

Council Conference Room
Municipal Building
June 3, 2008

The McAlester City Council met in Special session on Tuesday, June 3, 2008, at 5:30 P.M. after proper notice and agenda was posted May 30, 2008, at 11:45 A.M.

CALL TO ORDER

Mayor Lewis called the meeting to order. Council Roll Call was as follows:

Present: Weldon Smith, Buddy Garvin, Sam Mason, Donnie Condit, Travis Read,
Haven Wilkinson & Mayor Lewis

Absent: None

Presiding: Don Lewis, Mayor

Staff Present: Mark Roath, City Manager; David Burke, City Treasurer; Robert Ivester,
City Attorney and Cora Middleton, City Clerk

SCHEDULED BUSINESS

- 1. Discussion, and possible action, regarding implementation of the new Charter including formation of Council Sub-committees and development of necessary legislation. (Don R. Lewis, Mayor)**

Mayor Lewis opened the session by explaining that this meeting was to help explain some of the changes and recommendations in the new Charter. He thanked the members of the Charter Review Committee for their hard work.

Councilman Smith began by stating that he wanted to clear up what seems to be persistent confusion about the changes in the new Charter. He commented that the items that had been removed from the old Charter had not been left out by mistake. He stated that those items could be handled by ordinance. He added that the advantage of having these items handled by ordinance is that it allows more flexibility. He stated that the Charter Review Committee wanted the Council to be aware of areas that called for Council input and there were some items that would require action by the Council soon.

Mayor Lewis asked for a motion to open the item up for discussion.

Councilman Smith moved to open the discussion and possible action regarding implementation of the new Charter including formation of Council Sub-committees and development of necessary legislation. The motion was seconded by Councilman Mason.

The vote was taken as follows:

AYE: Councilman Smith, Condit, Read, Wilkinson, Garvin, Mason & Mayor Lewis

NAY: None

Mayor Lewis declared the discussion open.

Tim Wynn was the first member of the Charter Review Committee to speak regarding the new Charter. He commented that as a former Mayor he looked at how the new Charter could have helped him. Mr. Wynn also recommended that the Council give serious consideration on setting up the various committees. He stated that the more information that could be made available to the Council would help in making better decisions.

Mayor Lewis commented that the City of McAlester's form of government was the Home-Rule form where the Council makes the rules that the city follows. He added that through this process they did attempt to make the right decisions for the community.

Councilman Smith commented on the guide that had been distributed to the Council. He stated that they had tried to pick out what dealt with the Council.

Sharon Irvin discussed with the Council Section 2.01, General Powers and Duties of the Council.

Mayor Lewis commented that the running of the City had to be a partnership.

Councilman Smith stated that he had no objection to that but the Council had the ultimate responsibility for what happened. He commented that the Charter Review Committee was not recommending that any action be taken at this time. He added that some of the areas of change had already been addressed.

Phil Beatty reviewed section 2.15 which dealt with the authentication, recording, codification and printing of Ordinances and Resolutions. He stated that the City needs to make the Ordinances and Resolutions readily available to the citizens through the website. He also recommended that the Budget be made available on the website.

Tim Wynn discussed section 3.04 Powers and Duties, referring to the City Manager with the Council.

Councilman Garvin asked Mr. Wynn if he thought it was advisable to have Council members on sub-committees. It would be like having them oversee themselves. He also stated that he wouldn't want a sub-committee to be influenced by the Council members.

Mr. Wynn admitted that some individuals could be intimidated but there are always others that the presence of the Council would not affect.

Debbie Quadracci stated that she did not believe that a conflict of interest existed when Council members were on sub-committees of the Council.

Steve Harrison commented on the area that addressed sub-committees.

Dorothy Crone reviewed the Personnel system.

Councilman Wilkinson indicated that this area had been charged to Bart Van Nieuwenhuise and he asked where the administration was at this time.

Mark Roath indicated that he believed there was a draft of the Personnel Policies.

Councilman Smith reviewed the area that addressed the bonds of the various city officials and employees. He stressed the area that covered the requirements for the bonds of the City Manager and Chief Financial Officer. He also noted that the recommendation included in the handout stated that these amounts be reviewed annually. Councilman Smith added that the only action recommended at this time was to hire a City Attorney.

Mark Roath stated that an advertisement had been placed in the newspaper and would be on the website as soon as the IT person was back from vacation.

Councilman Smith reviewed the area that addressed the Chief Financial Officer, the Land Use, Development and Environmental Planning area and the area that addressed the Budget Message. He commented that Mark Emmons, Chairman of the Planning Commission, had indicated that the Planning Commission was the obvious choice to implement this process.

Councilman Mason questioned the use of the word "shall".

John Goodyear commented on the section that addressed the budget message and budget. He commented that an emergency fund should be established.

Mayor Lewis commented that the Council would approve the rules and regulations regarding any emergency fund that might be adopted.

Councilman Smith continued the review with sections 5.09, 5.11, 5.12 and 5.13.

There was discussion among the Council concerning the area of the new Charter that addressed the formation of a Board of Ethics and Code of Conduct.

Councilman Garvin stated that he had a problem with this section regarding the Board of Ethics. He commented that he felt it could open the Council up to lawsuits. He then asked if the new Charter had been approved by the Governor.

Mayor Lewis stated that they did not know of its approval at this time.

Kevin Priddle stated that he was one hundred percent in favor of the Board of Ethics. He commented that the selection of the members would be very important.

Steve Belcher addressed the Council stating that he also had a problem with this section. He stated that it did not address any protection for the employee who attempts to follow the rules.

There was discussion between Councilman Smith, Mark Roath and Steve Belcher concerning the "State Whistle Blower Law" and what the City could do to afford protection to the employees. Councilman Smith commented that since Mr. Belcher had specific experience in this area, he might make recommendations to the Council.

Mayor Lewis commended the Charter Review Committee and the Council for their work on the new Charter and stated that they wanted to come up with a document that was fair for the employees and citizens of the City.

Councilman Smith stated that within the range of options that the Council has it would be good to have all of the Council make recommendations.

ADJOURNMENT

There being no further business to come before the Council, Councilman Garvin moved for the Special Meeting to be adjourned. The motion was seconded by Councilman Wilkinson and the vote was taken as follows:

AYE: Councilman Condit, Read, Wilkinson, Garvin, Mason, Smith & Mayor Lewis

NAY: None

Mayor Lewis declared the motion carried, and the meeting was adjourned at 7:18 P.M.

ATTEST:

Don R. Lewis, Mayor

Cora Middleton, City Clerk