

Council Chambers  
Municipal Building  
January 29, 2009

The McAlester City Council met in a special session on Thursday, January 29, 2009, at 6:00 P.M. after proper notice and agenda was posted January 27, 2009, at 2:30 P.M.

**CALL TO ORDER**

Mayor Priddle called the meeting to order.

**INVOCATION & PLEDGE OF ALLEGIANCE**

- **Mother Stephanie Swinnea, All Saints Episcopal**

**ROLL CALL**

Council Roll Call was as follows:

Present: Chris Fiedler, Donnie Condit, John Browne, Buddy Garvin, Sam Mason & Mayor Priddle

Absent: Haven Wilkinson

Presiding: Kevin E. Priddle, Mayor

Staff Present: Mark Roath, City Manager; David Medley, Utilities Director; Cliff Pitner, Engineering Inspector; William J. Ervin, Jr., City Attorney and Cora Middleton, City Clerk

**CITIZENS' COMMENTS ON NON-AGENDA ITEMS**

None

**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 December 11, 2008, Special Meeting of the McAlester City Council. (Cora Middleton, City Clerk)**
- B. Approval of the Minutes from the December 23, 2008, Regular Meeting of the McAlester City Council. (Cora Middleton, City Clerk)**
- C. Approval of the Minutes from the January 13, 2009, Regular Meeting of the McAlester City Council. (Cora Middleton, City Clerk)**

- D. Consider, and act upon, authorizing the Mayor to sign an Equipment Maintenance Agreement, in the amount of \$3,060.00, with Biz Tel Communications for the calendar year 2009. (Mark B. Roath, City Manager)**
- E. Consider, and act upon, authorizing the Mayor to sign an Equipment Maintenance Agreement, in the amount of \$936.00, with Biz Tel Communications for the calendar year 2009. (Mark B. Roath, City Manager)**
- F. Approval of Claims for January 14, 2009 through January 27, 2009. (Sherry Alessi, Assistant City Financial Officer) In the amounts of: General Fund - \$92,186.67; Parking Authority - \$232.15; Nutrition - \$847.64; Airport Grant - \$25,747.20; SE Expo Center/Tourism Fund - \$8,408.63; E-911 - \$2,947.58; Economic Development - \$15,416.67; CDBG Grants Fund - \$47,320.80 and CIP Fund - \$5,464.87.**

There was no discussion, and the vote was taken as follows:

AYE: Councilman Fiedler, Condit, Browne, Garvin, Mason & Mayor Priddle  
 NAY: None

Mayor Priddle declared the motion carried.

**ITEMS REMOVED FROM CONSENT AGENDA**

None

**SCHEDULED BUSINESS**

- 1. Presentation of a Certificate of Appreciation to Atlantic-MEECO Inc. recognizing their donation of a dock at Lake McAlester. (Kevin E. Priddle, Mayor and Members of the City Council)**

Executive Summary

*This agenda item involves recognizing Atlantic-MEECO Inc. for their dock donation to the City.*

Mayor Priddle explained that Atlantic-Meeco had donated an ADA compliant dock at Lake McAlester. He then presented Mr. Dan Adams of Atlantic-Meeco a certificate of appreciation. Mayor Priddle stated that the dock was made entirely of composite plastic material that would not rust. He then thanked Mr. Adams again for their contribution.

- 2. Presentation about the Oklahoma’s Premier Work Ready Region Program and request for a letter of support by the Mayor on behalf of the City Council for the City of McAlester. (Barbara Gilbertson, Eastern Oklahoma State College)**

Executive Summary

*This agenda item involves a request for a Letter of Support for the Oklahoma’s Premier Work Ready Region Program by the Mayor on behalf of the City Council.*

Councilman Mason moved to approve the request for a letter of support by the Mayor on behalf of the City Council for the City of McAlester for the Oklahoma’s Premier Work Ready Region Program. The motion was seconded by Vice-Mayor Garvin.

Before the vote, Mayor Priddle explained that the letter of support was part of the process in getting this program on its way.

Barbara Gilbertson reviewed a power point presentation that furnished the requirements for this program. She stated that one of the requirements was to gather letters of support from the area communities and organizations that would be working closely with this program. She added that they were in the initial stages of forming this coalition. Ms. Gilbertson commented that they were very near the percentages needed and she would like to come back and update the Council as this progressed.

There was no further discussion, and the vote was taken as follows:

AYE: Councilman Condit, Browne, Garvin, Mason, Fiedler & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

**3. Presentation on the City's Stormwater Program, Phase II, Year Three, MS4.**  
*(Brandon Claborn, Meshek and Associates)*

Executive Summary

*This agenda item involves a status report on Phase II of the City's Stormwater Program.*

Councilman Condit moved to open the presentation of the City's Stormwater Program, Phase II, Year Three, MS4. The motion was seconded by Councilman Mason.

Before the vote, Brandon Claborn presented the status report on the Stormwater Program to the Council. During the presentation, Mr. Claborn explained that documentation was very important. He added that the City had distributed informational pamphlets at the County fair and to area schools so the teachers could work it into their curriculum. Mr. Claborn commented that they were ninety percent (90%) complete on identifying outfalls. He stated they had not had to define thresholds yet and they were still working on the Stormwater ordinance. He commented that the ordinance would help address illicit discharges and it was the number one (1) tool to implement the program. He added that he felt that the City was in pretty good shape for the permit.

Councilman Condit stated that Puterbaugh Middle School had a technology class in which the students could develop cities and he asked if Cliff Pitner could get the information regarding the Stormwater Program to that teacher.

Mr. Roath stated that Mr. Pitner had done a wonderful job with this issue.

There was no action taken.

**4. Status Report on the Water Treatment Plant Enhanced Coagulation Project.** *(David Medley, Utilities Director)*

Executive Summary

*This agenda item involves an update on the enhanced coagulation project at the Water Treatment Plant.*

David Medley addressed the Council explaining that the project on the Water Treatment Plant would help reduce organics in the City's water system. He stated that the project had cost around three quarters of a million dollars and was scheduled to be complete on February 23, 2009. He commented that the contractor's report showed it should complete ten (10) days ahead of schedule. Mr. Medley stated that there were three (3) items left on the project. They were; 1. Finish painting and placing the concrete coating on clarifier number three (3); 2. Install the overhead doors and 3. Install the new chemical storage tanks. He added that once the construction was completed it could take up to twelve (12) months before the City was actually in compliance.

Mayor Priddle commented that the citizens had received a notice because the State lab had failed to perform a specific test.

Mr. Medley stated that the City had not noticed that the test had not been performed and it was the City's responsibility.

- 5. Consider, and act upon, authorizing the Mayor to sign a Letter of Engagement with Crawford and Associates, Inc., to review hotel/motel tax collections as well as proper receipting of said revenue by the City. (Mark B. Roath, City Manager)**

Executive Summary

*This agenda item involves an audit of the hotel tax revenue generated by hotels and motels within the corporate limits of McAlester.*

Councilman Condit moved to authorize the Mayor to sign a Letter of Engagement with Crawford and Associates, Inc., to review hotel/motel tax collections as well as proper receipting of said revenue by the City. The motion was seconded by Councilman Mason.

Before the vote, Mr. Roath explained that the City had contracted with Crawford and Associates in June of 2007 to audit Fiscal Year 2006/2007 and this was to request that they audit this last year (2007/2008) since the hotels had been operating at about ninety-eight percent (98%) capacity. He stated that it was probably advantageous to do a second audit to make sure all was being reported and accounted correctly. He added that, going forward, it might only be necessary to audit every other year.

Mayor Priddle commented that with the last audit there were some procedural changes that the City had to make.

Mr. Roath stated that there were two parts to this audit. One part was to audit the hotels and motels in the City and the second part was to audit the City to insure that we were receipting and recording the monies properly.

Councilman Mason commented that there might be an instance where they had to go back two (2) years to verify that funds were being properly reported.

Mayor Priddle stated that he felt this was a good move for the City.

Councilman Fiedler asked if there was a follow up with the motels after the previous audit.

Mr. Roath stated that there was an information packet sent out and Ms. Jerry Lynn Wilson had conducted a survey of the motels to gather their comments on how they felt the money should be spent.

There was no further discussion, and the vote was taken as follows:

AYE: Councilman Garvin, Mason, Fiedler, Condit, Browne & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

**6. Discussion, and possible action, on Randy Saunier's Utility Bill for the Green Meadows Apartments.** *(Buddy Garvin, Vice-Mayor and Chris Fiedler, Councilmember)*

Executive Summary

*This agenda item involves water, sewer and garbage service billing for Green Meadows Apartments.*

Vice-Mayor Garvin moved to open the discussion and possible action, on Randy Saunier's Utility Bill for the Green Meadows Apartments. The motion was seconded by Councilman Fiedler.

Before the vote, Vice-Mayor Garvin stated that he had visited with the City Manager regarding this matter earlier. He added that Mr. Roath had asked that staff be allowed to review this bill and if they could not satisfy Mr. Saunier, then it could come back before the Council.

Mr. Roath stated that he appreciated Vice-Mayor Garvin's willingness to allow the staff to review this and attempt to come to some resolution with the matter.

Councilman Mason agreed that the administration should be charged with resolving these types of issues.

Vice-Mayor Garvin commented that Mr. Saunier was not questioning the water bill only the amount that was being charged for sewer. He stated that this should be handled in a timely manner.

There was no vote on this matter.

**NEW BUSINESS**

None

### **CITY MANAGER'S REPORT**

Mr. Roath commended and thanked the job that the City's Police, Fire, Water and Sanitation Departments had done during the recent bad weather. He announced the recent employment of the Planning and Community Development Director, Mr. Peter Stasiak, and commented that he would start February 23<sup>rd</sup>. Mr. Roath stated that the two (2) new garbage trucks would arrive in two (2) weeks and he was still looking at the other alternatives. He commented that he had been submitting weekly reports to the Council and he had changed those reports to coincide with the agenda packets for the Council meetings.

Councilman Mason asked who had the lease purchase on the garbage trucks.

Mr. Roath stated that they had received a low bid from the local bank that the City currently used and the rate had been 4.3%. He added that the agreement had not been completed.

### **REMARKS AND INQUIRIES BY CITY COUNCIL**

Vice-Mayor Garvin stated that North Town had been experiencing some major water problems but the City had been on top of them. He thanked the sanitation employees saying that they had been doing a fine job. He commented on the burglaries that had been hindering North Town and asked that everyone be a good neighbor and watch out for each other.

Councilman Mason had no remarks at this time.

Councilman Fiedler commented that the emergency services had done a good job getting prepared for the bad weather. He commended Trent Myers and the Emergency Management Office for their preparedness.

Councilman Condit commended the City employees for the job they were doing and stated that when he didn't receive any complaints, he felt the City was doing their job well.

Councilman Browne thanked the Oklahoma Municipal League for coming to McAlester and putting on the training that he, Councilman Fiedler and the Mayor had attended. He also commended the City employees for the job they were doing. He commented on a House Bill that was coming before the State Senate that could be beneficial to the City. He added that it would allow the Oklahoma Aeronautics Commission to award grants totaling ten million dollars to municipalities with regional airports.

Mayor Priddle stated that he would like to have the State of the City address entered into the record. He commented on the Crystal Darkness Program and thanked Councilman Fiedler for his coordination of the audio visual for that program. Mayor Priddle stated that Crimestoppers was up and running and they had their tip line out to the public. He asked that if anyone saw something out of the usual, to please call the police department or the Crimestoppers tip line. He added that in February the Council would resume their Town Hall Ward meetings and the next meeting would be in Ward Five (5) on the third Tuesday of the month.

Councilman Garvin commented that the meeting would be held at the Whistle Stop Bistro.

Mayor Priddle then thanked the City workers.

#### RECESS COUNCIL MEETING

Mayor Priddle asked for a motion to recess the Regular Meeting to convene the Authorities.

Councilman Browne moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Fiedler and the vote was taken as follows:

AYE: Councilman Mason, Fiedler, Condit, Browne, Garvin & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 7:05 P.M.

#### RECONVENE COUNCIL MEETING

The Regular Meeting was reconvened at 7:07 P.M.

Mayor Priddle commented that the collective bargaining partner could not attend the meeting due to the change in date so the discussion on the status of the negotiations would not take place. He then asked for a motion to go into Executive Session to discuss pending litigation with various parties or firms including Randy S. Green, Tandem Technologies, Western Surety Company and Joyce Ramsey, in accordance with Title 25, Section 307.B.4.

Councilman Mason moved to recess the Regular Meeting for an Executive Session to discuss pending litigation with various parties or firms including Randy S. Green, Tandem Technologies, Western Surety Company and Joyce Ramsey, in accordance with Title 25, Section 307.B.4. The motion was seconded by Councilman Condit.

There was no discussion, and the vote was taken as follows:

AYE: Councilman Fiedler, Condit, Browne, Garvin, Mason & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried and the Regular Meeting was recessed at 7:08 P.M.

#### EXECUTIVE SESSION

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

- **Section 307 (B) (4) – Discussion concerning pending litigation with various parties or firms including Randy S. Green, Tandem Technologies, Western Surety Company, and Joyce Ramsey.**

#### RECONVENE INTO OPEN SESSION

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

The Regular Meeting was reconvened at 8:13 P.M.

Mayor Priddle stated that the Council had gone into Executive Session to discuss pending litigation with various parties or firms including Randy S. Green, Tandem Technologies, Western Surety Company and Joyce Ramsey, in accordance with Title 25, Section 307.B.4, only those matters had been discussed and they had taken no action. He then asked for a motion to go back into open session.

Councilman Mason moved for the Council to return to open session. The motion was seconded by Councilman Fiedler.

There was no discussion, and the vote was taken as follows:

AYE: Councilman Condit, Browne, Garvin, Mason, Fiedler & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried and the Council was back in open session at 8:14 P.M.

**ADJOURNMENT**

There being no further business to come before the Council, Councilman Condit moved for the meeting to be adjourned, seconded by Councilman Fiedler. The vote was taken as follows:

AYE: Councilman Browne, Garvin, Mason, Fiedler, Condit & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 8:14 P.M.

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Kevin E. Priddle, Mayor

ATTEST:

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Cora Middleton, City Clerk