

Council Chambers  
Municipal Building  
May 24, 2011

The McAlester City Council met in Regular session on Tuesday, May 24, 2011, at 6:00 P.M. after proper notice and agenda was posted, May 19, 2011, at 4:30 P.M.

**Call to Order**

Mayor Priddle called the meeting to order.

Pastor Bob Tate, First Indian Baptist 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 Cora Middleton, City Clerk

**Award Presentation**

Mayor Priddle presented Karla Taylor, Deputy Court Clerk as April 2011 Employee of the Month. Ms. Taylor received a plaque, certificate of appreciation and a savings bond.

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

Victor Rateri addressed the Council regarding issues related to construction at 800 E. Wyandotte.

**Consent Agenda**

- A. Approval of Claims for May 11, 2011 through May 24, 2011. (*Gayla Duke, Chief Financial Officer*) In the following amounts: General Fund - \$116,386.93; Parking Authority - \$120.78; Nutrition - \$1,337.11; Landfill Res./Sub-Title D - \$3,010.00; Tourism Fund - \$410.00; SE Expo Center - \$8,407.20; E-911 - \$5,413.58; Economic Development - \$1,800.00; Gifts & Contributions - \$211.02; Fleet Maintenance - \$13,826.76; Worker's Compensation - \$941.68 and CIP Fund - \$23,450.00.

- B. Authorize Mayor to sign an Annual Engagement Letter with Crawford and Associates, P.C, for the period from July 1, 2011 through June 30, 2012. (*Gayla Duke, Chief Financial Officer*)
- C. Accept and place on file the Oklahoma for Independent Living (OIL) Report for the months of January, February and March 2011. (*Mike Ward, Executive Director*)

Councilman Mason requested that item “B” be removed for individual consideration.

Vice-Mayor Browne moved to approve the Consent Agenda items “A and C.” The motion was seconded by Councilman Harrison. 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**

- B. Authorize Mayor to sign an Annual Engagement Letter with Crawford and Associates, P.C, for the period from July 1, 2011 through June 30, 2012. (*Gayla Duke, Chief Financial Officer*)

Councilman Harrison moved for approval of Consent Agenda item “B”, seconded by Councilman Karr.

Before the vote, Councilman Mason expressed concern with past amounts spent in excess of the \$25,000.00. He commented that he did not have any reservations with the contract but he did have a problem with contract payments exceeding the \$25,000.00 limit authorized by Ordinance with no notification to the Council.

Manager Stasiak he would notify the Council and the City would issue a purchase order not to exceed \$25,000.00.

Vice-Mayor Browne commented that this requirement needed to be addressed with all of the City’s personal services agreements.

Councilman Mason moved to amend the motion to read “authorize the Mayor to sign an Annual Engagement letter with Crawford and Associates, P.C. for a period from July 1, 2011 though June 30, 2012 not to exceed \$24,999.00 and with proper documentation furnished by the City Manager. The motion was seconded by Vice-Mayor Browne. 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.

Councilman Karr moved to open the Public Hearing concerning two (2) ordinances. The motion was seconded by Vice-Mayor Browne. There was no 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 and the Public Hearing was opened at 6:19 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 OF MCALESTER, OKLAHOMA, CREATING AN ECONOMIC DEVELOPMENT AND ARTS DISTRICT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

There were no comments on either of the ordinances from the Council or citizens. Councilman Mason moved to close the Public Hearing. The motion was seconded by Councilman Harrison 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 Public Hearing was closed at 6:21 P.M.

### **Scheduled Business**

1. Consider and act upon, to fill the vacancy on the McAlester City Council (Ward 5) for the unexpired term, pursuant to Section 2.06 (c) of the McAlester City Charter. If vacancy is filled a swearing in ceremony will be conducted immediately following.

Executive Summary

A motion to fill the Ward 5 vacancy on the McAlester City Council and swearing in ceremony.

Councilman Mason moved to approve filling the vacancy on the McAlester City Council (Ward 5) for the unexpired term, pursuant to Section 2.06 (c) of the McAlester City Charter. The motion was seconded by Councilman Karr.

Mayor Priddle explained that the seat had been vacated two (2) weeks ago, there had been a ten (10) day time period for interested parties to submit their name and there had been only one (1) individual that had submitted their name which had been Buddy Garvin.

Mayor Priddle moved to accept Mr. Garvin to fill the unexpired term for Ward 5, pursuant to Section 2.06 (c) of the McAlester City Charter. The motion was 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.

Municipal Judge Deborah Hackler administered the Oath of Office to Buddy Garvin as Fifth Ward Councilman.

2. Presentation and Discussion with Representative Brian Renegar regarding a possible new ordinance. (*Oklahoma House of Representative Brian Renegar*)

Executive Summary

Presentation and Discussion with Representative Brian Renegar

Councilman Harrison moved to open the floor for the presentation and discussion with Representative Brian Renegar regarding the possible new ordinance. The motion was seconded by Vice-Mayor Browne.

Before the vote, Rep. Renegar addressed the Council explaining that this proposed ordinance would make pseudoephedrine in tablet form a Class 3 drug which would require a doctor's prescription to purchase. He explained the statistics concerning the use of pseudoephedrine in the production of methamphetamine and the costs of cleanup for drug labs and the loss of life.

There was discussion among the Council including Rep. Renegar regarding the ordinance, the results in other states that have adopted this ordinance, why this had not been adopted by the State, the number of drug labs that was estimated that would be busted this year, if the ordinance that Holdenville had passed had withstood the test of Court, if the City had the jurisdiction to do this and the strong support of the Council for this ordinance.

District Attorney Farley Ward informed the Council that the City of McAlester and Tulsa had been trading off as the number one (1) City for the purchase of pseudoephedrine. Representatives Miller and Condit both expressed their support of the ordinance.

There was no vote on this item

3. Presentation and accept and place on File, Pride In McAlester First Quarter January through March 2011 Report. (*Justin Few, President of Pride In McAlester*)

Executive Summary

Accept and Place on File the Pride In McAlester First Quarter 2011 Report

Vice-Mayor Browne moved to open the floor for the presentation of the Pride In McAlester First Quarter January through March 2011 Report. The motion was seconded by Councilman Harrison.

Justin Few addressed the Council updating them on the activities that had taken place during the first quarter. He informed the Council that some time in the future there would be a box for expired prescription drop off either at the Sherriff's office or the Police Department.

There was a brief discussion among the Council concerning the April city wide cleanup and the Recycling Center. There was no vote on this item.

4. Consider and act upon, authorizing the Mayor to sign a Renewal Letter with Unitedhealthcare for medical coverage, in the amount of \$507.18/per full time regular employee for the medical insurance. (*Pamela Kirby, Human Resources Manager*)

Executive Summary

A motion to authorize the Mayor to sign the Renewal Letter with Unitedhealthcare for medical coverage for full time regular employees for a period of July 1, 2011 through June 30, 2012.

Councilman Harrison moved to authorize the Mayor to sign a Renewal Letter with Unitedhealthcare for medical coverage, in the amount of \$507.18/per full time regular employee for the medical insurance. The motion was seconded by Councilman Karr.

Pamela Kirby addressed the Council informing them of the potential savings with the companies that they had researched. She reviewed the Vendor summary showing the vendors that staff was recommending and illustrating the savings with each vendor. She stated that by remaining with Unitedhealthcare the City would see a savings of \$124,000.00, by choosing Guardian for dental insurance the City would see a \$26,000.00 savings with expanded services, by choosing Superior for vision insurance the City would see a \$4,000.00 savings with expanded services and by choosing Lincoln Financial for Life, Long-Term Disability and Accidental Death and Dismemberment the City would receive expanded services and a savings of \$10,000.00. She added that this furnished a total savings of \$164,000.00 to the City of McAlester.

There was a brief discussion among the Council concerning the current total cost of benefits and if all the insurance offered except for health was optional. Manager Stasiak informed the Council that last year's health insurance premiums totaled \$507,018.00 and that the City provided health, dental, vision and a life insurance policy for all employees. The employees had to pay for any dependant coverage.

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

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

NAY: None

Mayor Priddle declared the motion carried.

5. Consider and act upon, authorizing the Mayor to sign an application for a dental insurance plan for all full time regular employees with Guardian Life for the period of July 1, 2011 through June 30, 2012. (*Pamela Kirby, Human Resources Manager*)

Executive Summary

A motion to authorize the Mayor to sign the Guardian Life application for dental insurance for full time regular employees for a period of July 1, 2011 through June 30, 2012.

Vice-Mayor Browne moved to authorize the Mayor to sign an application for a dental insurance plan for all full time regular employees with Guardian Life for the period of July 1, 2011 through June 30, 2012, seconded by Councilman Smith.

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

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

NAY: None

Mayor Priddle declared the motion carried.

6. Consider and act upon, authorizing the Mayor to sign an application and participation agreement with Lincoln National Life Insurance Company for Life Insurance and Long Term Disability Insurance for full time regular employee. (*Pamela Kirby, Human Resources Manager*)

Executive Summary

Motion to authorize the Mayor to sign the application and participation agreement with Lincoln National Life Insurance Company for Life Insurance and Long Term Disability for full time regular employees for a period of July 1, 2011 through June 30, 2012.

Councilman Harrison moved to authorize the Mayor to sign an application and participation agreement with Lincoln National Life Insurance Company for Life Insurance and Long Term Disability Insurance for full time regular employee, seconded by Councilman Garvin.

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

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

NAY: None

Mayor Priddle declared the motion carried.

7. Consider and act upon, authorizing the Mayor to sign an application with Superior Vision Services, Inc. for vision care for full time regular employee for a period of July 1, 2011 through June 30, 2012. (*Pamela Kirby, Human Resources Manager*)

Executive Summary

Motion to authorize the Mayor to sign the application with Superior Vision Services, Inc. for vision care full time regular employee for a period of July 1, 2011 through June 30, 2012.

Councilman Karr moved to authorize the Mayor to sign an application with Superior Vision Services, Inc. for vision care for full time regular employee for a period of July 1, 2011 through June 30, 2012. The motion was seconded by Councilman Harrison.

There was no 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.

8. Consider, and act upon, authorizing the Mayor to sign a Reimbursement Services Agreement with the American Family Life Assurance Company (“Aflac”). (*Pamela Kirby, Human Resources Manager*)

Executive Summary

Motion to approve the Mayor signing agreement with AFLAC for a Medical Care Expense Reimbursement (“URM”) Plan and/or a Dependent Care Expense Reimbursement (“DDC”) Plan for our Employees in conjunction with our Flexible Benefits Plan.

Vice-Mayor Browne moved to authorize the Mayor to sign a Reimbursement Services Agreement with the American Family Life Assurance Company (“Aflac”). The motion was seconded by Councilman Harrison.

Before the vote, Manager Stasiak explained that this was the same provider that the City had contracted with last year. He added that they furnished optional Cancer and Life Insurances as well as the Medical Reimbursement Plan.

There was no 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.

9. Consider and act upon the repeal of City of McAlester Administrative Policy No. 35 - COUNCIL CONTACT. (*Peter J. Stasiak, City Manager*)

Executive Summary

To repeal the City of McAlester Administrative Policy No. 35 – COUNCIL CONTACT.

Councilman Harrison moved to repeal City of McAlester Administrative Policy No, 35 – Council Contact. The motion was seconded by Vice-Mayor Browne.

Before the vote, Manager Stasiak commented that this policy was in direct conflict with the City Charter Section 2.05(c).

Councilman Harrison stated that it had not been enforced for a number of years.

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

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

NAY: None

Mayor Priddle declared the motion carried.

10. Consider and act upon adopting Administrative Policy # 46 establishing the Landfill hours of operation for the public and limiting the length of trailers for access to the facility. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to act upon and approve adopting Administrative Policy # 46 establishing the Landfill hours of operation for the public, limiting the length of trailers for access to the facility, and securing loads.

Councilman Mason moved to adopt Administrative Policy # 46 establishing the Landfill hours of operation for the public and limiting the length of trailers for access to the facility. The motion was seconded by Councilman Karr.

Before the vote, Manager Stasiak explained that the landfill was rapidly reaching full capacity for the existing cell and this Administrative Policy would limit the number of hours of operation of the facility to extend the life of the cell. He stated that for the safety of the citizens it would limit the length of trailers to 12 feet on the working face. He added that because of the large equipment at the face of the cell and the small working area the safety of the citizens and employees was very important.

There was discussion among the Council including Manager Stasiak and Mr. Modzelewski concerning the need for loads coming to the landfill to be tarped, the number of hours that the landfill would be open, and properly notifying the citizens of these changes.

Councilman Smith moved to amend the original motion to change the hours of operation on Saturday to 8:00 A.M. until 4:00 P.M. Mayor Priddle seconded the motion.

Mayor Priddle restated the motion with the amendment to read “adopt Administrative Policy # 46 establishing the Landfill hours of operation for the public and limiting the length of trailers for access to the facility, changing the Saturday hours from 8:00 A.M. to 4:00 P.M.”

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

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

NAY: None

Mayor Priddle declared the motion carried.

11. Consider and Act Upon, to adopt a resolution to support the display of the national motto “IN GOD WE TRUST” in a prominent location in the McAlester City Hall or Council Chambers and authorize the City Manager to order the display with a cost not to exceed \$2,000.00. *(Peter J. Stasiak, City Manager)*

Executive Summary

Motion to approve the Resolution to support the display of the national motto “IN GOD WE TRUST” in the McAlester City Hall or Council Chambers and authorize the City Manager to order the logo with a cost not to exceed \$2,000.00.



Councilman Karr moved to adopt RESOLUTION NO. 11-07, supporting the display of the national motto “IN GOD WE TRUST” in a prominent location in the McAlester City Hall or Council Chambers and authorize the City Manager to order the display with a cost not to exceed \$2,000.00. The motion was seconded by Councilman Garvin.

Before the vote, Manager Stasiak stated that the City had received a request to display the “IN GOD WE TRUST” national motto in the City Hall or Council chambers. He commented that hundreds of cities across the United States are approving the national motto to be displayed in their City Halls or City Council Chambers.

There was a brief discussion among the Council concerning receiving donations from citizens, and not using City Funds and allowing citizens to make donations.

Councilman Garvin commented that if the City did not receive donations to do this he would gladly take care of it.

Mayor Priddle moved to strike the words “and authorize the City Manager to order the display with a cost not to exceed \$2,000.00.” 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, Garvin, Mason & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

12. 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

Motion to approve the budget amendment ordinance.

### **ORDINANCE NO. 2388**

**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. 2388**, seconded by Councilman Mason.

Before the vote, Gayla Duke reviewed the exhibits for the budget amendment stressing the use requirements for some of the bond proceeds.

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

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

Mayor Priddle declared the motion carried.

Councilman Mason moved for approval of the EMERGENCY CLAUSE, seconded by Councilman Garvin. There was no discussion, and the vote was taken as follows:

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

Mayor Priddle declared the motion carried.

13. Consider, and act upon, authorizing expenditure of \$160,000 to repair a portion of the Sandy Creek canal wall. (*John C. Modzelewski, P.E., City Engineer and PW Director*)

Executive Summary

Motion to authorize the expenditure of \$160,000 to repair a portion of the Sandy Creek canal wall.

Vice-Mayor Browne moved to authorize the expenditure of \$160,000 to repair a portion of the Sandy Creek canal wall. The motion was seconded by Councilman Harrison.

Before the vote, John Modzelewski addressed the Council explaining the during a recent flash flood over the Easter weekend a section of the Sandy Creek canal wall at Seneca Avenue near Tenth Street had been severely damaged. He stated that the damage had included the collapse of approximately 260 linear feet of concrete canal wall, including the chain link fence. He commented that the area was currently fenced to provide safety in the vicinity of the collapse and the project would be advertised for bids after the funding for the project was in place for the repair.

There was a brief discussion among the Council regarding the length of time it would take to complete the repair once the contractor had been selected, if there was any thing that could be used to help support the wall, changing the method of construction, planning future routine maintenance and if there was anything that could be done to prevent this from happening in the future.

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

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

Mayor Priddle declared the motion carried.

14. A. Consider and act upon, authorizing the Mayor to sign forms for 1.1, 3.10, 3.9, 3.7, 1.2 to obtain a Release of Funds for the City of McAlester CDBG Small Cities Grant 13914-CDBG-09. (*David Medley, Director of Utilities*)

Vice-Mayor Browne moved to authorize the Mayor to forms for 1.1, 3.10, 3.9, 3.7, and 1.2 to obtain a Release of Funds for the City of McAlester CDBG Small Cities Grant 13914-CDBG-09. The motion was seconded by Councilman Harrison.

Before the vote, David Medley explained that these were the standard forms for the Release of Funds for the CDBG 2009/2010 Grant. He stated this project would replace approximately 2140 feet of sewer line and 700 feet of water line in the “A” and Apache to the “B” and Modoc area. He added that the total project cost was estimated around \$181,260.00 with 50% reimbursement from Oklahoma Department of Commerce and funds were available in the Capital Outlay account. He stated the project would be bid out in approximately two (2) weeks and once the bid was awarded it would take four (4) to six (6) months to construct the project.

There was a brief discussion among the Council including the City Attorney and Mr. Medley concerning the Anti-Displacement Plan, if separate votes were needed since this was an “A” and “B” item, the type of material that was going to be used and the need for the old lines to be replaced when any street repairs were conducted.

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.

B. Consider and act upon, the adoption of a Residential Anti-Displacement and Relocation Assistance Plan – Attachment 15. (*David Medley, Director of Utilities*)

Vice-Mayor Browne moved to adopt the Residential Anti-Displacement and Relocation Assistance Plan – Attachment 15. The motion was seconded by Councilman Harrison.

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

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

NAY: None

Mayor Priddle declared the motion carried.

15. Discussion and possible action regarding an Ordinance creating an Economic Development and Arts District in the City of McAlester. (*John Browne, Vice Mayor*)

Executive Summary

Staff recommends that the Council evaluate proposed ordinance creating an Economic Development and Arts District in the City of McAlester.

Vice-Mayor Browne moved to approve an ordinance creating an Economic Development and Arts District in the City of McAlester. The motion was seconded by Councilman Harrison.

Before the vote, Mayor Priddle commented that he didn't think there would be anyone that would say that the City didn't need to do something. He stated that the Council might take some general comments this evening and schedule this for Special Meeting or put together a group with Main Street.

Vice-Mayor Browne stated that this had already been done and this was the third time this ordinance had come before the Council. He added that he was unwilling to not vote on this item this evening.

There was discussion among the Council including the Council concerning what other communities had done regarding sales tax rebates, the lack of detail in the proposed ordinance, the number of vacant spaces in the down town area, needing the Main Street Program and MPower to be involved in this project, the rate of failure for new businesses, the possible length of the project and if the City Attorney had reviewed the proposed ordinance.

Councilman Harrison moved to table pending the Mayor's appointment of a working group to flush this thing out.

Mayor Priddle commented that he liked that idea except the Council would need to set a time for it to come back before the Council. He also stated that he was concerned with doing this but the Council needed to consider the businesses not in that area that might want to be included if they were to expand or improve. There was further discussion concerning what the Council could do to further this item and how this could be managed or enforced.

Councilman Smith seconded Councilman Harrison's motion to table this item.

Mayor Priddle requested that the motion be restated. Councilman Harrison moved to table this item pending the Mayor appointing a working group to flush this item out.

Vice-Mayor Browne asked for a point of order stating that the Council had a motion and second. Mayor Priddle commented the motion and second was comment to table. Vice-Mayor Browne withdrew his motion for Council unity. Mayor Priddle modified the motion to table for the item to come back before the Council in two (2) weeks. He stated that he would appoint the working committee tomorrow. Mr. Ervin informed the Council that they had satisfied the Charter requirement for a public hearing and if the working group did not have revisions for the ordinance the Council could modify the ordinance in the Council meeting.

Mayor Priddle restated the motion as "table this item pending the Mayor's appointment of a working committee and bring it back before the Council at the next meeting. There was no further discussion, and the vote was taken as follows:

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

NAY: Councilman Garvin & Vice-Mayor Browne

Mayor Priddle declared the motion carried.

16. Consider and act upon approving a monetary contribution from Economic Development funds in the amount of \$14,001 for Legends at Hickory Ridge, Phase III development.  
(*Peter J. Stasiak, City Manager*)

Executive Summary

Motion to approve a Resolution supporting Legends at Hickory Ridge, Phase III and authorizing a monetary contribution from Economic Development funds in the amount of \$14,001.

Vice-Mayor Browne moved to approve a monetary contribution for Economic Development funds in the amount of \$14,001 for Legends at Hickory Ridge, Phase III development. The motion was seconded by Councilman Harrison.

Before the vote, Ryan Hackett addressed the Council regarding the Phase III development for Legends at Hickory Ridge. He reviewed the process for receiving the tax credits that his developer was applying for and he asked the Council for their support of this third phase.

There was discussion among the Council concerning the amount of the contribution, where this contribution would come from, how the building fees would be paid, if any of the structures would be built on the property that was subject to the City's vacation and closure, and if the vacated property would be correctly foreclosed in District Court.

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

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

NAY: None

Mayor Priddle declared the motion carried.

### **New Business**

There was no new business.

### **City Manager's Report**

Manager Stasiak reported that the traffic lights at Washington and "A" Street had been removed and the intersection had been cleaned up.

### **Remarks and Inquiries by City Council**

Councilmen Smith and Harrison did not have any comments for the evening.

Vice-Mayor Browne urged everyone to take care during the bad weather.

Councilman Karr announced the opening of the "Wild Things" restaurant the next weekend.

Councilman Garvin thanked all of his supporters in North Town and across the City.

Councilman Mason commented on the various calls from citizens concerning storm shelters in the City of McAlester.

Mayor Priddle congratulated everyone involved with the Italian Festival.

#### 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 Smith, Harrison, Browne, Karr, Garvin, Mason & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried and the meeting was recessed at 8:16 P.M.

#### Reconvene Council Meeting

The Regular Meeting was reconvened at 8:20 P.M.

Councilman Mason moved to recess the Regular Meeting for an Executive Session to discuss negotiations concerning employees and representatives of employee groups: IAFF, in accordance with Title 25, Section 307.B.2. The motion was seconded by Councilman Harrison. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried and the Regular Meeting was recessed at 8:21 P.M.

#### Executive Session

- **Section 307 (B) (2)** – Discuss negotiations concerning employees and representatives of employee groups: IAFF.

#### Reconvene into Open Session

The Regular Meeting was reconvened at 8:50 P.M. Mayor Priddle stated that due to the inclement weather the Council will recess the Regular until 5:30 P.M. tomorrow, Wednesday, May 25, 2011, and at that time will resume the Executive Session.

Councilman Mason moved to recess the Regular Meeting until 5:30 P.M. Wednesday, May 25, 2011. The motion was seconded by Councilman Harrison. There was no 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 and the Regular Meeting was recessed at 8:51

The Regular Meeting was reconvened at 5:30 P.M. Wednesday, May 25, 2011. Councilman Karr and Vice-Mayor Browne were absent for the Reconvened Regular meeting.

Councilman Harrison moved to recess the Reconvened Regular Meeting for an Executive Session to discuss negotiations concerning employees and representatives of employee groups: IAFF, in accordance with Title 25, Section 307.B.2. The motion was seconded by Councilman Smith. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried and the Reconvened Regular Meeting was recessed at 5:34 P.M.

The Reconvened Regular Meeting was reconvened at 6:15 P.M. Mayor Priddle reported that the Council had recessed the Reconvened Regular Meeting for an Executive Session to discuss negotiations concerning employees and representatives of employee groups: IAFF, in accordance with Title 25, Section 307.B.2. Only that matter was discussed, no action was taken and the Council returned to open session at 6:15 P.M., and this constituted the Minutes of the Executive Session.

### **Adjournment**

There being no further business to come before the Council, Councilman Smith 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, Garvin & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 6:16 P.M.

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Kevin E. Priddle, Mayor

ATTEST:

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Cora Middleton, City Clerk