



McAlester City Council

NOTICE OF MEETING

Amended Rescheduled Regular Meeting Agenda

Monday, December 21, 2009 – 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
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

- Robert Tate, First Indian Baptist 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 December 1, 2009, Special Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- B. **Approval of the Minutes from the December 8, 2009, Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- C. **Approval of the Minutes from the December 11, 2009, Special Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- D. **Approval of Claims for December 9, 2009 through December 21, 2009.** *(Gayla Duke, Chief Financial Officer)*

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.
- An Ordinance to null, vacate and close the platted alleyway between lots 4 and 5 in Block 172, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma, located between Jackson Avenue and Harrison Avenue; alleyway runs East/West between "B" Street and "A" Street; granting ownership to said property to the abutting property owners retaining a 20' utility easement in the alley.

SCHEDULED BUSINESS

1. **City of McAlester's Treasury Report and Financial Information.** *(Gayla Duke, Chief Financial Officer)*

Executive Summary

This item involves a financial report and presentation from Chief Financial Officer.

2. **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)*

- Exhibits A1 – A12.

Executive Summary

This agenda item involves Ordinance No. 2327 which established the budget for fiscal year 2009-2010.

3. **Consider and act upon a resolution setting the election dates for Wards 2, 4 & 6.** *(Cora Middleton, City Clerk)*

Executive Summary

This agenda item involves a resolution setting the election dates for Wards, 2, 4 & 6.

(Previously Tabled)

4. **Consider, and act upon, authorizing the Mayor to sign a Memorandum of Understanding (MOU) for Emergency Management Services with Pittsburg County, Oklahoma.** *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves authorizing the Mayor to sign a MOU for Emergency Management Services with Pittsburg County, Oklahoma.

5. **Consider, and act upon, Resolution of the City of McAlester for fiscal year 2009 re-affirming the cities commitment to facilitate and administer funds from the Oklahoma Department of Commerce, Community Development Black Grant – Economic Development Infrastructure Financing (CDBG-EDIF).** *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a resolution re-affirming the Cities commitment to facilitate and administer funds from ODOC.

6. **Consider, and act upon, recommendation of Planning and Zoning Committee to annex property adjacent to City.** *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a motion to authorize the City of McAlester to proceed with the annexation of additional lands adjacent to the City.

7. **Consider, and act upon, recommendation of Planning and Zoning Committee to annex property adjacent to City.** *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a motion to authorize the City of McAlester to proceed with the annexation of additional lands adjacent to the City.

8. **Consider, and act upon, an Ordinance to close an alleyway between “A” Street and “B” Street in Block 172 of the City of McAlester.** *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves approving an ordinance to close alleyway between “A” and “B” Street in Block 172 of the City of McAlester.

9. **Consider, and act upon, authorizing the Mayor to sign an Agreement with Iron Mountain for secure shredding services.** *(Cora Middleton, City Clerk)*

Executive Summary

This item involves authorizing the Mayor to sign an Agreement with Iron Mountain.

10. **Consider, and act upon, a Resolution of the City of McAlester for direct settlement fund proceeds, obtained in Case Number C-2007-498; City of McAlester vs. Western Surety, ET AL., in the District Court of Pittsburg County State of Oklahoma.** *((Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a resolution of the City of McAlester for the direct settlement fund proceeds with Western Surety.

11. **Consider, and act upon, amending contracts for OIL, MEDS, and Pride of McAlester.** *((Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a motion to approve decreasing fund for MEDS, OIL and PIM and amending contracts.

12. **Consider, and act upon, authorizing expenditure of approximately \$80,000 to repair a portion of the Sandy Creek canal wall.** (*John C. Modzelewski, PE, Engineering/Public Works Director.*)

Executive Summary

This item involves a motion to authorize expenditure of \$80,000 to repair a portion of the Sandy Creek canal wall.

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 December 8, 2009, Regular Meeting of the McAlester Airport Authority.** (*Cora Middleton, City Clerk*)
- **Confirm action taken on City Council Agenda Item D regarding claims ending December 21, 2009.** (*Gayla Duke, Chief Financial Officer*)
- **Confirm action taken on City Council Agenda Item 1 City of McAlester's Treasury Report and Financial Information.** (*Gayla Duke, Chief Financial Officer*)
- **Confirm action taken on City Council Agenda Item 2 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 City Council Agenda Item 3 a resolution setting the election dates for Wards 2, 4 & 6.** (*Cora Middleton, City Clerk*)

ADJOURN MAU.

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- **Approval of the Minutes from the December 8, 2009, Regular Meeting of the McAlester Public Works Authority.** (*Cora Middleton, City Clerk*)
- **Confirm action taken on City Council Agenda Item D regarding claims ending December 21, 2009.** (*Gayla Duke, Chief Financial Officer*)

- **Confirm action taken on City Council Agenda Item 1 City of McAlester's Treasury Report and Financial Information.** *(Gayla Duke, Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item 2 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 City Council Agenda Item 3 a resolution setting the election dates for Wards 2, 4 & 6.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item 4 authorizing the Mayor to sign a Memorandum of Understanding (MOU) for Emergency Management Services with Pittsburg County, Oklahoma.** *(Peter J. Stasiak, Acting City Manager)*
- **Confirm action taken on City Council Agenda Item 5 regarding a Resolution of the City of McAlester for fiscal year 2009 re-affirming the cities commitment to facilitate and administer funds from the Oklahoma Department of Commerce, Community Development Black Grant – Economic Development Infrastructure Financing (CDBG-EDIF).** *(Peter J. Stasiak, Acting City Manager)*
- **Confirm action taken on City Council Agenda Item 6 regarding a recommendation of the Planning and Zoning Committee to annex property adjacent to City.** *(Peter J. Stasiak, Acting City Manager)*
- **Confirm action taken on City Council Agenda Item 7 regarding a recommendation of the Planning and Zoning Committee to annex property adjacent to City.** *(Peter J. Stasiak, Acting City Manager)*
- **Confirm action taken on City Council Agenda Item 9 authorizing the Mayor to sign an Agreement with Iron Mountain for secure shredding services.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item 12 authorizing expenditure of \$80,000 to repair a portion of the Sandy Creek canal wall.** *(John C. Modzelewski, PE, Engineering/Public Works Director.)*

ADJOURN MPWA.

CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

- **Approval of the Minutes from the November 24, 2009, Regular Meeting of the McAlester Retirement Trust Authority.** *(Cora Middleton, City Clerk)*
- **Approval of Retirement Benefit Payments for the Period of December 2009.** *(Gayla Duke, Chief Financial Officer)*

- **Confirm action taken on City Council Agenda Item 3 a resolution setting the election dates for Wards 2, 4 & 6. (Cora Middleton, City Clerk)**

ADJOURN MRTA

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2009 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