

Council Chambers  
Municipal Building  
October 26, 2010

The McAlester City Council met in Regular session on Tuesday, October 26, 2010, at 6:00 P.M. after proper notice and agenda was posted, October 22, 2010, at 3:00 P.M.

**CALL TO ORDER**

Vice-Mayor Browne called the meeting to order.

J.T. Carnell, Church of the Nazarene gave the invocation and led the Pledge of Allegiance.

**ROLL CALL**

Council Roll Call was as follows:

Present: Chris Fiedler, Steve Harrison, John Browne, Robert Karr, & Buddy Garvin  
Absent: Kevin Priddle  
Presiding: Kevin E. Priddle, Mayor

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

**Citizen's Comments on Non-agenda Items**

There were no citizen's comments.

Mayor Priddle arrived at 6:05 P.M.

**Consent Agenda**

- A. Approval of the Minutes from the September 28, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the October 12, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Authorize the Mayor to sign XTO Energy Division Order for Well# 108253, Lott 1-14H, Pittsburg County, Oklahoma. The DO is a confirmation that the well has reached producing status, provides the legal description of the spacing unit, and confirms the City's interest in revenues. *(Cora Middleton, City Clerk)*
- E. Approval of Claims for October 13, 2010 through October 26, 2010. *(Gayla Duke, Chief Financial Officer)* In the following amounts: General Fund - \$134,207.73; Nutrition - \$1,293.21; Landfill Res./Sub-Title D - \$6,900.00; Employee Retirement - \$14,712.50;

State Forfeiture Fund - \$1,758.00; SE Expo Ctr/Tourism Fund - \$22,296.72; E-911 - \$4,528.06; Economic Development - \$119,614.13; Gifts & Contributions - \$1,805.77; Fleet Maintenance - \$25,325.45 and CIP Fund - \$105,227.93.

Councilman Harrison requested that item “B” be removed for individual consideration.

Vice-Mayor Browne moved to approve Consent agenda items “A, C and D”. The motion was seconded by Councilman Harrison. There was no discussion and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

### **Items Removed from Consent Agenda**

B. Approval of the Minutes from the October 12, 2010, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)

Councilman Karr moved to approve item “B”, seconded by Councilman Garvin.

Before the vote, Councilman Harrison pointed out that there was a correction to the minutes that Ms. Middleton had passed out. He stated that at the top of page seven (7) that the wording Emergency Fund needed to be changed to Emergency Clause. Mayor Priddle commented that the item would be approved with the noted correction. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion.

Vice-Mayor Browne moved to open a Public Hearing to address an ordinance amending the Budget for Fiscal Year 2010-2011. The motion was seconded by Councilman Harrison, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was opened at 6:08 P.M.

### **Public Hearing**

- **AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2361 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2010-2011; REPEALING ALL**

**CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY  
CLAUSE; AND DECLARING AN EMERGENCY.**

There were no comments from the citizens or the Council and Councilman Karr moved to close the Public Hearing. The motion was seconded by Councilman Garvin. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried, and the Public Hearing was closed at 6:09 P.M.

**Scheduled Business**

1. Consider, and act upon, an Ordinance amending Ordinance No. 2361 which established the budget for fiscal year 2010-2011; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Gayla Duke, Chief Financial Officers*)

Executive Summary

This item involves amending Ordinance No. 2361 which established the budget for fiscal year 2010-2011.

**ORDINANCE NO. 2375**

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING  
ORDINANCE NO. 2361 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR  
2010-2011; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A  
SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

Councilman Fiedler moved for approval of **ORDINANCE NO. 2375**, seconded by Councilman Harrison.

Before the vote, Gayla Duke explained that this amendment was to appropriate unused fund balance from last fiscal year to purchase a telescoping boom excavator.

Tim Adams explained that this piece of equipment could do the job of two (2) pieces of equipment and would take about three (3) men out of the picture. He added that the machine that the City currently had could no longer be repaired and it was no longer manufactured.

There was a brief discussion among the Council regarding the financing for this purchase, if the City had an enclosed backhoe and how the Council had spent the last two (2) years getting the equipment that the employees needed.

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

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

NAY: None

Mayor Priddle declared the motion carried.

Councilman Fiedler moved to approve the EMERGENCY CLAUSE, seconded by Vice-Mayor Browne. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

2. Discussion, and possible action, on approval of certain costs related to the fire department from the City of McAlester's fire department's portion of the county quarter cent excise tax for fire services. (*Brett Brewer, Fire Chief*)

Executive Summary

This item involves a motion to approve the purchase of furnishings, fencing, fire, and safety equipment needed for the McAlester fire department. The money to be used is from the City of McAlester's fire department's portion of the county quarter cent excise tax for fire services. Total cost not to exceed \$17,000.00

Councilman Karr moved for approval of certain costs related to the fire department from the City of McAlester's fire department's portion of the county quarter cent excise tax for fire services. The motion was seconded by Councilman Harrison.

Before the vote, Fire Chief Brewer addressed explaining that the Fire Department needed several miscellaneous items or equipment. He then reviewed the list, of items they were requesting to purchase and he distributed a copy of the ledger from the Pittsburg County Clerk's office regarding the balance set aside for the City of McAlester. He added that the requested fencing was a safety issue at the new Fire Station, the mattresses were for the North Town Station, City Hall Station and the South Station, the Bunker gear was to help outfit new recruits and replace old equipment and the Fire and Safety Equipment was to replace SCBA bottles that had not passed inspection, purchase additions nozzles and tools and hardware for the conversion of a Rescue truck into a Fire Truck.

Ms. Duke informed the Council that this money did not flow through the City. There was a brief discussion concerning the balance in the City's account of the County Fire Department Sales Tax Revenue.

Mayor Priddle moved to authorize the use of \$17,000.00 to purchase the equipment, seconded by Councilman Garvin. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

**New Business**

There was no new business.

**City Manager’s Report**

Manager Stasiak thanked the Council for understanding the needs of the City’s employees and the importance of the equipment they have allowed to be purchased.

**Remarks and Inquiries By City Council**

Councilmen Fiedler, Harrison, Karr and Garvin had no comments for the meeting.

Vice-Mayor Browne congratulated the Dollar General Store for their remodel. The business really looked nice.

Mayor Priddle encouraged everyone that could to attend the Matthew West Concert on Saturday. He stated that last weekends festival turned out very well and he was glad to see the requests from the City and for the Council to have the ability to furnish the needed equipment.

**Recess Council Meeting**

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

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

NAY: None

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 6:29 P.M.

**Reconvene Council Meeting**

The Regular Meeting was reconvened at 6:31 P.M.

**Adjournment**

There being no further business to come before the Council, Councilman Fiedler moved for the meeting to be adjourned, seconded by Councilman Garvin. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 6:32 P.M.

ATTEST:

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Kevin E. Priddle, Mayor

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Cora Middleton, City Clerk