



# McAlester City Council

## NOTICE OF MEETING

### Agenda

### Special Meeting of the City Council

Tuesday, September 9, 2008 – 5:00 pm

(To Be Reconvened After the Regular City Council Meeting, If Necessary)

McAlester City Hall – Council Chambers  
28 E. Washington

Kevin E. Priddle .....	Mayor
Chris B. Fiedler .....	Ward One
Donnie Condit .....	Ward Two
John Browne .....	Ward Three
Haven Wilkinson .....	Ward Four
Buddy Garvin .....	Vice-Mayor, Ward Five
Sam Mason .....	Ward Six
Mark B. Roath .....	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](http://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.*

#### ROLL CALL

#### SCHEDULED BUSINESS

1. Consider, and act upon, a ratification of the adoption of the Ordinance amending Ordinance No. 2299 which established the Budget for Fiscal Year 2008-2009; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (Mark B. Roath, City Manager)
2. Discussion, and possible action, on a site(s) for the fourth Fire Station. (Harold Stewart, Fire Chief)

**EXECUTIVE SESSION**

---

*Recess into Executive Session in compliance with Section Title 25 Section 307 (B), et.seq. Oklahoma Statutes, to wit:*

- **Section 307 (B) (4) – Discuss status of the City of McAlester v. Joyce Ramsey litigation.**

**RECONVENE INTO OPEN SESSION**

---

*Take any action as a result from Executive Session.*

**ADJOURNMENT**

---

**CERTIFICATION**

---

*I certify that this Notice of Meeting was posted on this \_\_\_\_ day of \_\_\_\_\_, 2008 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](http://www.cityofmcalester.com).*

---

**Cora M. Middleton, City Clerk**



# McAlester City Council

## AGENDA REPORT

Meeting Date: September 9, 2008 Item Number: 1  
Department: City Manager  
Prepared By: Mark B. Roath Account Code: \_\_\_\_\_  
Date Prepared: September 4, 2008 Budgeted Amount: \_\_\_\_\_  
Exhibits: One

### Subject

Consider, and act upon, a ratification of the adoption of the Ordinance amending Ordinance No. 2299 which established the Budget for Fiscal Year 2008-2009; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency.

### Recommendation

Motion to ratify the adoption of the Ordinance amending the Budget Ordinance for Fiscal Year 2008-2009 and declaring an emergency.

### Discussion

This proposed budget amendment ordinance was adopted on August 26, 2008; however, no vote was taken on the ordinance's emergency clause. After conferring with the City Attorney, the City Administration recommends that the City Council ratify its earlier vote on the budget amendment ordinance; then, vote on the emergency clause.

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>09/04/08</u>

**ORDINANCE NO. 2300**

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2299 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2008-2009; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City Council heretofore adopted Ordinance No. 2299 setting forth the Budget for Fiscal Year 2008-2009 beginning July 1, 2008 and ending June 30, 2009; and

**WHEREAS**, the City Departments and Divisions routinely review their budget appropriations to determine if any changes are necessary; and

**WHEREAS**, based upon said review the City staff now recommends that certain amendments to the Budget be considered by the City Council; and

**WHEREAS**, the City Council has the authority to make amendments to the City Budget under Article 5, Section 5.07 (b) of the new City Charter as well as State law; and

**WHEREAS**, the City Council has determined that the proposed amendment to the FY 2008-2009 Budget, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF McALESTER, OKLAHOMA:**

SECTION 1: The proposed amendment to the FY 2008-2009 Budget of the City of McAlester, Oklahoma, as heretofore adopted by Ordinance, as summarized in Exhibit A-1 through A-4, which is attached hereto and fully incorporated herein by reference, be, and the same hereby are, completely adopted and approved as an amendment to the said FY 2008-2009 Budget.

SECTION 2: All portions of the existing FY 2008-2009 Budget, Ordinance No. 2299 except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

SECTION 3: That all other ordinances in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other ordinances not in conflict herewith shall remain in full force and effect.

SECTION 4: Should any paragraph, sentence, sub-division, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the

same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

SECTION 5: That an emergency is hereby declared to exist, and for the provision of the public peace, health and safety, by reason whereof it is necessary that all acts take effect immediately and be in full force and effect from, and after the passage and approval.

**PASSED and the EMERGENCY CLAUSE ruled on separately this 26th day of August, 2008.**

**CITY OF MCALESTER, OKLAHOMA  
A Municipal Corporation**

By \_\_\_\_\_  
**Kevin E. Priddle, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Cora Middleton, City Clerk**

**Approved as to form and legality this 26th day of August, 2008.**

\_\_\_\_\_  
**William J. Ervin, City Attorney**

FY 2008-2009 BUDGET AMENDMENT

Exhibit A-1

GENERAL FUND - 01

#1		
Estimated Fund Balance 6/30/08	-	
FY 08-09 Original Budgeted Revenues	13,886,471	
FY 08-09 Original Budgeted Appropriations	(13,813,856)	
Additional Revenue	-	
Budget Amendments	(28,187)	
Estimated Ending Fund Balance 6/30/09	<u>44,428</u>	

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
<b>Expenditures / Appropriations Needed:</b>					
Interdepartmental	01	5215322	EXP	750	Insurance/Bonds - Charter changes (City Manager)
Interdepartmental	01	5215322	EXP	730	Insurance/Bonds - Charter changes (Chief Financial Officer)
Interdepartmental	01	5215322	EXP	750	Insurance/Bonds - Charter changes (Asst. Financial Officer)
		<b>Department Total</b>		<b>\$ 2,230</b>	
Municipal Court	01	5213102	EXP	21,946	Part-time payroll (Warrant Officer)
Municipal Court	01	5213108	EXP	1,361	FICA (6.2%)
Municipal Court	01	5213109	EXP	137	Unemployment (1%)
Municipal Court	01	5213110	EXP	2,195	Pension (10%)
Municipal Court	01	5213111	EXP	318	Medicare (1.45%)
		<b>Department Total</b>		<b>\$ 25,957</b>	
<b>GENERAL FUND GRAND TOTAL EXPENDITURES</b>				<b>\$</b>	<b>28,187</b>

FY 2008-2009 BUDGET AMENDMENT

Exhibit A-2

MPWA - 02

#2		
Estimate 1 Fund Balance 6/30/08		-
FY 08-09 Original Budgeted Revenues		9,187,851
FY 08-09 Original Budgeted Appropriations		(9,055,749)
Additional Revenue		95,678
Budget Amendments		(127,285)
Estimate 1 Ending Fund Balance 6/30/09		<u>100,495</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
------------	------	-------------	---------	--------	-------------

Increase in Revenues:

Grant Revenue	02	5267622	REV	82,010	FEMA - Federal Share (75%)
Grant Revenue	02	5864410	REV	13,668	OK Emergency Mgmt - State Share (12.5%)
		<u>Revenue Total</u>		<u>\$ 95,678</u>	

Expenditures Appropriations Needed:

Engineering	02	5671401	EXP	109,346	2008 Repair of Sandy Creek Canal Walls
		<u>Department Total</u>		<u>\$ 109,346</u>	
Utility Office	02	5216102	EXP	15,132	Part-time payroll (Meter Reader)
Utility Office	02	5216108	EXP	938	FICA (6.2%)
Utility Office	02	5216109	EXP	137	Unemployment (1%)
Utility Office	02	5216110	EXP	1,513	Pension (10%)
Utility Office	02	5216111	EXP	219	Medicare (1.45%)
		<u>Department Total</u>		<u>\$ 17,939</u>	

<u>MPWA FUND GRAND TOTAL EXPENDITURES</u>				<u>\$ 127,285</u>	
---	--	--	--	-------------------	--

FY 2008-2009 BUDGET AMENDMENT  
 ECONOMIC DEVELOPMENT FUND - 30

Exhibit A-3

#3	
Estimate: Fund Balance 6/30/08	1,323,952
FY 08-09 Original Budgeted Revenues	1,899,193
FY 08-09 Original Budgeted Appropriations	(1,795,282)
Additional Revenue	-
Budget Amendments	(25,000)
Estimate: Ending Fund Balance 6/30/09	<u>1,402,863</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
------------	------	-------------	---------	--------	-------------

Expenditures Appropriations Needed:

Finance	30	5211319	EXP	25,000	Miscellaneous expense (Contract with Wynn & Associates)
		<u>Department Total</u>		<u>\$ 25,000</u>	

<b>ECONOMIC DEVELOPMENT FUND GRAND TOTAL EXPENDITURES</b>	<b>\$</b>	<b>25,000</b>
---	-----------	---------------

FY 2008-2009 BUDGET AMENDMENT

Exhibit A-4

CIP FUND - 41

#4	
Estimated Fund Balance 6/30/08	316,821
FY 08-09 Original Budgeted Revenues	5,000
FY 08-09 Original Budgeted Appropriations	-
Additional Revenue	-
Budget Amendments	<u>(25,000)</u>
Estimated Ending Fund Balance 6/30/09	<u>296,821</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
------------	------	-------------	---------	--------	-------------

Expenditures Appropriations Needed:

Interdepartmental	41	5215401	EXP	25,000	Capital outlay (Remodel of Offices at City Hall)
			<u>Department Total</u>	<u>\$ 25,000</u>	

CIP FUND GRAND TOTAL EXPENDITURES	<u>\$ 25,000</u>
-----------------------------------	------------------



# McAlester City Council

## AGENDA REPORT

Meeting Date: September 9, 2008 Item Number: 2  
Department: Fire Department  
Prepared By: Harold Stewart Account Code: \_\_\_\_\_  
Date Prepared: September 2, 2008 Budgeted Amount: \_\_\_\_\_  
Exhibits: One

### Subject

Discussion, and possible action, on a site(s) for the fourth Fire Station.

### Recommendation

- 1) Motion to authorize the City Administration to negotiate the purchase of \_\_\_\_\_ site for the fourth Fire Station; or
- 2) Motion to approve City owned property at \_\_\_\_\_ as the site for the Fourth Fire Station.

### Discussion

On September 9, 2007, the City Council identified six (6) properties as potential sites for the fourth Fire Station. Since that meeting, two (2) properties have been sold. The four (4) remaining properties are available, which information on each is enclosed herein.

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>HRS</u>	<u>09/02/08</u>
City Manager	<u>MBR</u>	<u>09/02/08</u>

**FROM THE OFFICE OF  
FIRE CHIEF  
HAROLD STEWART**

#918-423-9300 ext.4935

McALESTER FIRE / EMS

Fax # 918-423-6910

**DATE:** September 2, 2008

**TO:** Honorable Kevin Priddle and  
Members of the City Council  
City of McAlester, Oklahoma 74501

**THRU:** Mark Roath, City Manager

**RE:** Site selection and purchase of property for the fourth fire station

**From:** Harold Stewart, Fire Chief

\*\*\*\*\*

**Site requirements:**

The Department determined that a minium of two acres of land would be needed to build the fourth fire station. The property shall also have two means of egress.

**Note:** I have requested that the City of McAlester's Engineering Department provide information relating to the utilities for each location. Engineering will provide the estimates for the associated utility cost.

**Site selection variables:**

Fire Department staff has given each of the properties a ranking based on:

- Location and access
- Response times from each location to the service area
- Infrastructure
- Site preparation
- Size of property
- Cost to purchase

**Tract#**

- 1. There is approximately 4.75 acres in this tract. It is located between George Nigh Expressway and Peaceable Road. This property is south of an existing white metal building with gravel parking lot. The owner of this property indicated that he would sell a two acres tract on the back of this property at a reduced price. He also indicated that he would allow a 24 foot easement to the service road. This property would have front and rear access from Peaceable road and the service road.**

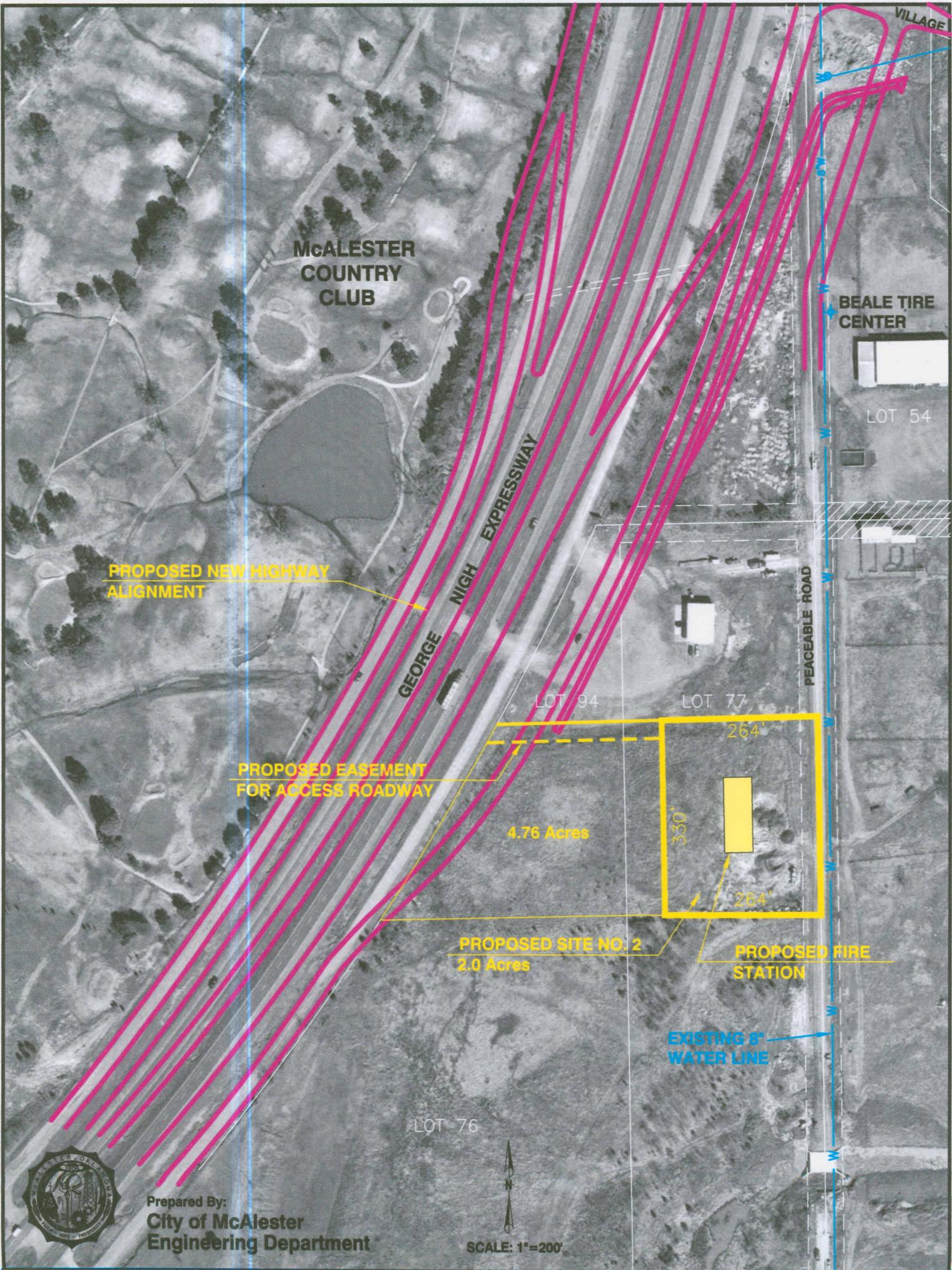
**Pros:**

- **Location**
- **Access front and rear**
- **Utilities**

**Cons:**

- **It currently doesn't have utilities but it is the closest property that is suitable to connect to city water and sewer**

**Ranking of this property: 1**



**PROPOSED NEW HIGHWAY ALIGNMENT**

**PROPOSED EASEMENT FOR ACCESS ROADWAY**

**PROPOSED SITE NO. 2**  
2.0 Acres

**PROPOSED FIRE STATION**

Prepared By:  
**City of McAlester**  
**Engineering Department**

SCALE: 1"=200'

Tract#

2. **This tract of land is part of the 38 acres for sale. The agent for the property indicated last year the owner would sell this piece of property separate from the other land listed. This lot or portion would contain 2 or 3 acres. The location is just east of Adam True Value and the Land Bank.**

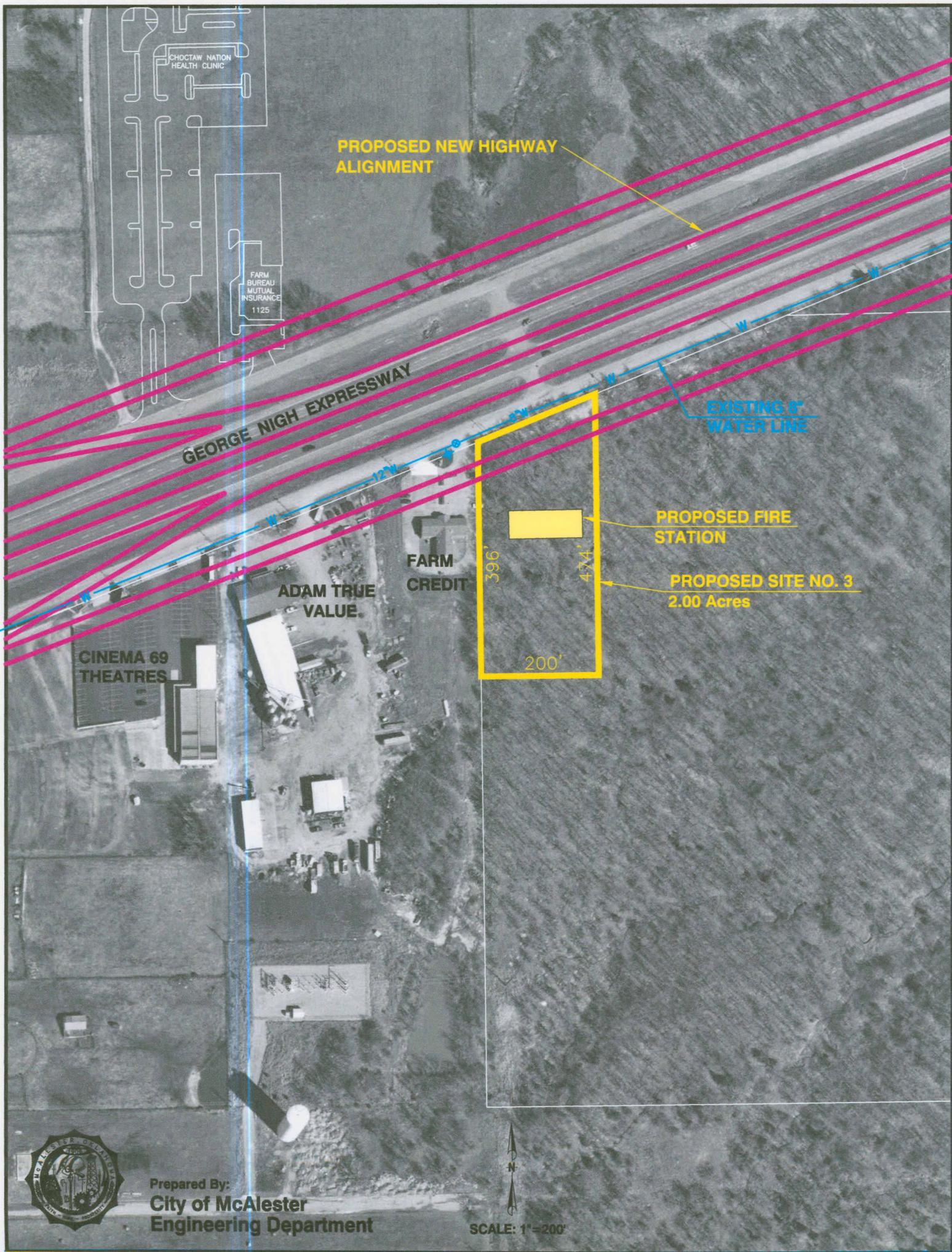
**Pros:**

- **Location**

**Cons:**

- **Utilities**
- **Rural Water 5 district**

**Ranking of this property: 2**



**PROPOSED NEW HIGHWAY ALIGNMENT**

**GEORGE NIGH EXPRESSWAY**

**EXISTING 6" WATER LINE**

**PROPOSED FIRE STATION**

**PROPOSED SITE NO. 3  
2.00 Acres**

Prepared By:  
**City of McAlester  
Engineering Department**

**SCALE: 1" = 200'**



**Tract #**

3. **This property is located at the south end of Elk Road. This property is currently owned by the City of McAlester. The property is known as the King Ranch or the South Industrial Park.**

**Pros:**

- **City owned**
- **Utilities**

**Cons:**

- **Location**
- **Access**
- **Rural Water 5 district**

**Ranking of this property: 3**

GEORGE HIGH EXPRESSWAY

ELKS ROAD

STEVENS TRAILERS & RV's

Angel's Dinner  
1402

HAPPY DAYS HOTEL

ELKS LODGE

INDUSTRIAL PARK BOUNDARY

PROPOSED SITE NO. 6  
3.00 Acres

PROPOSED FIRE STATION

SOUTHSIDE INDUSTRIAL PARK  
CITY OF McALESTER



Prepared By:  
City of McAlester  
Engineering Department



SCALE: 1"=200'

**PROPOSED NEW HIGHWAY ALIGNMENT**

**McALESTER COUNTRY CLUB**

**VILLAGE BLVD.**

**SEARS**

**FLOODWAY**

**EXISTING 8" WATER LINE**

**BEALE TIRE CENTER**

**100 YEAR FLOOD ZONE**

**LOT 55**

**LOT 54**

**PROPOSED FIRE STATION**

**PROPOSED SITE NO. 1  
2.7 Acres**

**GEORGE HIGH EXPRESSWAY**

**PEACEABLE ROAD**

**LOT 77**

**LOT 78**

**SCALE: 1"=200'**

Prepared By:  
**City of McAlester  
Engineering Department**

