



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, August 26, 2008 – 6:00 pm
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 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

- Cliff House, Pastor of Lakewood Christian 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.

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 August 12, 2008, Regular Meeting of the City Council.** *(Cora Middleton, City Clerk)*
- B. **Concur with Mayor's reappointment of Mike Ward to the Americans with Disabilities Act Board for the term to expire August, 2010.** *(Kevin E. Priddle, Mayor)*
- C. **Concur with Mayor's reappointment of Ted Welch to the Americans with Disabilities Act Board for the term to expire August, 2010.** *(Kevin E. Priddle, Mayor)*
- D. **Accept and place on file an Oklahomans for Independent Living Status Report for the months of April, May and June, 2008.** *(Mike Ward, Executive Director)*
- E. **Approval of claims through June 30, 2008.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- F. **Approval of claims for the period of August 13 through August 26, 2008.** *(Sherry Alessi, Assistant Chief Financial Officer)*

ITEMS REMOVED FROM CONSENT AGENDA

SCHEDULED BUSINESS

1. **TABLED AT AUGUST 12, 2008 REGULAR MEETING: Consider, and act upon, a Residential Planned Unit Development, known as the Brookhaven Addition, and to be located at Douglas and Ten Springs Avenue on a site of approximately 4.30 acres.** *(Mark B. Roath, City Manager and Alan Martin, applicant)*

Executive Summary

This agenda item involves a request for a residential planned unit development known as Brookhaven Addition, which the applicant wants to construct eighteen (18) single family dwelling units on a proposed 4.30 acre site located at Douglas Avenue and Ten Spring Avenue. The Planning Commission approved the PUD request conditioned on three items—that is, that a cedar fence be constructed on the Ten Springs side; that the minimum living space be 1,800 or better for each unit constructed and that each dwelling unit be constructed of 100% masonry.

2. **Hold a Public Hearing and consider, and act upon, an Ordinance establishing Section 2-166 of the McAlester City Codes concerning membership, terms, credentials and qualifications of the Audit and Finance Advisory Committee; and declaring an emergency.** *(Sam Mason, City Councilmember)*

Executive Summary

This agenda item is relates to the Audit and Finance Advisory Committee under the new City Charter, Sections 5.14 (a) and (b).

3. **Hold a Public Hearing and consider, and act upon, an Ordinance adopting the budget of the City of McAlester, Oklahoma for the fiscal year 2008-2009; providing for severability clause; and declaring an emergency.** *(Mark B. Roath, City Manager)*

Executive Summary

On June 23, 2008, the City Council approved Resolution No. 08-15, which formally adopted the fiscal year 2008-2009 budget. Subsequently, the Governor of the State of Oklahoma signed into law the new McAlester City Charter. The new City Charter requires that the annual budget be adopted by ordinance. This agenda item merely readopts the fiscal year 2008-2009 budget in ordinance form.

4. **Hold a Public Hearing and consider, and act upon, an Ordinance amending Ordinance ___ 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)**

Executive Summary

This agenda item involves an amendment to the budget for fiscal year 2008-2009.

5. **Consider, and act upon, authorizing the Mayor to execute a Contract with Holden Construction Services, Inc., in the amount of \$109,345.50 for repairs to the Sandy Creek canal wall, following review and approval by the City Attorney of said contract documents. (George Marcangeli, City Engineer and Public Works Director)**

Executive Summary

This agenda item involves the repair to the Sandy Creek canal wall, which was damaged in a recent storm event. The project cost to repair the canal wall will be via the Federal, State and City.

6. **Consider, and act upon, approving an increase in the bond for City Manager and Chief Financial Officer to one percent of the total current annual budgeted expenditures (\$311,588.00) for the City and authorization to bond the Assistant Chief Financial Officer in an amount of \$100,000. (Mark B. Roath, City Manager)**

Executive Summary

This agenda item relates to a requirement of the new City Charter, Section 4.02 (c).

7. **Consider, and act upon, is authorizing the Mayor to sign a Letter Agreement with Wynn Associates, in an amount not to exceed \$25,000, to prepare a preliminary site plan for City owned property known as Southside Industrial Park. (Mark B. Roath, City Manager)**

Executive Summary

This agenda item relates to the engagement of Wynn and Associates to prepare a preliminary site plan for the Southside Industrial Park tract, which will include (1) identifying potential site layouts; (2) developing site access and egress; (3) reviewing utility needs; and (4) providing recommendations concerning covenants and restrictions for the tract.

8. **Consider, and act upon, the creation of a part-time Warrant Officer position within the Municipal Court Division of the Finance Department for the remainder of this fiscal year. (Mark B. Roath, City Manager and Karen Boatright, Municipal Court Administrator)**

Executive Summary

This agenda item creates a part-time warrant officer position for the remainder of this fiscal year.

9. **Consider, and act upon, the creation of a part-time Meter Reader position within the Utility Billing and Collection Division of the Finance Department for the remainder of this fiscal year. (Mark B. Roath, City Manager and Sherry Alessi, Assistant Chief Financial Officer)**

Executive Summary

This agenda item creates a part-time meter reader position for the remainder of this fiscal year.

10. **Consider, and act upon, a proposal to relocate various offices and make certain improvements to the City Hall for easier public access and organizational efficiency at a cost not to exceed \$25,000. (Mark B. Roath, City Manager)**

Executive Summary

This agenda item involves the relocation of various offices and repairs to certain areas on the first and second floors of City Hall.

- 11. **Consider, and act upon, authorizing the Mayor to sign a Campus Police Agreement between the Board of Education for the McAlester School District and the City of McAlester.** *(Mark B. Roath, City Manager and Jim Lyles, Chief-of-Police)*

Executive Summary

This agenda item relates to an Agreement delineating police responsibility between the City and School District for this fiscal year.

- 12. **Consider, and act upon, authorizing the Mayor to sign a Business Customer Service Agreement with United States Cellular Corporation for cellular telephone service and equipment.** *(Mark B. Roath, City Manager)*

Executive Summary

This agenda item relates to changing the City's cellular telephone service and equipment to United States Cellular.

- 13. **Consider, and act upon, a Resolution accepting a Quit Claim Deed for certain lots from the Board of Commissioners of Pittsburg County for certain vacant lots and declaring said lots surplus property to be conveyed to KiBois Community Action Foundation, Inc., via Quit Claim Deed, for use in providing building locations for new affordable single family residences.** *(Mark B. Roath, City Manager)*

Executive Summary

This agenda item relates to the acceptance of certain vacant lots from Pittsburg County; declaring the lots accepted as surplus property; then, conveying those same vacant lots to KiBois Community Action Foundation, Inc., for the use stated above.

- 14. **Discussion, and possible action, on creating and hiring the positions of (a) Human Resources Director; (b) Public Information Officer; (c) Central Purchasing Agent; and (d) Grant Writer.** *(Chris Fiedler, Councilmember)*

Executive Summary

This agenda item proposes the creation of four positions within the non-classified service.

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 August 12, 2008, Regular Meeting of the McAlester Airport Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item E regarding claims through June 30, 2008.** *(Sherry Alessi, Assistant Chief Financial Officer)*

- **Confirm action taken on City Council Agenda Item F regarding the claims for the period of August 13 through August 26, 2008.** *(Sherry Alessi, Assistant Chief Financial Officer)*

ADJOURN MAU

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- **Approval of the Minutes from the August 12, 2008, Regular Meeting of the McAlester Public Works Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item E regarding claims through June 30, 2008.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item F regarding the claims for the period of August 13 through August 26, 2008.** *(Sherry Alessi, Assistant Chief Financial Officer)*

ADJOURN MPWA

CONVENE AS McALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- **Approval of the Minutes from the July 22, 2008, Regular Meeting of the McAlester Retirement Trust.** *(Cora Middleton, City Clerk)*
- **Approval of Retirement Benefit Payments for the period of September, 2008.** *(Sherri Alessi, Assistant Chief Financial Officer)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING

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.

Cora M. Middleton, City Clerk