

Council Chambers
Municipal Building
February 8, 2011

The McAlester City Council met in Regular session on Tuesday, February 8, 2011, at 6:00 P.M. after proper notice and agenda was posted, February 2, 2011, at 3:43 P.M.

Call to Order

Mayor Priddle called the meeting to order.

Glenn Myer, New Life 4 Today Ministries

Roll Call

Council Roll Call was as follows:

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

Staff Present: Peter J. Stasiak, City Manager; Gayla Duke, Chief Financial Officer; John Modzelewski, City Engineer/Public Works 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 January 11, 2011, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of the Minutes from the January 20, 2011, Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- C. Approval of the Minutes from the January 25, 2011, Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- D. Approval of the Minutes from the January 25, 2011, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- E. Approval of Claims for January 26, 2011 through February 8, 2011. (*Gayla Duke, Chief Financial Officer*) In the following amounts: General Fund - \$90,207.28; Nutrition -

\$587.97; Landfill Res./Sub-Title D - \$17,468.00; Tourism Fund - \$3,150.00; SE Expo Ctr/Tourism Fund - \$11,722.40; E-911 - \$3,668.29; Economic Development - \$18,821.91; Gifts & Contributions - \$7,500.00; Fleet Maintenance - \$2,500.98; CIP Fund - \$21,689.84 and Federal Forfeiture Fund - \$208,275.62.

- F. Concur with Mayor's Re-Appointment of Mike Kern to the Audit & Finance Advisory Committee for a term to expire February, 2013. (*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 Smith, Harrison, Browne, Garvin, Mason & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

A motion was made by Vice-Mayor Browne and seconded by Councilman Harrison to open the Public Hearing to consider an ordinance to amend the budget for fiscal year 2010-2011 and an ordinance to amend Chapter 62, Article V, Division 5 of the City of McAlester Code of Ordinances to modify the description of the sight triangle at intersections. There was no discussion and the vote was taken as follows:

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

Mayor Priddle declared the motion carried, and the Public Hearing was opened at 6:05 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.**
- **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, ARTICLE V, DIVISION 5, SUPPLEMENTAL DISTRICT REGULATIONS, MODIFYING THE DESCRIPTION OF THE SIGHT TRIANGLE AT INTERSECTIONS, AND DECLARING AN EMERGENCY.**

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

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

Mayor Priddle declared the motion carried, and the Public Hearing was closed at 6:06 P.M.

Scheduled Business

1. Presentation of Pride-in-McAlester's Quarterly Report by Justin Few. (*Justin Few, President of PIM*)

Executive Summary

This item involves the PIM Quarterly Report.

Vice-Mayor Browne moved to open the floor for the presentation of Pride in McAlester's Quarterly Report. The motion was seconded by Councilman Harrison.

Justin Few addressed the Council to update them on the past quarters activities. There was a short discussion among the Council regarding the awards that Pride had received from the "Keep Oklahoma Beautiful Program", the grants and scholarships that they had received and given and the recycling center that they were instrumental in getting started.

There was no vote on this item.

2. **TABLED** - 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.

Vice-Mayor Browne moved 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. The motion was seconded by Councilman Harrison.

Before the vote, Manager Stasiak asked that the City Attorney would address this item.

Mr. Ervin explained to the Council that the FAA Contracting Office was in the midst of a transfer in their staffing and he had been dealing with both individuals. He commented that they had discussed the problems with the current lease, it was a very one sided lease. He added that he was waiting for them to provide a draft lease and he would review that lease and furnish the Council with comments. He stated that he didn't feel there was anything that the Council needed to do at this time and he recommended letting the matter die and be brought back when there was more information.

There was no further discussion and no vote was taken on this matter.

3. **TABLED** – 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.

Vice-Mayor Browne moved 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. The motion was seconded by Councilman Harrison.

Before the vote, Mayor Priddle explained that a group had been able to tour the facility and that he; Councilman Harrison and Manager Stasiak were working with members of the Chamber and the Department of Corrections regarding this matter. He stated that he felt that there was more than \$66,000.00 in needed repairs at the facility and that this endeavor should be a partnership between the City, the County and the Chamber with each partner sharing equally in the expense and with a contract with the Department of Corrections for more than one year. He added that there had been discussion about using the facility for more than one event a year and funds raised at those events going toward continued maintenance. He commented that he felt this matter should be allowed to die and be brought back after there had been further study and discussion on the matter. There was no further discussion and no vote was taken on this matter.

4. Consider, and act upon, modifying Resolution No. 11-02, which established a Ward Commission for the City of McAlester. *(Cora Middleton, City Clerk)*

Executive Summary

A motion to modify Resolution No. 11-02, by completing the names of the individuals appointed by the Council members.

Councilman Harrison moved to approve modifying RESOLUTION NO. 11-02, which established a Ward Commission for the City of McAlester. The motion was seconded by Councilman Mason.

Before the vote, Mayor Priddle stated that the Resolution had been amended to include all of the members and they would be notified that they had been selected so they could select the seventh member, which would be their Chairman and get started with the job they have been assigned to do.

Councilman Mason asked if the action tonight was to accept the Resolution as it had been amended. He proposed a motion to direct the City Clerk to contact the six (6) members of the Ward Commission for the purpose of establishing a mutually agreeable date, time and place for the initial meeting of the commission, such initial meeting to take place no later than Tuesday, February 22, 2011, and that once the meeting was established that the Clerk post an agenda with the agenda item being to accept nominations and select their Chairman. He also suggested that the Commission abide by the "Open Meeting Act." Mayor Priddle stated that he would second that motion.

There was a brief discussion concerning the motion and the vote was taken as follows:

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

Mayor Priddle declared the motion carried.

5. 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.

ORDINANCE NO. 2383

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.

Councilman Harrison moved for approval of **ORDINANCE NO. 2383**, seconded by Vice-Mayor Browne.

Before the vote, Ms. Duke explained that this had been brought to her attention shortly after the mid-year Budget adjustment and it was to finalize an airport grant. There was no other discussion, and the vote was taken as follows:

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

Mayor Priddle declared the motion carried.

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

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

Mayor Priddle declared the motion carried.

6. Consider, and act upon, an ordinance amending Ordinance No. 1843, which established the “Land Development Code”, including Division 5: Supplemental District Regulations, providing for a severability clause; and declaring an emergency. (*John C. Modzelewski, P.E., Public Works Director*)

Executive Summary

A motion to approve the amendment ordinance.

Manager Stasiak commented that Councilman Smith had pointed out an area of the existing Code that was already in place and the City would be able to work within the existing Code. He then requested that this item be pulled from the meeting.

New Business

No new business.

City Manager's Report

Manager Stasiak reported that last Friday's due date had been extended to this Friday for the utility billing. He stated that trash pickup was to go back to the regular schedule and he had been working with Allied about possibly extending their hours. He reviewed the copy of the snow route that had been furnished to the Council and mentioned that salt was ineffective on ice if the temperature was below 15°. He added that the coming event was to be more snow than ice. He then asked the citizens to be patient with the City equipment and to give it plenty of room. He added that all crews were ready to go and the various departments of the City would be working together.

Remarks and Inquiries By City Council

Councilmen Garvin, Mason and Smith did not have any remarks for the meeting.

Councilman Harrison commended the City workers for the job they did during the bad weather.

Vice-Mayor Browne congratulated the City employees on the way they handled the weather. He commented that Third Ward came through well and he congratulated the Mayor on his State of the City address.

Mayor Priddle commented that the City had received more snow the past week than all of the previous seven (7) years he had been here. He congratulated the City on their job dealing with the snow and he asked the citizens to thank the City workers when they saw them out working in the weather.

Recess Council Meeting

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

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

NAY: None

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 6:37 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 6:39 P.M.

Adjournment

There being no further business to come before the Council, Councilman Mason moved for the meeting to be adjourned, seconded by Vice-Mayor Browne.

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

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

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 6:39 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk