

Council Chambers
Municipal Building
January 11, 2011

The McAlester City Council met in Regular session on Tuesday, January 11, 2011, at 6:00 P.M. after proper notice and agenda was posted, January 6, 2011, at 3:35 P.M.

Call to Order

Mayor Priddle called the meeting to order.

Brandon Parker, New Life 4 Today Ministries gave the invocation and lead the Pledge of Allegiance.

Roll Call

Council Roll Call was as follows:

Present: Steve Harrison, John Browne, Robert Karr, Buddy Garvin & Kevin Priddle
Absent: Sam Mason
Presiding: Kevin E. Priddle, Mayor

Staff Present: Peter J. Stasiak, City Manager; Gayla Duke, Chief Financial Officer; Mel Priddy, Community Services Director; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Citizen's Comments on Non-agenda Items

There were no comments.

Consent Agenda

- A. Approval of the Minutes from the December 28, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for December 29, 2010 through January 11, 2011. *(Gayla Duke, Chief Financial Officer)* In the following amounts: General Fund - \$49,538.01; Nutrition - \$722.94; Tourism Fund - \$3,150.00; SE Expo Cr/Tourism Fund - \$615.89; E-911 - \$39.92; Economic Development - \$18,821.91; CDBG Grants Fund - \$3,420.00; Fleet Maintenance - \$12,769.56 and CIP Fund - \$3,378.84.
- C. Concur with Mayor's Appointment of Greg McNall to fill the unexpired term of Shaun Beggs to the Audit & Finance Advisory Committee for a term to expire March, 2012. *(Kevin E. Priddle, Mayor)*

Councilman Harrison moved to approve the Consent Agenda, seconded by Vice-Mayor Browne. There was no discussion and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

A motion was made by Councilman Karr and seconded by Councilman Harrison to open the Public Hearing to consider an Ordinance amending **ORDINANCE NO. 2361**, Fiscal Year 2010-2011 Budget. There was no discussion and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried, and the Public Hearing was opened at 6:04 P.M.

Public Hearing

- **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; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

There were no comments from the Council or citizens. Councilman Harrison moved to close the Public Hearing. The motion was seconded by Vice-Mayor Browne. There was no discussion and the vote was taken as follows:

AYE: Councilman Browne, Karr, Garvin, Harrison & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

Scheduled Business

1. Consider and act upon a lease with the Federal Aviation Administration and the City of McAlester to lease 280 sq. ft. of space called the Telco Room at the Airport Flight Service Station Facility. (*Mel Priddy, Director of Community Services*)

Executive Summary

A motion to approve a lease with the Federal Aviation Administration and the City of McAlester for 280 sq. ft. of space in the Airport Flight Service Station Facility.

A motion was made by Councilman Garvin and seconded by Councilman Karr to approve a lease with the Federal Aviation Administration and the City of McAlester to lease 280 sq. ft. of space called the Telco Room at the Airport Flight Service Station Facility.

Before the vote, Mel Priddy explained that the FAA was requesting the City of McAlester approve a lease for 280 square feet of space in the Airport Flight Service Station Facility. He stated that the FAA had moved its personnel and equipment out of the facility and the City did not feel that this lease would hinder the City's efforts to market the facility to potential renters.

Mr. Ervin commented that he would not encourage a supplement lease to a lease that had caused the City problems. He stated that there was no out for the City of McAlester; it was a ten (10) year lease and no annual ratification of the lease. He recommended that the City table this item to allow the City Attorney to meet with the leasing officer and work something out. He added that he felt something could be worked out and this be brought back the first meeting in February.

Manager Stasiak explained that this was for a small area of the building, there would be no personnel and it would be secured from the rest of the facility. Councilman Harrison agreed with the City Attorney.

Mayor Priddle asked for a motion to table this item until the first meeting in February. A motion was made by Councilman Garvin and seconded by Vice-Mayor Browne to table this item until the first meeting in February. There was no discussion, and the vote was taken as follows:

AYE: Councilman Karr, Garvin, Harrison, Browne & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

2. Consider, and act upon, the purchase of two sixteen foot elliptical demolition dump bodies from Ox Bodies, Inc (*John C. Modzelewski, PE, City Engineer and Director of Public Works*)

Executive Summary

This item involves a motion to approve the purchase of two sixteen foot elliptical demolition dump bodies from Ox Bodies, Inc. The total price includes pick up and delivery to and from the factory in Fayette, Alabama.

Vice-Mayor Browne moved to approve the purchase of two sixteen foot elliptical demolition dump bodies from Ox Bodies, Inc. The motion was seconded by Councilman Harrison.

Before the vote, Manager Stasiak explained that the Public Works Department had removed the packer bodies from the two (2) newer sanitation trucks and sold them after it had been determined that the trucks could be used by transforming them into dump trucks. He added that the department had advertised for three (3) weeks and received bids from two (2) separate companies. He commented that those bids were opened on December 21, 2010 and that Ox Bodies, Inc. in Fayette, Alabama had been the lowest, qualified bidder. He stated that their price per dump body had been \$16,669.65, for a total price of \$33,339.30, which included freight to pick up each truck chassis and deliver the built trucks.

There was a brief discussion among the Council about what had been done with the funds from the sale of the packer bodies, if this would satisfy that departments need for dump trucks and

what the turn around time for the trucks would be. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Garvin, Harrison, Browne, Karr & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

3. 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, CFO*)

Executive Summary

This item involves amending Ordinance No. 2361 which established the budget for fiscal year 2010-2011.

Councilman Karr moved to approve **ORDINANCE NO. 2379**, seconded by Councilman Garvin.

Before the vote, Ms. Duke reviewed the amendments with the Council. During her review Ms. Duke explained that the amendments were to cover unbudgeted expenditures for severance pay, auto insurance, vehicle repair, correctly appropriate donations, purchase the two (2) dump truck beds, purchase a 2009 GMC ½ ton pickup and set aside contingency funds for capital purchases.

Manager Stasiak commented that the 2009 GMC pickup was for the Utilities Department. There was no other discussion, and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

Councilman Harrison moved to approve the EMERGENCY CLAUSE, seconded by Councilman Karr. There was no discussion, and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

4. Consider, and act upon, approval of the attached Budget Transfers for FY 10-11 Budget. (*Gayla Duke, CFO*)

Executive Summary

A motion to approve the budget transfers.

Vice-Mayor Browne moved to approve the transfers for the fiscal year 2010-2011 Budget. The motion was seconded by Councilman Harrison.

Before the vote, Ms. Duke explained that the transfers were to allocate fuel expense, repairs and maintenance expense and worker's compensation expense for the first six (6) months of the fiscal year.

There was a brief discussion among the Council regarding the allocations and how they differed from department to department.

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

AYE: Councilman Karr, Garvin, Harrison, Browne & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

5. Consider and act upon, authorizing the Mayor to sign a Quit Claim Deed for the purchase of one (1) frontage foot of City owned property. (*Peter J. Stasiak, City Manager*)

Executive Summary

A motion to approve the sale of one (1) frontage foot of City owned property and authorizing the Mayor to sign the appropriate documents.

Councilman Harrison moved to authorize the Mayor to sign a Quit Claim Deed for the purchase of one (1) frontage foot of City owned property. The motion was seconded by Councilman Garvin.

Before the vote, Manager Stasiak explained that Rene Hughes and Debra Potts owned the property at 505 E. Comanche Ave. and that the existing structure had burned. He stated that the owners would like to rebuild but City of McAlester code required a 6,000 square foot minimum to build on a City lot and the existing lot was only 5,888 square feet. He added that the owners had requested to purchase one (1) square frontage foot of the adjacent lot which the City owned. He commented that this would give the owners 6,003 square feet and leave the City owned property to 6,210 square feet which would still represent a buildable lot. He stated that the Building Department had estimated that the value of one (1) frontage foot at \$150.00 and the owner was requesting to purchase one (1) frontage foot from the City for that amount. There was no discussion, and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

6. Consider and act upon approving and authorizing a building permit for the construction of a building at 800 E. Wyandotte. (*Peter J. Stasiak, City Manager*)

Executive Summary

A motion to approve and act upon the issuance of a building permit for 800 E. Wyandotte

Councilman Karr moved to approve and authorize a building permit for the construction of a building at 800 E. Wyandotte. The motion was seconded by Vice-Mayor Browne.

Before the vote, Manager Stasiak explained that the Planning and Zoning Commission at its regular meeting held on December 21, 2010 had unanimously voted in favor of the use permitted after review with full recommendation to the City Council and the construction was for a donut shop at that site.

There was a brief discussion among the Council regarding the information provided by the Planning Commission, requesting that reasonable sound barriers between the businesses and the residential areas and following Section 62.212 (E) (2) of the Code of Ordinances concerning turning across traffic lanes.

Councilman Harrison would like to amend the motion to stipulate the approval and authorization of a building permit for the construction of a building at 800 E. Wyandotte to comply with Section 62.212 (E) (2). Mayor Priddle asked if there was a second to the proposed amendment, which was seconded by Councilman Garvin.

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

AYE: Councilman Browne, Karr, Garvin, Harrison & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

7. Consider and act upon authorizing and approving a use permit for an adult day care center located at 1711 College Avenue. *(Peter J. Stasiak, City Manager)*

Executive Summary

A motion to approve and act upon the issuance of a use permit for an adult day care center located at 1711 College Avenue.

Councilman Harrison moved to authorize and approve a use permit for an adult day care center located at 1711 College Avenue. The motion was seconded by Councilman Karr.

Before the vote, Manager Stasiak explained that the facility had been there for approximately twenty (20) years and they would not be changing any of their operation. He added that the Planning Commission had unanimously voted in favor of the permitted use with full recommendation to the City Council.

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

AYE: Councilman Mason, Harrison, Browne, Garvin, Karr & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

8. **Tabled from previous meeting** – Discussion and possible action to donate up to \$66,000.00 for repair of the prison rodeo arena to restore the oldest and most successful Tourism event in McAlester. *(Peter J. Stasiak, City Manager)*

Executive Summary

Discussion and possible action to donate up to \$66,000.00 from Tourism funds for repair of the prison rodeo arena due to safety concerns of the facility.

Mayor Priddle stated that the Council had not been able to tour the rodeo arena because of the weather so therefore this item would be tabled until the first meeting in February.

New Business

No new business.

City Manager's Report

Manager Stasiak reported that he would be in Stillwater at a City Manager's Conference and that Mel Priddy would be in charge during his absence. He commented that the auditors were here this week. He stated that the EPA grant had been circulated for signatures and hoped to have that soon. He stated that the City had not been able to start the second round of the Poly cart inspection and they planned to start the second round next week.

Remarks and Inquiries By City Council

Mayor Priddle encouraged all citizens that had not voted to please go and do so. He mentioned the shooting in Arizona and asked for a moment of silence for the victims. He commented that with the extremely cold weather forecasted he urged everyone to check on their neighbors and elderly. He reported that the Martin Luther King, Jr. banquet would be Saturday at the McAlester High School. He commended the staff for their cooperation with the auditors and remarked on the amount of new construction in the City.

Councilman Harrison commented that no matter the outcome of the election he was looking forward to working with a full Council.

Vice-Mayor Browne commended the candidates for running a clean, gentlemanly campaign. He also encouraged everyone to get out and vote.

Councilman Karr had no remarks this evening.

Councilman Garvin wished Councilman Mason a speedy recovering.

Recess Council Meeting

Mayor Priddle asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Harrison moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Garvin and the vote was taken as follows:

AYE: Councilman Harrison, Browne, Karr, Garvin & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 6:47 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 6:48 P.M.

Adjournment

There being no further business to come before the Council, Councilman Garvin moved for the meeting to be adjourned, seconded by Councilman Harrison.

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

AYE: Councilman Karr, Garvin, Harrison, Browne & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 6:49 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk