



# McAlester City Council

## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, June 9, 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

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.*

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

- Kay Crawford, Pastor, Harvest 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 Minutes from the May 19, 2009, Special Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- B. **Approval of Minutes from the May 26, 2009, Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- C. **Concur with Mayor's reappointment of Karl Scifres to the Planning Commission for a term that expires May, 2012.** *(Kevin E. Priddle, Mayor)*
- D. **Concur with Mayor's reappointment of Karen Stobaugh to the Planning Commission for a term that expires May, 2012.** *(Kevin E. Priddle, Mayor)*
- E. **Concur with Mayor's reappointment of Primus Moore to the Planning Commission for a term that expires May, 2012.** *(Kevin E. Priddle, Mayor)*
- F. **Concur with Mayor's reappointment of Robert Way to the Planning Commission for a term that expires May, 2012.** *(Kevin E. Priddle, Mayor)*
- G. **Concur with Mayor's reappointment of Susan Kanard to the Board of Adjustment for a term that expires March, 2012.** *(Kevin E. Priddle, Mayor)*
- H. **Accept, and place on file, the Oklahomans for Independent Living Report for January, February, March and April, 2009.** *(Mike Ward, Executive Director)*
- I. **Accept, and place on file, the Oklahoma Department of Environmental Quality Permit No. SL000061090388 for the 14<sup>th</sup> Street and Village Boulevard Sanitary Sewer Line Extension.** *(David Medley, Utilities Director)*
- J. **Accept, and place on file, the Oklahoma Department of Environmental Quality Permit No. WL000061090387 for the 14<sup>th</sup> Street Water Line Extension.** *(David Medley, Utilities Director)*
- K. **Approval of Claims for May 27, 2009 through June 9, 2009.** *(Sherry Alessi, Assistant 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.*

- **Public Hearing: The proposed Annual Operating Budget for FY 2009/2010.**
- **Public Hearing: An Ordinance relating to the imposition of a City Excise Tax (Sales Tax) of One Percent (1%); providing that said Excise Tax shall replace a one percent (1%) Excise Tax presently being levied; providing for the use of the proceeds of said Excise Tax; providing for the effective date and stated termination date of said Excise Tax.**

**SCHEDULED BUSINESS**

---

1. **Presentation on the status of Pride-In-McAlester.** (*J.T. Collier, President of Pride-in-McAlester, Presenter*)

Executive Summary

This agenda item involves Pride-in-McAlester's past, present and future.

2. **Presentation, and then accept and place on file, a formal report by the Americans with Disabilities Act Board.** (*Joel Duncan, Chair of the Americans with Disabilities Act Board, Presenter*)

Executive Summary

This agenda item involves a report on Board activities related to the Americans with Disabilities Act.

3. **Consider, and act upon, a Resolution authorizing the sale of certain real property located in the City of McAlester, County of Pittsburg, State of Oklahoma, to the Choctaw Nation of Oklahoma.** (*William J. Ervin, City Attorney*)

Executive Summary

This agenda item involves the sale of City property, referred to as "King Ranch" property, to the Choctaw Nation of Oklahoma for the sum of \$1,425,000.

4. **Consider, and act upon, an Ordinance relating to the imposition of a City Excise Tax (Sales Tax) of One Percent (1%); providing that said Excise Tax shall replace a one percent (1%) Excise Tax presently being levied; providing for the use of the proceeds of said Excise Tax; providing for the effective date and stated termination date of said Excise Tax; providing for severability of provisions; and containing other provisions related thereto.** (*Kevin E. Priddle, Mayor, Sam Mason, Councilmember and John Browne, Councilmember*)

Executive Summary

This agenda item involves replacement of the Ordinance that sets forth the one cent sales tax presently be levied to correct ambiguities in the current legislation.

5. **Consider, and act upon, a Resolution calling for an election regarding a One Percent (1%) Excise Tax (Sales Tax); providing that said Excise Tax shall replace a One Percent (1%) Excise Tax presently being levied; and containing other provisions relating thereto.** (*Kevin E. Priddle, Mayor, Sam Mason, Councilmember and John Browne, Councilmember*)

Executive Summary

This agenda item involves the calling of an election to consider replacing the present one cent sales tax.

6. **Consider, and act upon, a Resolution calling for an election regarding submitting to the registered qualified electors the question of approval or rejection of the creation of indebtedness by the McAlester Public Works Authority, Oklahoma as the beneficiary thereof; and containing other provisions relating thereto.** (*Kevin E. Priddle, Mayor; Sam Mason, Councilmember and John Browne, Councilmember*)

Executive Summary

This agenda item involves the calling of an election to decide whether to allow the City to incur indebtedness for certain capital improvements.

7. **Consider, and act upon, a Resolution amending the City's Non-Uniform Pay Plan and/or other benefits.** (*Donnie Condit, Councilmember and John Browne, Councilmember*)

Executive Summary

This agenda item involves an increase to the non-uniform pay plan and/or other benefits.

- 8. Discussion, and possible action, regarding goals for the City in general, and each ward in particular. (John Browne, Councilmember)**

Executive Summary

This agenda item involves a general discussion on short and long-range goals for the City.

- 9. Consider, and act upon, a proposal by Midwest Employers Casualty Company regarding excess workers compensation insurance. (Mark B. Roath, City Manager)**

Executive Summary

This agenda item involves a one-year policy for excess worker's compensation insurance.

- 10. Consider, and act upon, awarding a bid to Xybix Systems to purchase three dispatch sit-to-stand workstations in the amount of \$28,028. (Jim Lyles, Police Chief)**

Executive Summary

This agenda item involves a bid to purchase three dispatch workstations for the E-911 Center.

- 11. Consider, and act upon, authorizing the Mayor to sign a Personal Service Agreement with Larry Cox for Hay Baling on McAlester Water Shed and the Southside Industrial Park in the amount of \$1,780. (Mel Priddy, Community Services Director)**

Executive Summary

This agenda item involves a hay baling contract for certain City property.

- 12. Consider, and act upon, authorizing the Mayor to sign a Master Agreement, including Managed Internet Services, with AT&T Corporation regarding ISP T1's. (Mark B. Roath, City Manager)**

Executive Summary

This agenda item involves an AT&T rate change for the City's T1 lines.

- 13. Consider, and act upon, authorizing the Mayor to sign an Agreement with SimplexGrinnell regarding fire alarm testing and inspection in the amount of \$4,117.41. (Harold Steward, Fire Chief)**

Executive Summary

This agenda item involves the inspection and testing of the City's fire alarms.

- 14. Consider, and act upon, authorizing the Mayor to sign an Agreement with Pitney Bowes relating to a Digital Mailing System for a monthly amount of \$1,099. (Cora Middleton, City Clerk)**

Executive Summary

This agenda item involves the City's mail machine.

**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 Minutes from the May 26, 2009, Regular Meeting of the McAlester Airport Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item k regarding the Claims for the period of May 27, 2009 through June 9, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*

ADJOURN MAU.**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

---

*Majority of a Quorum required for approval*

- **Approval of Minutes from the May 26, 2009, Regular Meeting of the McAlester Public Works Authority.** *(Cora Middleton, City Clerk)*
- **Accept, and place on file, the Oklahoma Department of Environmental Quality Permit No. SL000061090388 for the 14<sup>th</sup> Street and Village Boulevard Sanitary Sewer Line Extension.** *(David Medley, Utilities Director)*
- **Accept, and place on file, the Oklahoma Department of Environmental Quality Permit No. WL000061090387 for the 14<sup>th</sup> Street Water Line Extension.** *(David Medley, Utilities Director)*
- **Confirm action taken on City Council Agenda Item k regarding the Claims for the period of May 27, 2009 through June 9, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item 4 regarding Ordinance relating to the imposition of a City Excise Tax (Sales Tax) of One Percent (1%); providing that said Excise Tax shall replace a one percent (1%) Excise Tax presently being levied; providing for the use of the proceeds of said Excise Tax; providing for the effective date and stated termination date of said Excise Tax; providing for severability of provisions; and containing other provisions related thereto.** *(Kevin E. Priddle, Mayor; Sam Mason, Councilmember and John Browne, Councilmember)*
- **Confirm action taken on City Council Agenda Item 5 regarding a Resolution calling for an election regarding submitting to the registered qualified electors the question of approval or rejection of the creation of indebtedness by the McAlester Public Works Authority, Oklahoma as the beneficiary thereof; and containing other provisions relating thereto.** *(Kevin E. Priddle, Mayor; Sam Mason, Councilmember and John Browne, Councilmember)*
- **Confirm action taken on City Council Agenda Item 6 regarding a Resolution calling for an election regarding submitting to the registered qualified electors the question of approval or rejection of the creation of indebtedness by the McAlester Public Works Authority,**

**Oklahoma as the beneficiary thereof; and containing other provisions relating thereto.**  
*(Kevin E. Priddle, Mayor; Sam Mason, Councilmember and John Browne, Councilmember)*

- **Confirm action taken on City Council Agenda Item 7 regarding a Resolution amending the City's Non-Uniform Pay Plan or other benefits.** *(Donnie Condit and John Browne, Councilmember's)*
- **Confirm action taken on City Council Agenda Item 8 regarding a proposal by Midwest Employers Casualty Company regarding excess workers compensation insurance.** *(Mark B. Roath, City Manager)*

ADJOURN MPWA.

RECONVENE COUNCIL MEETING.

**EXECUTIVE SESSION**

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

- **Section 307 (B) (1) – Discussion of employment relating to the City Manager and City Clerk.**
- **Section 307 (B) (2) – Discussion of negotiations concerning employees and representatives of employee groups: FOP and IAFF.**

**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 \_\_\_\_\_, 2009 at \_\_\_ a.m./ p.m. as required by law in accordance with Section \_\_\_\_\_ 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