



McAlester City Council

NOTICE OF MEETING

Amended

Regular Meeting Agenda

Tuesday, September 8, 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
Travis Read.....	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

- Kay Crawford, Pastor, Harvester 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 25, 2009, Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- B. **Approval of Claims for August 26, 2009 through September 8, 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 the Code of Ordinances, Chapter 2, Article VII, Section 2-259 related to establishing the McAlester City Emergency Ambulance Fund, and declaring an emergency.**
- **An Ordinance amending Ordinance No. 2337 which established the budget for fiscal year 2009/2010; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency.**

SCHEDULED BUSINESS

1. **Presentation, and status report, on Allegiance Communications service delivery in the McAlester market.** *(T.M. Woody Wood, Regional Manager Vice-President, Allegiance Communications)*

Executive Summary

This agenda item involves a status report on Allegiance Communications service in McAlester.

2. **Discussion, and possible action, related to a McAlester Code of Conduct.** *(Donnie Condit, Councilmember; Chris Fiedler, Councilmember and John Browne, Councilmember)*

Executive Summary

This agenda item involves a proposed McAlester Code of Conduct.

3. **Consider, and act upon, an Ordinance amending the Code of Ordinances, Chapter 2, Article VII, Section 2-259 related to establishing the McAlester City Emergency Ambulance Fund, and declaring an emergency.** *(Sam Mason, Councilmember)*

Executive Summary

This agenda item involves the establishment of a "McAlester City Emergency Ambulance Fund."

4. **Consider, and act upon, issuing a Notice of Termination to the McAlester Economic Development Service, Inc., related to their contract with the City.** *(Sam Mason, Councilmember)*

Executive Summary

This agenda item involves issuing a Notice of Termination to MEDS related to their contract with the City.

5. **Consider, and act upon, a 2009-2010 Provisional State and Local Task Force Agreement between the United States Department of Justice, Drug Enforcement Administration and the McAlester Police Department.** *(Jim Lyles, Police Chief)*

Executive Summary

This agenda item involves an agreement with the DOJ and DEA.

6. **Consider, and act upon, a Resolution authorizing the City of McAlester to seek a CDBG Small Cities Grant from the Oklahoma Department of Commerce.** (*Pete Stasiak, Planning and Community Development Director*)

Executive Summary

This agenda item involves adopting a new Resolution, to replace an earlier submittal, to accompany the City's CDBG Application to the State.

7. **Consider, and act upon, an Ordinance amending Ordinance No. 2337 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*)

Executive Summary

This agenda item involves an amendment to the FY 2009/2010 Annual Budget for certain unanticipated expenditures.

8. **Consider, and act upon, approval of an Engagement Letter with Hulme, Rahhal, Henderson, Inc., related to audited services for the fiscal year ending June 30, 2009.** (*Gayla Duke, Chief Financial Officer*)

Executive Summary

This agenda item involves the engagement of the above named accounting firm to prepare an independent audit for fiscal year 2009/2010.

9. **Consider, and act upon, authorizing the Mayor to sign a service contract with D & D Elevator to perform monthly scheduled maintenance on all elevator equipment for the period from July 1, 2009 to June 30, 2010.** (*John Modzelewski, Public Works Director/City Engineer*)

Executive Summary

This agenda item involves an elevator maintenance contract for this fiscal year.

10. **Consider, and act upon, authorizing the Mayor to sign an Addendum to the Collection Services Agreement with American Municipal Services.** (*Gayla Duke, Chief Financial Officer*)

Executive Summary

This agenda item involves an Addendum to the Collection Services Agreement with AMS.

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 25, 2009, Regular Meeting of the McAlester Airport Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item B regarding the Claims for the period of August 26, 2009 through September 8, 2009.** *(Gayla Duke, 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 25, 2009, Regular Meeting of the McAlester Public Works Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item B regarding the Claims for the period of August 26, 2009 through September 8, 2009.** *(Gayla Duke, Chief Financial Officer)*

ADJOURN MPWA.

CONVENE AS McALESTER RETIREMENT TRUST AUTHORITY

Majority of a Quorum required for approval

ADJOURN MRTA.

RECONVENE COUNCIL MEETING.

EXECUTIVE SESSION

Recess into Executive Session in compliance with Section 307, et.seq. Oklahoma Statutes, to wit:

- **Section 307 (B) (4) – Discussion concerning pending litigation with Joyce Ramsey.**
- **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

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 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