

The McAlester City Council met in Regular session on Tuesday, December 28, 2010, at 6:00 P.M. after proper notice and agenda was posted, December 22, 2010, at 12:03 P.M.

Call to Order

Mayor Priddle called the meeting to order.

Robert Tate, First Indian Baptist Church gave the invocation and lead the Pledge of Allegiance.

Roll Call

Council Roll Call was as follows:

Present: Steve Harrison, John Browne, Robert Karr, Buddy Garvin, Sam Mason & Kevin Priddle
Absent: None
Presiding: Kevin E. Priddle, Mayor

Staff Present: Peter J. Stasiak, City Manager; John Modzelewski, City Engineer/Public Works Director; Gayla Duke, Chief Financial Officer; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Citizen's Comments on Non-agenda Items

There were no comments.

Consent Agenda

- A. Approval of the Minutes from the November 23, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the December 14, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for December 15, 2010 through December 28, 2010. *(Gayla Duke, Chief Financial Officer)* In the following amounts: General Fund - \$137,525.17; Parking Authority - \$126.11; Nutrition - \$2,952.26; Landfill Res./Sub-Title D - \$93,515.50; Employee Retirement - \$4,012.50; State Forfeiture Fund - \$3,640.00SE Expo CTR/Tourism Fund - \$3,150.97; E-911 - \$6,266.40; Gifts & Contributions - \$389.73; CDBG Grants Fund - \$8,550.00; Fleet Maintenance - \$7,140.84; Worker's Compensation - \$1,191.68 and CIP Fund - \$12,675.00.
- D. Concur with Mayor's Re-appointment of Jerald Kleager to the Ethics Board for a term to expire July 2014. *(Kevin E. Priddle, Mayor)*
- E. Concur with Mayor's Re-appointment of Pam Pulchny to the ADA Board for a term to expire August 2012. *(Kevin E. Priddle, Mayor)*
- F. Concur with Mayor's Re-appointment of Mike Ward to the ADA Board for a term to end August 2012. *(Kevin E. Priddle, Mayor)*

Councilman Harrison requested that item "C" be removed for individual consideration and Councilman Karr requested that item "F" be removed for individual consideration.

Councilman Harrison moved to approve Consent agenda items "A, B, D and E", seconded by Councilman Karr.

There was no discussion and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin, Mason & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

Items Removed from Consent Agenda

C. Approval of Claims for December 15, 2010 through December 28, 2010. (*Gayla Duke, Chief Financial Officer*) In the following amounts: General Fund - \$137,525.17; Parking Authority - \$126.11; Nutrition - \$2,952.26; Landfill Res./Sub-Title D - \$93,515.50; Employee Retirement - \$4,012.50; State Forfeiture Fund - \$3,640.00SE Expo CTR/Tourism Fund - \$3,150.97; E-911 - \$6,266.40; Gifts & Contributions - \$389.73; CDBG Grants Fund - \$8,550.00; Fleet Maintenance - \$7,140.84; Worker's Compensation - \$1,191.68 and CIP Fund - \$12,675.00.

Councilman Mason moved for approval of Item "C", Claims for December 15, 2010 through December 28, 2010. The motion was seconded by Vice-Mayor Browne.

Before the vote, Councilman Harrison explained that there was a payment to his wife's employer so he would abstain from voting on the item.

There was no other discussion, and the vote was taken as follows:

AYE: Councilman Browne, Karr, Garvin, Mason & Mayor Priddle
NAY: None
ABSTAIN: (Counted as no) Councilman Harrison

Mayor Priddle declared the motion carried.

F. Concur with Mayor's Re-appointment of Mike Ward to the ADA Board for a term to end August 2012. (*Kevin E. Priddle, Mayor*)

Vice-Mayor Browne moved for approval of item "F", Mayor's Re-appointment of Mike Ward to the ADA Board for a term to end August 2012. The motion was seconded by Councilman Garvin.

Before the vote, Councilman Karr asked if there was a conflict of interest with Mike Ward's re-appointment to the ADA board since he was employed by Oklahoman's for Independent Living.

Mr. Ervin stated that there was no conflict of interest.

There was no further discussion, and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Mason & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

Scheduled Business

1. Consider, and act upon, authorizing Mayor Kevin Priddle and Vice-Mayor John Browne to attend the Mayors Council of Oklahoma on January 21, 2010 at the State Capitol. (*Peter J. Stasiak, City Manager*)

Executive Summary

This item involves authorizing the Mayor and Vice Mayor to attend the Mayors Council of Oklahoma.

Councilman Karr moved to authorize the Mayor Kevin Priddle and Vice-Mayor John Browne to attend the Mayors Council of Oklahoma on January 21, 2010 at the State Capitol. The motion was seconded by Councilman Harrison.

Before the vote, Manager Stasiak explained that this one-day legislative session would bring Mayors and Vice-Mayors from across the State to debate issues facing Oklahoma municipalities. He added that the purpose was to unify their voice at the legislature and give Mayors and Vice-Mayors a better understanding of the legislative process and allow them to be better advocates of municipal issues.

There was a brief discussion among the Council regarding what topics the Mayor and Vice-Mayor would bring before the legislature and that this was actually to authorize the reimbursement of expenses incurred during this trip.

Mayor Priddle and Vice-Mayor Browne both commented that they had no intention of requesting reimbursement for any of their expenses. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Karr, Mason, Harrison, Browne & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

2. Consider, and act upon, a resolution approving EST, Inc. to provide engineering services to the City of McAlester for compliance with National Bridge Inspection Standards.
(*John C. Modzelewski, PE, City Engineer and PW Director*)

Executive Summary

This item involves a resolution approving EST, Inc. to provide engineering services to the City of McAlester for compliance with National Bridge Inspection Standards.

A motion was made by Councilman Harrison and seconded by Councilman Garvin to approve RESOLUTION NO. 10-15, approving EST, Inc. to provide engineering services to the City of McAlester for compliance with National Bridge Inspection Standards.

Before the vote, John Modzelewski explained that this resolution renewed the City's commitment to ODOT that the City of McAlester would continue the program.

There was a brief discussion, among the Council concerning which bridges would be inspected, if the bridges were included in the City's five (5) year plan and if the company was on the list of engineers recommended by the ODOT.

There was no further discussion, and the vote was taken as follows:

AYE: Councilman Garvin, Mason, Harrison, Browne, Karr & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

3. Consider, and act upon, Ratification of Oil & Gas Lease by and between the City of McAlester, as Lessor, and Frontier Land Company, as Lessee, covering 35.00 net mineral acres in Section 34, T7N-R14E, Pittsburg County, Oklahoma. (*Cora Middleton, City Clerk*)

Executive Summary

This item involves a motion to Ratify Oil & Gas Lease by and between the City of McAlester, as Lessor, and Frontier Land Company, as Lessee, covering 35.00 net mineral acres in Section 34, T7N-R14E, Pittsburg County, Oklahoma.

Councilman Mason moved to approve the Ratification of Oil & Gas Lease by and between the City of McAlester, as Lessor, and Frontier Land Company, as Lessee, covering 35.00 net mineral acres in Section 34, T7N-R14E, Pittsburg County, Oklahoma. The motion was seconded by Councilman Harrison.

Before the vote, Mr. Ervin stated that the City Attorney's office had been contacted by Land Arkoma Company, Inc. regarding this ratification of the existing lease between Frontier Land Company and the City of McAlester. He added that this was a title requirement and would furnish clear record of title.

There was a brief discussion among the Council and Mr. Ervin regarding where the revenue from the ratification would be deposited.

There was no further discussion and the vote was taken as follows:

AYE: Councilman Mason, Harrison, Browne, Garvin, Karr & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

New Business

No new business.

City Manager's Report

Manager Stasiak reported that there were three (3) employees that would be retiring as of this Friday; they were Donny Rowell with 32 years from the Community Development Department, James Thomason with 24 years from the Public Works Department and Willie Faries with 39 years who had been a Police Officer and the Safety Officer the past several years. He also commented on scheduling a workshop for discussion on the Southside Industrial Park

Remarks and Inquiries By City Council

Each of the Councilmen wished the community a Happy New Year.

Councilman Mason had no other comments.

Councilman Garvin thanked Mayor Priddle for the job he has done. He also thanked Vice-Mayor Browne for the job he has done. He commented that it had been a pleasure working with the Council because they had worked as a team and accomplished quite a lot. He thanked Manager Stasiak and staff for the jobs they had done and he hoped that 2011 would be a prosperous year.

Councilman Karr commented that he agreed with Councilman Garvin. He stated that the City had a long way to go still.

Vice-Mayor Browne thanked Mayor Priddle and Councilman Mason for their donations to CASA. He stated that he would like to get a date set for a workshop for economic development for downtown. He also would like to see the Dura Patcher begin working in Third Ward.

Councilman Harrison urged everyone to be careful on New Year's Eve, to not drink and drive.

Mayor Priddle thanked the City Manager and staff for all of their work and responsiveness. He also urged everyone to be safe.

Recess Council Meeting

Mayor Priddle asked for a motion to recess the Regular Meeting to convene the Authorities. Vice-Mayor Browne moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Karr and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin, Mason & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 6:30 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 6:34 P.M.

Councilman Harrison moved to recess the Regular meeting for an Executive Session to discuss negotiations concerning employees and representatives of employee groups: IAFF, in accordance with Title 25, Section 307.B.2. The motion was seconded by Vice-Mayor Browne.

There was no discussion, and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin, Mason & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried and the meeting was recessed at 6:35 P.M.

Executive Session

- Section 307 (B) (2) – Discussing negotiations concerning employees and representatives of employee groups: IAFF.

The Regular Meeting was reconvened at 8:04 P.M. Mayor Priddle reported that the Council had recessed the Regular Meeting for an Executive Session to discuss negotiations concerning employees and representatives of employee groups: IAFF, in accordance with Title 25, Section 307.B.2. Only that matter was discussed, no action was taken and the Council returned to open session at 8:04 P.M., and this constituted the Minutes of the Executive Session.

Adjournment

There being no further business to come before the Council, Councilman Mason moved for the meeting to be adjourned, seconded by Councilman Harrison.

There was no discussion, and the vote was taken as follows:

AYE: Councilman Browne, Karr, Garvin, Mason, Harrison & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 8:05 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk