



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, November 24, 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](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.*

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#### CALL TO ORDER

*Announce the presence of a Quorum.*

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#### INVOCATION & PLEDGE OF ALLEGIANCE

- Brandon Parker, New Life 4 Today Ministries

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#### ROLL CALL

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#### 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.*

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#### 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 November 3, 2009, Special Meeting of the McAlester City Council. (Cora Middleton, City Clerk)

- B. Approval of the Minutes from the November 10, 2009, Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- C. Approval of Claims for November 11, 2009 through November 24, 2009.** *(Gayla Duke, Chief Financial Officer)*

## **ITEMS REMOVED FROM CONSENT AGENDA**

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### **PUBLIC HEARING**

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*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 amending Ordinance No. 2331 which established an Ordinance for the City of McAlester which will **EITHER** repeal or amend Ordinance 2331 which amended the Code of Ordinances, Chapter 2, Article VII, Section 2-259 related to establishing the McAlester City Emergency Ambulance Fund, providing for a severability clause; and declaring an **emergency**.

### **SCHEDULED BUSINESS**

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

Executive Summary

This item involves a financial report and presentation from Gayla Duke, CFO.

- 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)*

Exhibit A-1: General Fund:

- a) Need to include transfer to Gifts and Contributions Fund for ADA Compliance dedicated funds of \$32,957 and prior year donation for repairs at park of \$5,000.
- b) Need to record and appropriate transfer from Economic Development Fund to cover expenses paid in General Fund for Steven Taylor Industrial Park cleanup.

Exhibit A-2: Economic Development Fund: Need to transfer and include in the budget funds that were previously expensed in General Fund for Steven Taylor Industrial Park cleanup.

Exhibit A-3: Airport Authority Fund: Need to appropriate emergency expense for costs to remove concrete, replace fuel lines to fuel tank and obtain re-inspection on system.

Executive Summary

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

3. **Consider, and act upon, an Ordinance for the City of McAlester which will EITHER repeal or amend Ordinance 2331 which amended the Code of Ordinances, Chapter 2, Article VII, Section 2-259 related to establishing the McAlester City Emergency Ambulance Fund, providing for a severability clause; and declaring an emergency. (Gayla Duke, Chief Financial Officer)**

Executive Summary

This item involves either repealing or amending Ordinance 2331 establishing the McAlester City Emergency Ambulance Fund.

4. **Consider and act upon issuing a thirty (30) day notice to McAlester Economic Development Services (MEDS), Oklahomans for Independent Living (OIL) and Pride in McAlester (PIM) to decrease the funding allotted to these organizations for fiscal year 2009-2010. (Peter J. Stasiak, Acting City Manager)**

Executive Summary

This item involves a motion to approve sending a thirty (30) day notice decreasing fund for MEDS, OIL and PIM.

5. **Consider, and act upon, a Resolution declaring certain buildings as dangerous by reason of dilapidation and a detriment to the welfare of the public and community. (Dennis Lalli, Building Inspector for the City of McAlester)**

Executive Summary

This item involves declaring certain buildings as dangerous to the welfare of the public and community.

6. **Consider, and act upon, authorizing the Mayor to sign a Lease Purchase Agreement with Landfill Equipment for the lease of one refurbished 2006 D7 Dozer and one refurbished 2000 Al-Jon 81K Trash Compactor. (John C. Modzelewski, P.E., Engineering and Public Works Director)**

Executive Summary

This item involves authorizing the Mayor to sign a Lease Purchase Agreement with Landfill Equipment.

## **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 November 10, 2009, Regular Meeting of the McAlester Airport Authority. (Cora Middleton, City Clerk)**
- **Confirm action taken on City Council Agenda Item C regarding claims ending November 10, 2009. (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)**

ADJOURN MAU.

### **CONVENE AS MCALESTER PUBLIC WORKS AUTHORITY**

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*Majority of a Quorum required for approval*

- **Approval of the Minutes from the November 10, 2009, Regular Meeting of the McAlester Airport Authority. (Cora Middleton, City Clerk)**
- **Confirm action taken on City Council Agenda Item C regarding claims ending November 10, 2009. (Gayla Duke, Chief Financial Officer)**
- **Confirm possible action taken on City Council Agenda Item 6 regarding authorizing the Mayor to sign a Lease Purchase Agreement with Landfill Equipment for the lease of one refurbished 2006 D7 Dozer and one refurbished 2000 Al-Jon 81K Trash Compactor. (John C. Modzelewski, P.E., Engineering and Public Works Director)**

ADJOURN MPWA.

### **CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY**

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*Majority of a Quorum required for approval*

- **Approval of the Minutes from the October 27, 2009, Regular Meeting of the McAlester Retirement Trust Authority. (Cora Middleton, City Clerk)**
- **Approval of Retirement Benefit Payments for the Period of November 2009. (Gayla Duke, Chief Financial Officer)**

ADJOURN MRTA

### **RECONVENE COUNCIL MEETING.**

### **EXECUTIVE SESSION**

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*Recess into Executive Session in compliance with Section Title 25 Section 307 B.1 et.seq. Oklahoma Statutes, to wit:*

- **Section 307 (B) (1) – Discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager.**

### **RECONVENE INTO OPEN SESSION**

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

### **ADJOURNMENT**

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**CERTIFICATION**

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*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](http://www.cityofmcalester.com).*

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**Cora M. Middleton, City Clerk**