



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, July 14, 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 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

- Charles Neff, Pastor, First United Methodist 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 June 23, 2009, Special Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- B. **Approval of Minutes from the June 23 2009, Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- C. **Approval of Minutes from the June 29, 2009, Special Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- D. **Concur with Mayor's reappointment of Dr. Kenneth Miller to the McAlester Economic Development Service, Inc. for a term that expires June, 2012.** *(Kevin E. Priddle, Mayor)*
- E. **Concur with Mayor's reappointment of Jack Inman to the McAlester Economic Development Service, Inc. for a term that expires June, 2012.** *(Kevin E. Priddle, Mayor)*
- F. **Concur with Mayor's appointment of Pam Pulchny to the Americans with Disabilities Act Board for a term that expires August, 2010.** *(Kevin E. Priddle, Mayor)*
- G. **Pledge and Guarantee document which authorizes the annual renewal of the Participation Agreement with the Association for Landfill Financial Assurance.** *(David Medley, Utility Director)*
- H. **Approval of Claims for June 24, 2009 through June 30, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- I. **Approval of Claims for June 24, 2009 through June 30, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- J. **Approval of Claims for July 1, 2009 through July 14, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- K. **Approval of Claims for July 1, 2009 through July 14, 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: Public Hearing for the City of McAlester to seek funding assistance from the Oklahoma Department of Commerce. This funding is available through the Community Development Block Grant (CDBG) 2009 State Small Cities Program.**
- **An Ordinance amending General Zoning Ordinance No. 1843 (1989) and accompanying map by rezoning property (as described) in the ordinance from I-2 (Heavy Industrial) to C-4 (Restricted Commercial).**

SCHEDULED BUSINESS

1. **Presentation of the “Yard of the Month”.** *(Kevin E. Priddle, Mayor and J. T. Collier, President of Pride-in-McAlester)*

Executive Summary

This agenda item involves the naming of a “Yard of the Month”.

2. **Review of the City of McAlester Citizen Participation Plan for 2009.** *(Pete Stasiak, Planning and Community Development Director)*

Executive Summary

This agenda item involves another review of the McAlester Citizen Participation Plan for 2009.

3. **Consider, and act upon, an Ordinance amending General Zoning Ordinance No. 1843 (1989) and accompanying map by rezoning property (as described) in the ordinance from I-2 (Heavy Industrial) to C-4 (Restricted Commercial).** *(Pete Stasiak, Planning and Community Development Director)*

Executive Summary

This agenda item involves a rezone request, which the purpose of the request was unstated.

4. **Consider, and act upon, Land Use Acceptance and accompanying map to grant Use Permitted After Review.** *(Pete Stasiak, Planning and Community Development Director)*

Executive Summary

This agenda item involves a request to expand the Mega Splash Car Wash.

5. **Consider, and act upon, Land Use Acceptance and accompanying map to grant Use Permitted After Review.** *(Pete Stasiak, Planning and Community Development Director)*

Executive Summary

This agenda item involves the building of the new City of McAlester Fire Emergency Complex.

6. **Consider, and act upon, a roadway easement for CenterPoint Energy on Steven Taylor Boulevard at the end of the cul-de-sac.** *(Pete Stasiak, Planning and Community Development Director)*

Executive Summary

This agenda item involves a request to grade and rock the roadway and install a locked gate to limit access.

7. **Consider, and act upon, a Option Agreement and Resolution for the sale of city owned surplus real estate known as Lots 1, 2, & 3, Block 150, South McAlester, located on Tyler Avenue and situated between and adjacent to Ninth Street and Tenth Street in the City of McAlester, Oklahoma.** *(Pete Stasiak, Planning and Community Development Director)*

Executive Summary

This agenda item involves the sale of City owned land to Accessible Space, Inc. for \$1.00 contingent upon ASI receiving funding.

8. **Waiver of building and inspection fees for an apartment complex located between 9th and Adams and 9th and Jefferson.** *(Pete Stasiak, Planning and Community Development Director)*

Executive Summary

This agenda item involves the waiving of building and inspection fees, approximately \$4,500, for an apartment complex to be constructed by Accessible Space, Inc.

- 9. **Agreement with Mr. Roger Dalgren to obtain utility easement in Townsite Addition No. 4 for the 14th Street and Village Blvd. Utility Extension Project.** *(David Medley, Utilities Director)*

Executive Summary

This agenda item involves a utility easement allowing the City to construct a sewer line.

- 10. **Agreement with Mr. Sam Scott, Owner of Walnut Grove Living Center, to obtain utility easements in Townsite Addition No.4 for the 14th Street and Village Blvd. Utility Extension Project.** *(David Medley, Utilities Director)*

Executive Summary

This agenda item involves a utility easement allowing the City to construct a water and sewer line.

- 11. **Consider approving a Work Order for Melburger Brawley Corporation for engineering, surveying, inspection, and easement preparation required for the construction of the South US 69 Bypass Sewer Extension project.** *(David Medley, Utilities Director)*

Executive Summary

This agenda item involves engaging Melburger Brawley Corporation to perform engineering services related to the above named project.

- 12. **Purchase nine (9) new equipped police package cars.** *(Jim Lyles, Police Chief)*

Executive Summary

This agenda item involves the purchase and equipping nine new police cars.

- 13. **Purchase one Animal Control Vehicle and transport unit.** *(Jim Lyles, Police Chief)*

Executive Summary

This agenda item involves the purchase and equipping an animal control unit and cage.

- 14. **Consider, and act upon, a Partnership Request by Eastern Oklahoma State College for the use of the Southeast EXPO Center for the College & Career Day scheduled October 8th & set up October 7th, 2009, by partnering with them in the amount of \$2,250.00.** *(Jerry Lynn Wilson, EXPO Manager)*

Executive Summary

This agenda item involves the City partnering in the cost of the EXPO Center rental fee with Eastern Oklahoma State College for their College & Career Day.

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 June 23, 2009, Regular Meeting of the McAlester Airport Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item H regarding Claims for June 24, 2009 through June 30, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item I regarding Claims for June 24, 2009 through June 30, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item K regarding the Claims for the period of July 1, 2009 through July 14, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*

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CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- **Approval of Minutes from the June 23, 2009, Regular Meeting of the McAlester Public Works Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item H regarding Claims for June 24, 2009 through June 30, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item I regarding Claims for June 24, 2009 through June 30, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item J regarding Claims for July 1, 2009 through July 14, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item K regarding the Claims for the period of July 1, 2009 through July 14, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item 9 regarding an agreement with Mr. Roger Dalgren to obtain utility easement in Townsite Addition No. 4 for the 14th Street and Village Blvd. Utility Extension Project.** *(David Medley, Utilities Director)*
- **Confirm action taken on City Council Agenda Item 10 regarding an agreement with Mr. Sam Scott, Owner of Walnut Grove Living Center, to obtain utility easements in Townsite Addition No.4 for the 14th Street and Village Blvd. Utility Extension Project.** *(David Medley, Utilities Director)*
- **Confirm action taken on City Council Agenda Item 11 regarding a Work Order for Melburger Brawley Corporation for engineering, surveying, inspection, and easement preparation required for the construction of the South US 69 Bypass Sewer Extension project.** *(David Medley, Utilities Director)*

ADJOURN MPWA.

RECONVENE COUNCIL MEETING.

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.

Cora M. Middleton, City Clerk