



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, August 10, 2010 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington
McAlester, Oklahoma 74501

Kevin E. Priddle	Mayor
Chris B. Fiedler.....	Ward One
Steve Harrison	Ward Two
John Browne.....	Vice-Mayor, Ward Three
Robert Karr	Ward Four
Buddy Garvin.....	Ward Five
Louis Smitherman	Ward Six
Peter J. Stasiak	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

- Pastor Glenn Meyer, Trinity Lutheran 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 July 27, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for July 28, 2010 through August 10, 2010. *(Gayla Duke, Chief Financial Officer)*
- C. Designate Saturday, October 23, 2010, as Make a Difference Day in McAlester.
- D. To authorize the Mayor to sign XTO Energy Division Order for Well #107255, Blevins 1-25, Pittsburg County, Oklahoma. The DO is a confirmation that the well has reached producing status and confirms the City's interest in revenues.

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 GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: A TRACT OF LAND IN LOT 93, TOWNSITE ADDITION NO. 5, PITTSBURG COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 93; THENCE N 88°39'48" E. ALONG THE NORTH LINE OF SAID LOT 93 A DISTANCE OF 179.53 FEET; THENCE S 00°56'44" E AND PARALLEL WITH THE WEST LINE OF SAID LOT 93 A DISTANCE OF 299.23 FEET; THENCE S 88°39'48" W AND PARALLEL WITH THE NORTH LINE OF SAID LOT 93 A DISTANCE OF 179.53 FEET TO A POINT ON THE WEST LINE OF SAID LOT 93; THENCE N 00°56'44" W ALONG THE WEST LINE OF SAID LOT 93 A DISTANCE OF 299.23 FEET TO THE POINT OF BEGINNING, FROM A-1(AGRICULTURAL DISTRICT) TO C-5(HIGHWAY COMMERCIAL).
- AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: Lot 7 & W ½ OF LOT 6 IN BLOCK 324, SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM R1-B(SINGLE-FAMILY RESIDENTIAL) TO C-2(NEIGHBORHOOD CONVENIENCE COMMERCIAL).
- AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2327 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2009-2010; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.
- AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2361 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2010-2011; REPEALING ALL

CONFLICTING ORDINANCES; PROVID-ING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Consider and act upon a change in zoning from A-1 (Agricultural District) to C-5 (Highway Commercial) for the construction of the Oak Tree Inn. *(Peter J. Stasiak, City Manager)*

Executive Summary

This item involves a motion to approve and act upon changing the existing zoning A-1 (Agricultural District) to C-5 (Highway Commercial) and authorizing the Mayor to sign the attached Ordinance.

2. Consider and act upon a change in zoning from R1-B (Single Family Residential) to C-2 (Neighborhood Convenience Commercial). *(Peter J. Stasiak, City Manager)*

Executive Summary

This item involves a motion to approve and act upon changing the existing zoning R1-B (Single Family Residential) to C-2 (Neighborhood Convenience Commercial) and authorizing the Mayor to sign the attached Ordinance.

3. Consider, and act upon, authorizing the Mayor to sign a contract with MPower Economic Development Corporation for a maximum amount of \$184,673 for fiscal year 2010/2011. *(Peter J. Stasiak, City Manager)*

Executive Summary

A motion to sign a contract with the MPower Economic Development Corporation, which sets forth the scope of services they will provide for the City's payment of \$184,673.

4. Consider and act upon declaring certain vehicles surplus property according to the Code of Ordinance Sec. 2-286 and Sec. 2-287, and authorize the City Manager to sell at auction. *(Jim Lyles, Police Chief)*

Executive Summary

This item involves a motion to approve declaring five vehicles surplus property and authorizing the sale of the five vehicles at auction.

5. Consider, and act upon, authorizing the Mayor to sign a contract with Municipal Code Corporation for recodification of the City of McAlester's Code of Ordinances. *(Cora Middleton, City Clerk)*

Executive Summary

This item involves a motion to authorize the Mayor to sign a contract with Municipal Code Corporation for recodification of the City of McAlester's Code of Ordinances.

6. Financial Reports for year ending June 30, 2010. *(Gayla Duke, Chief Financial Officer)*

Executive Summary

This item involves a financial report and presentation from Chief Financial Officer.

7. Consider, and act upon, an Ordinance amending Ordinance No. 2327 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

A motion to approve the budget amendment Ordinance No. 2327.

8. Consider, and act upon, an Ordinance amending Ordinance No. 2361 which established the budget for fiscal year 2010-2011; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Gayla Duke, Chief Financial Officer)*

Executive Summary

A motion to approve the budget amendment Ordinance No. 2361.

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 July 27, 2010, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, approval of Claims for July 28, 2010 through August 10, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign a contract with Municipal Code Corporation for recodification of the City of McAlester's Code of Ordinances. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 6, Financial Reports for year ending June 30, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 7, an Ordinance amending Ordinance No. 2327 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*)

ADJOURN MAU.

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the July 27, 2010, Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, approval of Claims for July 28, 2010 through August 10, 2010. (*Gayla Duke, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item 1, a change in zoning from A-1 (Agricultural District) to C-5 (Highway Commercial) for the construction of the Oak Tree Inn. (*Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item 2, a change in zoning from R1-B (Single Family Residential) to C-2 (Neighborhood Convenience Commercial). (*Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign a contract with Municipal Code Corporation for recodification of the City of McAlester's Code of Ordinances. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item 6, Financial Reports for year ending June 30, 2010. (*Gayla Duke, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item 7, an Ordinance amending Ordinance No. 2327 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*)
- Confirm action taken on City Council Agenda Item 8, an Ordinance amending Ordinance No. 2361 which established the budget for fiscal year 2010-2011; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Gayla Duke, Chief Financial Officer*)

ADJOURN MPWA.

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2010 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