

Council Chambers  
Municipal Building  
May 10, 2011

The McAlester City Council met in Regular session on Tuesday, May 10, 2011, at 6:00 P.M. after proper notice and agenda was posted, May 5, 2011, at 5:30 P.M.

**Call to Order**

Mayor Priddle called the meeting to order.

Ruth Attebury, First United Methodist Church lead the Pledge of Allegiance and gave the invocation.

**Roll Call**

Council Roll Call was as follows:

Present: Weldon Smith, Steve Harrison, John Browne, Robert Karr, Sam Mason & Kevin Priddle  
Absent: None  
Presiding: Kevin E. Priddle, Mayor

Staff Present: Peter J. Stasiak, City Manager; John Modzelewski, City Engineer/Public Works Director; Gayla Duke, Chief Financial Officer; William J. Ervin, City Attorney and Karen Boatright, Deputy City Clerk

**Citizen's Comments on Non-agenda Items**

There were no comments.

**Consent Agenda**

- A. Approval of the Minutes from the April 21, 2011 Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of the Minutes from the April 26, 2011 Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- C. Approval of Claims for April 27, 2011 through May 10, 2011. (*Gayla Duke, Chief Financial Officer*) In the following amounts: General Fund - \$71,452.50; Nutrition - \$756.65; Landfill Res/Sub-Title D - \$974.61; Tourism Fund - \$8,360.00; SE Expo Center - \$428.75; E-911 - \$808.20; Economic Development - \$18,821.91; Gifts & Contributions - \$568.87; Fleet Maintenance - \$21,297.54 and CIP Fund - \$18,359.84.

- D. Concur with Mayor's Re-Appointment of Kathy Crowl to the Personnel Board for a term to expire July 2016. (*Kevin E. Priddle, Mayor*)
- E. Concur with Mayor's Appointment of Dr. Mark Sehgal to the MRHC for a term to expire May 2017.
- F. To authorize the expenditure of \$85.00 for Councilman John Browne registration fee for the Oklahoma Municipal League Retail Summit at the Moore Norman Technology Center in Oklahoma City on May 13, 2011.

Mayor Priddle commented that he would pull item "D". Councilman Harrison asked that item "A" be pulled and Vice-Mayor Browne requested that item "F" be pulled.

Councilman Harrison moved to approve the Consent Agenda items "B, C, and E." The motion was seconded by Councilman Mason. There was no further discussion and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

#### **Items Removed from Consent Agenda**

- A. Approval of the Minutes from the April 21, 2011 Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)

Councilman Harrison moved for approval of the Minutes from the April 21, 2011 Special Meeting of the McAlester City Council. The motion was seconded by Vice-Mayor Browne.

Before the vote, Councilman Harrison commented that there was one (1) correction to the minutes in the first line and it was that Tuesday needed to be changed to Thursday. There was no further discussion on the amendment for a trails system and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

- D. Concur with Mayor's Re-Appointment of Kathy Crowl to the Personnel Board for a term to expire July 2016. (*Kevin E. Priddle, Mayor*)

Councilman Harrison moved to concur with Mayor's Re-Appointment of Kathy Crowl to the Personnel Board for a term to expire July 2016. The motion was seconded by Councilman Mason.

Before the vote, Mayor Priddle explained that Ms. Crowl's appointment had been on the previous agenda but the term had been incorrect and this corrected that error with everyone aware of what had happened. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

F. To authorize the expenditure of \$85.00 for Councilman John Browne registration fee for the Oklahoma Municipal League Retail Summit at the Moore Norman Technology Center in Oklahoma City on May 13, 2011.

Councilman Harrison moved to authorize the expenditure of \$85.00 for Councilman John Browne registration fee for the Oklahoma Municipal League Retail Summit at the Moore Norman Technology Center in Oklahoma City on May 13, 2011, seconded by Vice-Mayor Browne.

Before the vote, Vice-Mayor Browne stated that he would not be able to attend the summit and he requested that the item be stricken.

There was no vote on this item.

Councilman Karr moved to open the Public Hearing concerning an ordinance amending Section 6-1 of the City of McAlester Code of Ordinances. The motion was seconded by Councilman Mason. There was no discussion and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was opened at 6:10 P.M.

### **Public Hearing**

- **AN ORDINANCE AMENDING SECTION 6-1. PUBLIC DRINKING AND INTOXICATION; CREATING SECTION 6-3, SPECIAL EVENTS; OF ARTICLE I. IN GENERAL; PROVIDING FOR THE SEVERABILITY THEREOF AND DECLARING AN EMERGENCY.**

Mayor Priddle commented that since most of the area affected by this ordinance was in Fifth Ward and they had no representation at this time, he was inclined to pull this item until such time as there was a full Council. He did allow for public comment.

Joyce Carlson, Dan Heathcock, Lloyd Wold, Tony Runyon, Steve Mayhew, Gaylord Brooks and Shirley Spinks all addressed the Council expressing their opposition to the ordinance.

Councilman Harrison moved to close the Public Hearing. The motion was seconded by Vice-Mayor Browne and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was closed at 6:27 P.M.

### **Scheduled Business**

1. Consider and act upon a “Use Permitted After Review” for a Papa John’s Restaurant.  
(*Peter J. Stasiak, City Manager*)

Executive Summary

A motion to approve and act upon a “Use Permitted After Review” for a no dine in, pickup and delivery pizza and authorizing the Mayor to sign the documents.

Councilman Karr moved to approve a “Use Permitted After Review” for a Papa John’s Restaurant. The motion was seconded by Councilman Mason.

Before the vote, Manager Stasiak explained the applicant was Craig Parkhurst and he was requesting to construct a no dine in, pickup and delivery pizza located at 1200 E. Wade Watts Avenue. He commented that all required notifications had been sent out and that the McAlester Planning and Zoning Commission had voted unanimously at their May 3, 2011 meeting to recommend approval of the use permit. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

2. Consider and act upon, an agreement with Blackboard Connect that is an addendum to the State of Oklahoma Central Purchasing Agreement with Oklahoma State Regents for Higher Education Blackboard Connect Inc. Master Agreement State Contract #C1002. This Agreement permits the City of McAlester to subscribe to the Connect-ED service or the Connect-CTY service in accordance with the Oklahoma State Regents for Higher Education Master Agreement by and through OneNet, which has procured the services of Blackboard Connect to provide services to fully host an alert notification system for emergency notifications. (*Peter J. Stasiak, CM; Cliff Pitner, Field Engineer Inspector & Flood Plain Administrator and Trent Myers, Director for Emergency Management City of McAlester and Pittsburg County*)

Executive Summary

To authorize the Mayor to sign the Agreement with Blackboard Connect through the State of Oklahoma Central Purchasing Agreement with Oklahoma State Regents for Higher Education State Contract #C1002.

Councilman Harrison moved to approve an agreement with Blackboard Connect that is an addendum to the State of Oklahoma Central Purchasing Agreement with Oklahoma State Regents for Higher Education Blackboard Connect Inc. Master Agreement State Contract #C1002. This Agreement permits the City of McAlester to subscribe to the Connect-ED service or the Connect-CTY service in accordance with the Oklahoma State Regents for Higher Education Master Agreement by and through OneNet, which has procured the services of Blackboard Connect to provide services to fully host an alert notification system for emergency notifications. The motion was seconded by Vice-Mayor Browne.

Before the vote, Manager Stasiak explained that this would enhance safety and emergency preparedness for the City of McAlester and surrounding Pittsburg County. He added that this could be used to deliver a variety of community service messages. Manager Stasiak stated that funding was available through the E-911 fund.

Trent Myers, Director of Emergency Management City of McAlester and Pittsburg County commented that the possibilities were endless and that this service had been looked at before. He stated that when the City of McAlester had approached him with Blackboard Connect he was on board. He added that the company had given demonstrations, some of the dispatchers had performed some hands on tasks and everything worked.

Manager Stasiak reviewed the contract and recommended changes by the City Attorney. He stated that Blackboard Connect had submitted a contract with those changes. He added that the reason he was pushing this was because the City was in the middle of storm season and every day counted.

There was discussion among the Council, including Manager Stasiak, Ms. Duke, Clift Pitner and Trent Myers regarding which lines this would operate on, the cost of the service, how long the contract was for, if an opt in or out option was available, if a budget amendment would be necessary, how this would be affected by the rules governing the do not call lists, and how this would protect citizens emails and phone numbers. Mayor Priddle restated the motion to approve the agreement with the recommended changes. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

3. Presentation by Trent Myers, Director of Emergency Management for the City of McAlester and Pittsburg County. (*Trent Myers, Director for Emergency Management City of McAlester and Pittsburg County*)

Executive Summary

Update on Shelter Program, designated Public Shelters for emergencies, etc.

Councilman Karr moved to open the floor for the presentation by Trent Myers, Director of Emergency Management for the City of McAlester and Pittsburg County. The motion was seconded by Councilman Harrison.

Before the vote, Mr. Myers addressed the Council to update the status of the safe room grant and recent storm activity. He stated that the original grant was for 115 room applications and this number had been increased to 146 safe room applications. He commented that the grant would cover 75% of the cost up to \$2,000.00. He added that his office had not heard from FEMA recently which he thought was a good sign, that they had submitted all of the required information. He explained some of the requirements once an application had been approved and some of the steps after a safe room had been constructed.

Buddy Garvin addressed the Council concerning a possible program to help the schools create a shelter area at each of the schools. He also asked if Emergency Management could inform the citizens where shelters were during storms.

Mr. Myers stated that the only designated shelters were the lower level of the Old High School, the hallway in the Police Department and the Emergency Management office. He commented that the McAlester area relied on storm trackers for information during bad weather. Mayor Priddle added that the new Fire Station was also designated as a shelter. There was no vote on this item.

4. Consider, and act upon, a Resolution supporting a new public library building and endorsing a fundraising campaign by the Friends of the Library of McAlester, Inc. (*Cora Middleton, City Clerk and Emily Dunagin, Friends of the Library of McAlester, Inc.*)

Executive Summary

A motion to approve a Resolution supporting a new public library building and endorsing a fundraising campaign by the Friends of the Library of McAlester, Inc.

Councilman Mason moved for approval of RESOLUTION NO. 11-06, supporting a new public library building and endorsing a fundraising campaign by the Friends of the Library of McAlester, Inc. The motion was seconded by Councilman Karr.

Before the vote, Emily Dunagin addressed the Council regarding the groups' efforts to fund a new library building and the amount of activities that went on at the library. She also informed the Council about how a public library was funded.

Councilman Smith asked what the cost of the Boy's and Girl's Club building was. Ms. Dunagin informed the Council that an appraisal had not been done in a year and they had not given the Friends of the Library an asking price. She commented that they thought they could remodel the building for around 3.1 million.

There was a brief discussion among the Council regarding the use of the current library building if a new building was acquired and the Charter requirements. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

5. Consider and act upon a Personal Service Agreement with Jim Grego for hay baling on the McAlester Water Shed and the Southside Industrial Park in the amount of \$2,050.00. (*Mel Priddy, Director of Community Services*)

Executive Summary

A motion to approve a Personal Service Agreement with Jim Grego for hay baling in the amount of \$2,050.00

Councilman Harrison moved to approve a Personal Service Agreement with Jim Grego for hay baling on the McAlester Water Shed and the Southside Industrial Park in the amount of \$2,050.00. The motion was seconded by Councilman Karr.

Before the vote, Mel Priddy informed the Council that bids had been solicited for hay baling on the McAlester Water Shed and the Southside Industrial Park. He commented that only one bid had been received and that the City Attorney had reviewed the contract and made recommendations concerning the insurance policy. He asked that the Council approve this agreement subject to the correction regarding the insurance policy.

Mr. Ervin commented that he did not think that Mr. Grego's insurance policy would cover the City of McAlester while he was working on City owned property. He added that Mr. Grego would need to have a separate rider covering the City on his policy.

Manager Stasiak commented that in the future the payment terms would be changed to "funds would be due and payable within ten (10) days" once the Council had approved the contract.

Mayor Priddle restated the motion adding that it was subject to proof of valid insurance within fifteen (15) days. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

6. Discussion, and possible action, on approval of certain costs related to the fire department from the City of McAlester's fire department's portion of the county quarter cent excise tax for fire services. (*Brett Brewer, Fire Chief*)

Executive Summary

A motion to approve the purchase of Lapel Mics, Hand Held Batteries, Tools for Brush One, and a Steam Cleaner. The money to be used from the City of McAlester's fire department's portion of the county quarter cent excise tax for fire services. Total cost not to exceed \$6000.00.

Councilman Mason moved for the on approval of certain costs related to the fire department from the City of McAlester's fire department's portion of the county quarter cent excise tax for fire services. The motion was seconded by Vice-Mayor Browne.

Before the vote, Chief Brewer explained the fire department needed to purchase a few items. He reviewed the list with the Council, which included lapel microphones and batteries for their

handheld radios, various pieces of equipment for the departments brush truck and a steam cleaner.

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

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

NAY: None

Mayor Priddle declared the motion carried.

7. Discussion on re-establishing the Parks Board. *(Peter J. Stasiak, City Manager)*

Executive Summary

To re-establish the City of McAlester Parks Board.

Councilman Harrison moved to open the floor for discussion on re-establishing the Parks Board, seconded by Vice-Mayor Browne.

Before the vote, Manager Stasiak addressed the Council about the discussions about the Park Board and how important in the future this Board would be to the City's parks and other recreational areas. He briefly reviewed the ordinance that created the Park Board and suggested that with the Council's approval this could be placed on the website and Face Book with an application process to see if any one was interested in being part of this Board. He added that he thought this was a good positive step in re-establishing this board.

Councilman Harrison thanked Manager Stasiak for putting this on the agenda. He added that he thought this would help in projects or improvements to the City's park system in the future.

There was no vote on this item.

8. Consider, and act upon, an Ordinance of the City of McAlester amending Section 6-1. Public Drinking and Intoxication. Creating Section 6-3, Special Events., of Article I, In General; Providing for the Severability thereof and Declaring an Emergency. *(Mayor, Kevin E. Priddle and Vice Mayor, John Browne)*

Executive Summary

A motion to approve an Ordinance of the City of McAlester amending Section 6-1. Public Drinking and Intoxication. Creating Section 6-3, Special Events, of Article I, In General; Providing for the Severability thereof and Declaring an Emergency.

Vice-Mayor Browne moved to approve an Ordinance of the City of McAlester amending Section 6-1. Public Drinking and Intoxication. Creating Section 6-3, Special Events., of Article I, In General; Providing for the Severability thereof and Declaring an Emergency. The motion was seconded by Councilman Karr.

Before the vote, Mayor Priddle commented that given the discussion that was presented this evening and not hearing the support that was previously expressed he was going to lay this on the table indefinitely.

9. Presentation on Proposed Annual Operating Budget for FY 2011/2012 and City Manager Budget Message. (*Peter J. Stasiak, City Manager*)

Executive Summary

To set a Special Meeting and Work Session to discuss and review the 2011/12 Preliminary Budget.

Vice-Mayor Browne moved to open the floor for the presentation on the Proposed Annual Operating Budget for FY 2011/2012 and City Manager Budget Message. The motion was seconded by Councilman Harrison.

Manager Stasiak stated that this was an oversight in the philosophy that was put into this budget. He thanked all of the staff for the effort it took to put this together. He commented that a conservative approach had been taken again in the preparation of this budget. Manager Stasiak then reviewed the proposed budget for fiscal year 2011/2012 with the Council. He stated that there were footnotes throughout the budget that explained any changes and how amounts were calculated.

Mayor Priddle commented that he would call a Special Meeting for a workshop on the budget.

There was no vote on this item.

**New Business**

There was no new business.

**City Manager's Report**

Manager Stasiak reported that the new microphones would be installed tomorrow and if the weather permitted Northgate would be paved tomorrow.

**Remarks and Inquiries by City Council**

Councilman Smith did not have any comments for the evening.

Councilman Harrison asked when the Council would be meeting on the landfill again. Manager Stasiak commented that it would be within the next one (1) to two (2) weeks.

Vice-Mayor Browne thanked John Modzelewski, Elaine Thomas and Jennifer Santino for their prompt responses to his requests. He asked what procedure was followed when properties that were in violation of City Code had not been corrected. Manager Stasiak commented that complaints would be filed with the Court Clerk's office. Vice-Mayor Browne announced that this Saturday was the Letter Carrier Food Drive and that all food donated stays locally. He encouraged everyone to participate.

Councilman Karr thanked the Fourth Ward Pride in McAlester committee for the work they did during the April cleanup.

Councilman Mason commented on the site plan for Papa John's Pizza.

Mayor Priddle commended everyone involved with the Armed Forces Day Banquet and parade. He reminded everyone about the Italian Festival scheduled for the 21<sup>st</sup> and 22<sup>nd</sup> of the month.

#### Recess Council Meeting

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

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

NAY: None

Mayor Priddle declared the motion carried and the meeting was recessed at 8:00 P.M.

#### Reconvene Council Meeting

The Regular Meeting was reconvened at 8:02 P.M.

Councilman Harrison moved to recess the Regular meeting for an Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: Peter J. Stasiak City Manager (Contract), in accordance with Title 25, Sec. 307.B.1. The motion was seconded by Vice-Mayor Browne.

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

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

NAY: None

Mayor Priddle declared the motion carried and the Regular Meeting was recessed at 8:02 P.M.

#### Executive Session

- Title 25, Sec. 307.B.1: Discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: Peter J. Stasiak City Manager (Contract)

#### Reconvene into open Session

The Regular Meeting was reconvened at 8:05 P.M. Mayor Priddle reported that the Council had recessed the Regular Meeting for an Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: Peter J. Stasiak City Manager (Contract), in accordance with Title 25, Sec. 307.B.1. Only that matter was discussed, no action was taken, and the Council returned to open session at 8:05 P.M., and that constituted the Minutes of the Executive Session.

John Titsworth addressed the Council expressing his support of Manager Stasiak and strongly recommended that the Council offer Manager Stasiak a multi-year contract. He commented that Manager Stasiak had done a tremendous job managing the City during the economic down turn and all of the other problems that the City had endured.

Mayor Priddle called for a motion to put the Council back into Executive Session. Councilman Smith moved to place the Council back into Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: Peter J. Stasiak City Manager (Contract), in accordance with Title 25, Sec. 307.B.1. The motion was seconded by Councilman Harrison.

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

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

NAY: None

Mayor Priddle declared the motion carried and the meeting was recessed at 8:05 P.M.

#### Reconvene into open Session

The Regular Meeting was reconvened at 8:46 P.M. Mayor Priddle reported that the Council had recessed the Regular Meeting for an Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: Peter J. Stasiak City Manager (Contract), in accordance with Title 25, Sec. 307.B.1. Only that matter was discussed, no action was taken, and the Council returned to open session at 8:46 P.M., and that constituted the Minutes of the Executive Session.

Mayor Priddle asked for a motion to offer the City Manager an employment contract.

Vice-Mayor Browne moved to offer Peter Stasiak an employment contract as City Manager. The motion was seconded by Councilman Harrison.

Before the vote, Mayor Priddle stated that he would review the details of the employment contract with the City Manager. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

#### Adjournment

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

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

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

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 8:47 P.M.

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Kevin E. Priddle, Mayor

ATTEST:

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Karen Boatright, Deputy City Clerk