed revenue and/or expenditures not included in the budget for this fiscal year.

Exhibit A-1, General Fund: Appropriation of insurance damages received and reclass capital expenditures in Repayment (CIP) fund. Correct original budgeting of federal Highway Safety Grant.

Exhibit A-2, Repayment (CIP) Fund: Appropriate transfer from General Fund and reclass traffic control expenditures. Appropriate fund balance to contingency for various items.

Exhibit A-3, MPWA Fund: Appropriate funding for MPWA damages account for settlement of lawsuit.

Executive Summary

Motion to approve the budget amendment ordinance.

- 9. **TABLED FROM PREVIOUS MEETING** - 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, ACM)*

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 April 12, 2010, Re-Scheduled Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item C, regarding claims ending April 27, 2010. (*Gayla Duke, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item D, regarding a Resolution to adopt the Capital Improvement Program 2010-2015 as stated by the City Charter Section 5.12 (b) City Council Action on Capital Program, which states “The City Council by resolution shall adopt the capital program with or without amendment after the public hearing(s) on or before the last day of April of the current fiscal year. If the City Council fails to adopt the capital program by such date, the current capital program will continue in effect.” (*Peter J. Stasiak, Acting City Manager*)

ADJOURN MAU.

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the April 12, 2010, Re-Scheduled Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item C, regarding claims ending April 27, 2010. (*Gayla Duke, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item D, regarding a Resolution to adopt the Capital Improvement Program 2010-2015 as stated by the City Charter Section 5.12 (b) City Council Action on Capital Program, which states “The City Council by resolution shall adopt the capital program with or without amendment after the public hearing(s) on or before the last day of April of the current fiscal year. If the City Council fails to adopt the capital program by such date, the current capital program will continue in effect.” (*Peter J. Stasiak, Acting City Manager*)
- Confirm action taken on Item 5, authorizing the Mayor to sign a contract for Administrative Services with the Kiamichi Economic Development District of Oklahoma (KEDDO) for the 2009-2010 Community Development Block Grant (CDBG) Small Cities in the amount of \$4,200. (*Peter Stasiak, Acting City Manager*)
- Confirm action taken on 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 Item 9, 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, ACM)*

ADJOURN MPWA.

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the March 23, 2010, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of April 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.1 and Section 307 B.4, et.seq. Oklahoma Statutes, to wit:

- **Section 307 (B) (4)** – Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest.
- **Section 307 (B) (1)** – Discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager.

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

- Consider, and act upon, the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager.

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