

The McAlester City Council met in Regular session on Tuesday, January 26, 2010, at 6:00 P.M. after proper notice and agenda was posted, January 21, 2010, at 5:20 P.M.

CALL TO ORDER

Mayor Priddle called the meeting to order.

INVOCATION & PLEDGE OF ALLEGIANCE

- **Fran Greathouse, First Christian Church**

ROLL CALL

Council Roll Call was as follows:

Present: Chris Fiedler, Donnie Condit, John Browne, Haven Wilkinson, Buddy Garvin, Sam Mason & Mayor Priddle

Absent: None

Presiding: Kevin E. Priddle, Mayor

Staff Present: Peter J. Stasiak, Acting City Manager/Planning and Community Development Director; Gayla Duke, Chief Financial Officer; John Modzelewski, Public Works Director/City Engineer; William J. Ervin, City Attorney and Cora Middleton, City Clerk

CITIZENS' COMMENTS ON NON-AGENDA ITEMS

None

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 January 5, 2010, Special Meeting of the McAlester City Council. (Cora Middleton, City Clerk)**
- B. Approval of the Minutes from the January 12, 2010, Regular Meeting of the McAlester City Council. (Cora Middleton, City Clerk)**
- C. Approval of Claims for January 13, 2010 through January 26, 2010. (Gayla Duke, Chief Financial Officer)** In the following amounts: General Fund - \$97,197.32; Parking Authority - \$167.96; Nutrition - \$717.02; Landfill Res./Sub-Title D - \$3,323.00; SE

Expo/Tourism Fund - \$14,814.30; E-911 - \$8,624.49 and Economic Development - \$12,655.82.

Councilman Fiedler moved for approval of the Consent Agenda. The motion was seconded by Councilman Browne. There was no discussion and the vote was taken as follows:

AYE: Councilman Fiedler, Condit, Browne, Wilkinson, Garvin, Mason & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

ITEMS REMOVED FROM CONSENT AGENDA

None

Councilman Fiedler moved to open the Public Hearing to consider the four (4) Ordinances on the agenda. The motion was seconded by Councilman Mason. There was no discussion, and the vote was taken as follows:

AYE: Councilman Condit, Browne, Wilkinson, Garvin, Mason, Fiedler & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was opened at 6:05 P.M.

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 Ordinance No. 2291, and repealing Resolution No. 06-30, creating Section 2-258, Emergency Fund and Declaring an Emergency.
- 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.
- An Ordinance amending the Code of Ordinances of the City of McAlester by amending Section 31-75 and Section 31-76 of Chapter 31, Article III, McAlester Codes, by establishing Sanitary Sewer Connection fees for inside and outside the corporate limits, and Declaring an Emergency.
- An Ordinance amending the Code of Ordinances of the City of McAlester by amending the following Sections, 18-53(2) Fees; 18-98 Electrical Inspections and Permit Fees; 18-74 Plumbing Inspections and Permit Fees; 18-250(c) Mechanical Inspection and Permit Fees; 18-348 Moving of Building Fees; Residential Swimming Pool Fees; Construct of Water Well Fees; and Declaring an Emergency.

Travis Read addressed the Council concerning the proposed Ordinance to amend the Emergency Fund and repeal Resolution No. 06-30. He commented that once funds were directed into the Emergency Fund they should remain there and not be transferred out. He recommended that Resolution No. 06-30 be amended to discontinue or change what funds were to be placed into the Emergency Fund.

There were no comments or remarks on any of the other Ordinances from the Council or citizens. Councilman Mason moved to close the Public Hearing. The motion was seconded by Councilman Wilkinson. There was no discussion and the vote was taken as follows:

AYE: Councilman Browne, Wilkinson, Garvin, Mason, Fiedler, Condit & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was closed at 6:16 P.M.

SCHEDULED BUSINESS

1. **(TABLED)** Consider, and act upon, a Resolution of the City of McAlester for direct settlement fund proceeds, obtained in Case Number C-2007-498; City of McAlester vs. Western Surety, ET AL., in the District Court of Pittsburg County State of Oklahoma.

Executive Summary

This item involves an approval of a Resolution for direct settlement fund proceeds City of McAlester vs. Western Surety, ET AL.

Councilman Browne moved to approve a Resolution of the City of McAlester for direct settlement fund proceeds, obtained in Case Number C-2007-498; City of McAlester vs. Western Surety, ET AL., in the District Court of Pittsburg County State of Oklahoma. The motion was seconded by Councilman Fiedler.

Before the vote, Acting City Manager Stasiak explained that this was a result of the Carolyn Hearod, Western Surety mitigation. He stated that the City was to receive \$70,000.00 from the settlement and they had identified the litigation fees associated with this case which totaled \$28,421.59 that had been paid out of the General Fund. He commented that there was \$41,578.41 left on the bond recovery side. He mentioned two options for the Council to consider. One option would be to deposit all \$70,000.00 into the General Fund and transfer the \$41,578.41 into the CIP fund for future projects or to deposit all \$70,000.00 into the General Fund and transfer the \$41,578.41 into Economic Development. He explained the reason for first depositing all of the proceeds into the General and then transferring out was to allow the transfers to be used toward reducing the \$3.2 million debt to the MPWA.

There was a lengthy discussion among the Council, the City Attorney and Mr. Stasiak regarding the two (2) options, the repayment of the debt owed by the City of McAlester and what the lawsuit was actually based on. They also discussed the position of the Bond Council, if it would be a violation of the law to put the funds into General Fund and that there was more than the Economic Development bond issue involved.

Ms. Duke commented that when discussing the \$3.2 million debt repayment with the Auditors, they wanted precise tracking of all monies put into the General Fund and then transferred to other funds to apply to the debt reduction. Mr. Ervin stated that what was commonly referred to

as CIP fund was actually a bond misappropriation fund and the resolutions were only drafts that could be changed. Ms. Duke suggested that the title of the fund be changed as well. Councilman Mason recommended tabling this item so the changes could be made to the resolution and then bring it back for Council consideration. Mr. Ervin stated that the resolution could be passed and the changes then be made. Councilman Mason stated that he would want a copy of the changed resolution furnished to the Council at the next meeting.

Mayor Priddle moved to approve RESOLUTION NO. 10-01, with the addition of section 2, \$28,421.59 to remain in the General Fund and section 3, remaining 41,578.41 transferred to the currently referred to as CIP Fund. The motion was seconded by Councilman Browne.

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

AYE: Councilman Wilkinson, Garvin, Mason, Fiedler, Condit, Browne & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

2. Pride of McAlester Status Update Report. (*Mark Wilkett, Pride of McAlester*)

Executive Summary

This item involves an update on the Pride of McAlester Program.

Councilman Fiedler moved to open the floor for the status update report from Pride In McAlester. The motion was seconded by Vice-Mayor Garvin.

Mark Wilkett updated the Council on the membership status, the group's plans for the next year and their financial status. He explained that he had been nominated as President for the coming year and Mr. Collier was remaining an active member. He commented on the surveys they wanted to distribute to the citizens and the monthly newsletter they hoped to start producing.

Councilman Condit asked if the City could help distribute the surveys and Mr. Stasiak commented that staff was looking into that possibility. There was no action taken on this item.

3. Consider, and act upon, an Ordinance amending Ordinance No. 2291, which created Section 2-258, Emergency Funds, and Repealing Resolution No. 06-30, and declaring an emergency. (*Gayla Duke, Chief Financial Officer*)

Executive Summary

This agenda item involves a motion to amend Ordinance No. 2291.

Councilman Fiedler moved to consider an Ordinance amending Ordinance No. 2291, which created Section 2-258, Emergency Funds, and Repealing Resolution No. 06-30, and declaring an emergency. The motion was seconded by Councilman Browne.

Before the vote, Ms. Duke distributed additional information to the Council and explained her need for clarification on the proper calculation of funding for the Emergency Fund and how some areas of the current Ordinance were vague. She added that 100% of all Oil and Gas payments and the repayments received from Randy Green were put into the Emergency Fund.

There was a lengthy discussion among the Council, Ms. Duke, Mr. Stasiak and Mr. Ervin regarding revenue that was put into the Emergency Fund, if any funds could or should be removed from the Emergency Fund, if a Resolution could be repealed with an effective date, specifying how funds could be used that had not been put into the Emergency Fund, amending the Resolution instead of repealing it, having a good definition of what went into the Emergency Fund and when the balance for the Emergency Fund was to be calculated. The Council also discussed allowing the Senior Staff and the City Manager discretion on how to spend funds that had not been put into the Emergency Fund.

Mr. Stasiak stated that the City's concern going forward was that in the near future simple, routine purchases would become major purchases. He stated that the budget had been cut so tight that the community would begin to suffer. He added that it was not the City's intent to rehire employees with any of the funds not put into the Emergency Fund.

Mayor Priddle moved to amend RESOLUTION NO. 06-30 by adding at the end of the second paragraph the following: "only if funds are below the required 10%, retroactive to October 1, 2009." and that paragraph three be stricken in its entirety. The motion was seconded by Browne. There was no discussion, and the vote was taken as follows:

AYE: Councilman Mason, Fiedler, Condit, Browne, Wilkinson, Garvin & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

4. 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*)

Exhibit A-1: **General Fund:** Need to reduce transfer to Nutrition fund for reduced budget in that fund. Also need to increase budget for Fire Department Clothing Allowance. Per contract retroactive increase for 08-09 year as well as 09-10 year.

Exhibit A-2: **CIP Fund:** Appropriate fund balance for water treatment plant for upgrade of filters #3, 4 & 5.

Executive Summary

This agenda item involves amending the budget for fiscal year 2009/10.

ORDINANCE NO. 2345

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.

Councilman Fiedler moved to approve ORDINANCE NO. 2345, seconded by Councilman Condit.

Before the vote, Ms. Duke reviewed the two (2) exhibits for the budget amendment for the Council explaining the first exhibit was to decrease the amount budgeted for Nutrition and to increase the Fire Departments clothing allowance per the retroactive increases to the contract for 08-09 and 09-10 years. She commented that the second exhibit was to appropriate fund balance for the water treatment plant upgrades of filters #3, 4 and 5.

Mr. Stasiak explained that the last contract settlement with the Fire Departments' Union (IAFF) gave them an increase in their clothing allowance of \$75.00 per firefighter for fiscal year 08-09 and going into 09-10 this carried over as \$50.00 per firefighter and that dollar amount had not been put in this years' budget.

There was a brief discussion among the Council regarding the IAFF contract and various grievances' filed by the IAFF.

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

AYE: Councilman Fiedler, Condit, Browne, Wilkinson, Garvin, Mason & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

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

AYE: Councilman Wilkinson, Garvin, Mason, Fiedler, Condit, Browne & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

5. Consider, and act upon, authorizing the Mayor to sign Equipment Maintenance Agreements between the City of McAlester and BizTel Communications for the period of 01-16-2010 through 06-30-2010. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves authorizing the Mayor to sign an Equipment Maintenance Agreements with BizTel Communications.

Councilman Condit move to authorize the Mayor to sign Equipment Maintenance Agreements between the City of McAlester and BizTel Communications for the period of 01-16-2010 through 06-30-2010. The motion was seconded by Councilman Fiedler.

Before the vote, Mr. Stasiak explained that the item was for maintenance of the City's phone system at all of the City's facilities.

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

AYE: Councilman Fiedler, Condit, Browne, Wilkinson, Garvin, Mason & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

6. Consider, and act upon, an Ordinance amending the Code of Ordinances of the City for inspections and permit fees, and declaring an emergency. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves authorizing the Mayor to sign an Ordinance amending the Code of Ordinances to increase building and inspections fees.

Councilman Fiedler moved to approve an Ordinance amending the Code of Ordinances of the City for inspections and permit fees, and declaring an emergency. The motion was seconded by Councilman Browne.

Before the vote, Mr. Stasiak requested that this item and item seven (7) be postponed until the next Council meeting due to errors in some of the information. There was no further discussion and Mayor Priddle stated that this item #6 and item #7 were postponed until the next meeting.

7. Consider, and act upon, an Ordinance amending the Code of Ordinances of the City for sanitary sewer connection fees inside and outside the corporate limits, and declaring an emergency. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves authorizing the Mayor to sign an Ordinance amending the Code of Ordinances to increase sanitary sewer connection fees.

Postponed until the next meeting per request by Acting City Manager Stasiak.

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

8. Consider, and act upon, a Resolution approving the sale of Oil and Gas Lease, on City of McAlester property as described in "Exhibit A" of submitted resolution. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves a motion to approve the sale of Oil and Gas Lease.

Councilman Wilkinson moved to approve RESOLUTION NO. 10-02, approving a sale of Oil and Gas lease on certain City of McAlester property as described in "Exhibit A" of the resolution as follows.

EXHIBIT "A"

Tract No. 1:

W/2 W/2; W/2 E/2 W/2; W/2 E/2 E/2 W/2 Less And Except the following Lots or partial Lots located in the Steven W. Taylor Industrial Park more particularly described as: Lot A-5; Less that part of Lot B-1 lying in the W/2 of Sec. 10-T5N, R14E described as beginning at the SW corner of said Lot B-1; thence N 42° 33' 04" W a distance of 300.00 feet along the Westerly lot line of Lot B-1; thence N 59° 25' 46" E a distance of 437.01 feet; thence S 87° 59' 19" E a distance of 487.00 feet; thence S 0° 37' 11" E a distance of 438.82 feet: thence N 87° 59' 19" W a distance of 632.55 feet along the South line of Lot B-1; thence S 73° 40' 10" W a distance of

34.05 feet to the point of beginning; less Lots B-2 and B-3; and less a tract of land in Lot B-7 described as: commencing at the NW corner of Lot B-7; thence S 00° 37' 11" E along the West line of Lot B-7 a distance of 100.00 feet to the point of beginning; thence S 89° 46' 57" E a distance of 1094.71 feet; thence S 04° 32' 48" E a distance of 510.92 feet; thence N 89° 46' 57" W a distance of 1129.70 feet to a point on the west line of Lot B-9; thence N 00° 37' 11" W a distance of 509.20 feet to the point of beginning, consisting of 195.64 net mineral acres, more or less, according to the official recorded map and plat thereof.

All In Section 10, Township 5 North, Range 14 East, Pittsburg County, Oklahoma.

Tract No. 2:

A tract in the SW/4 more particularly described as: beginning at the SW corner of the SW/4; thence E a distance of 1320 ft.; thence N a distance of 940 ft. to the S right-of-way line of railroad; thence SW along right-of-way line a distance of 1352 ft. to the W Section line; thence S to the point of beginning, less a tract more particularly described as: beginning at the intersection of the right-of-way of railroad and the E line of SW/4 SW/4; thence S a distance of 500 ft.; thence W a distance of 400 ft.; thence N to the S line of right-of-way; thence E along right-of-way to the point of beginning; and

The S 350 ft. of W 500 ft. of SE/4 SW/4; and

The E 554.7 ft. of N/2 SE/4 lying S of railroad right-of-way; and all that part of the N/2 SE/4, more particularly described as: beginning at the NE corner the SE/4, thence S 01° 11' 40" E a distance of 1202.34 ft. to the point of beginning; thence S 88° 43' 54" W a distance of 554.44 ft.; thence N 01° 11' 40" W a distance of 340.9 ft. to the S line of the railroad right-of-way; thence S 77° 45' 41" W along said right-of-way a distance of 737.39 ft. ; thence S 01° 16' 26" E a distance of 460.13 ft.; thence N 78° 51' 09" E a distance of 1297.07 ft. to E line SE/4; thence N 01° 11' 40" W a distance of 36.84 ft. to the point of beginning; and

A part of the S/2 SE/4, more particularly described as: beginning at the NE corner the SE/4; thence S 01° 11' 40" E a distance of 1202.34 ft. to the point of beginning; thence S 88° 43' 54" W a distance of 554.44 ft.; thence N 01° 11' 40" W a distance of 340.9 ft. to the S line of railroad right-of-way; thence S 77° 45' 41" W along said right-of-way a distance of 737.39 ft.; thence S 01° 16' 26" E a distance of 460.13 ft.; thence N 78° 51' 09" E a distance of 1297.07 ft. to E line SE/4; thence N 01° 11' 40" W a distance of 36.84 ft. to the point of beginning, consisting of 54.039 net mineral acres more or less.

All In Section 2, Township 5 North, Range 14 East, Pittsburg County, Oklahoma.

Tract No. 3:

A tract of land beginning at the Southwest corner of the SE/4 NE/4 NW/4; thence North a distance of 660 feet; thence East a distance of 660 feet; thence South a distance of 20 feet; thence West a distance of 640 feet; thence South a distance of 640 feet; thence West a distance of 20 feet to the point of beginning; AND beginning at the Northwest corner of Lot 2; thence East a distance of 2000 feet; thence South a distance of 20 feet; thence West a distance of 2000 feet; thence North a distance of 20 feet to the point of beginning; containing 1.52 acres, more or less.

All located in Section 31, Township 7 North, Range 16 East, Pittsburg County, Oklahoma.

Tract No. 4:

Tracts, pieces and parcels of land located and described as follows:

1. Part of Lot 2, Block 40; and
2. Part of Lot 1 & 2, Block 83; and
3. Part of Lot 3, Block 84

All in the City of McAlester, formerly South McAlester IT Pittsburg County, Oklahoma;

and

4. Lot 171, less the Northly 189'; and The S/2 of Lot 173 and part of Lot 172, TSA No. 1, Pittsburg County, OK.

All in Section 36, Township 6 North, Range 14 East, Pittsburg County, State of Oklahoma. and consisting of 4.979 net mineral acres, more or less. The motion was seconded by Vice-Mayor Garvin.

Before the vote, Mr. Stasiak explained that this was a request to authorize an auction of four (4) leases of Oil and Gas mineral interests owned by the City of McAlester.

There was a brief discussion between the Council and the City Attorney regarding the language of the lease, the minimum price per acre and the limitation of the time to advertise the auction. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Browne, Wilkinson, Garvin, Mason, Fiedler, Condit & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

9. Midyear Budget Review – Section 5.07 (a), McAlester City Charter states: Midyear Budget Review. The City Manager shall submit a midyear review of the budget to the Council on or before the last day of January. This shall include the evaluation and modification, if necessary, of revenues and expenses. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

Presentation of the operating revenues and expenses for the period July 1, 2009 thru December 31, 2009.

Councilman Fiedler moved to open the floor for the Mid-year Budget Review. The motion was seconded by Councilman Condit.

Mr. Stasiak addressed the Council updating them on the current Budget status and the projections for the next six (6) months. He then reviewed the major funds in the Budget. He commented that he was looking at splitting the Expo and Tourism Fund in the future for budgeting purposes. He reviewed the reductions that had been made to the original budget to help with the revenue shortfalls. He stated that the City was currently down twenty-one (21) employees and those positions would not be filled and as of February 1, 2010 that number would become twenty-three (23). He commented that staff had identified the problem and they were

taking steps to handle it but, they could only affect the General Fund and the Public Works Fund. He added that it appeared to have a 17% decline.

There was a brief discussion among the Council and Mr. Stasiak concerning the changes that had been made, if those changes would stabilize the condition, if there was a possibility of future layoffs and if he could see any actual stabilization in the current economic pattern. There was no vote on this item.

10. Consider, and act upon, a Resolution authorizing the City of McAlester to commit Economic Development Bond Funds for the construction of a building and infrastructure at the Steven Taylor Industrial Park. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves a resolution authorizing Economic Development Bonds Funds for a construction of a building in Steven Taylor Industrial Park.

Councilman Condit moved to approve RESOLUTION NO. 10-03, authorizing the City of McAlester to commit Economic Development Bond Funds for the construction of a building and infrastructure at the Steven Taylor Industrial Park. The motion was seconded by Councilman Fiedler.

Before the vote, Mr. Stasiak explained that the Oklahoma Department of Commerce (DOC) through the Community Development Block Grant – Economic Development Infrastructure Financing program (CDBG-EDIF) had awarded the City of McAlester \$1.0 million for the construction of a building and required infrastructure to house Sabre Defense, Inc. He continued explaining that there were Economic Development funds available up to \$765,100.00 from two Revenue Bond Construction Accounts that could be used for the project. He added that the City of McAlester would remain the owner of the property used for the building construction.

There was a brief discussion among the Council regarding the worse case scenario, the projected construction time of nine (9) to twelve (12) months, when notification could be expected from the DOC and the City's commitment to complete the project should Sabre not come through on their commitment. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Garvin, Fiedler, Condit, Browne, Wilkinson & Mayor Priddle

NAY: Councilman Mason

Mayor Priddle declared the motion carried.

11. Report on City of McAlester's plan to implement once per week residential collection of solid waste.

Executive Summary

This item involves a report on once per week residential collection of solid waste.

Councilman Fiedler moved to open the floor for the report on the City's plan to implement once per week residential collection of solid waste. The motion was seconded by Councilman Condit.

Mr. Modzelewski addressed the Council to update them on the status of the implementation of the once per week residential trash collection. He commented that he had not completed his

analysis of the information but had furnished the Council a copy of the proposed letter to the residents and a map and schedule of the once per week trash collection. He added that at the next meeting he planned to have a recommendation for the Council regarding the once per week residential trash collection and privatization of the trash collection service.

Councilman Browne recommended that the price be reviewed if the City does proceed with once per week residential trash collection and in the time he had been on the Council this matter had created the most response.

Councilman Condit stated that the response he had received had so far been positive toward both the once per week collection and the fee remaining the same.

There was no action taken on this item.

NEW BUSINESS

None

CITY MANAGER'S REPORT

Acting City Manager Stasiak reported that at the end of last week the City had been contacted about the 69 Bypass interchange project. He stated the State of Oklahoma wanted to move the project up from 2015 to 2013. He added that they would be coming to the Council in the near future to get the Engineering going on this project. He commented that he would get more information to furnish the Council. Mr. Stasiak reported that the RFP's for the Strategic Plan had been sent out to three (3) companies and were due back by Friday, February 5th. He updated that Council on the "A" Street and Railroad crossings stating that the Railroad was waiting on the asphalt plant to reopen and that maybe next week if the plant did reopen the Railroad could finish their portion of the repairs. Mr. Stasiak reported that the City had received the final payment FEMA aid for the January 2007 Ice Storm. He stated that he had received notice from the Emergency Management to expect ice and he commented that the City was already making preparations for this. He mentioned the work session that had been scheduled for Thursday at 5:30 P.M. He reported that he and Ms. Duke would possibly be attending a Budgeting Seminar in Midwest City on Friday, January 29th, presented by OML and Mike Crawford.

REMARKS AND INQUIRIES BY CITY COUNCIL

Councilman Fiedler commented on the water line and gas line breaks that Shared Blessings had experienced at their facility. He encouraged everyone that could to donate to the recovery effort in Haiti. He asked if there had been any preparation to open the Stipe Center and Expo if necessary during the coming ice storm.

Councilman Condit commented on the relief effort for Haiti. He expressed his appreciation to Mr. Stasiak for his quick response to the pot hole patches on Peaceable Road. He added that today was his 30th Wedding Anniversary.

Councilman Browne commented that when repairs to "A" Street were completed the City would begin repairs to "D" Street. He congratulated all of the candidates involved in the coming election and encouraged them to run a clean campaign.

Councilman Wilkinson did not have any comments for the meeting.

Vice-Mayor Garvin expressed his appreciation for the work that Mr. Stasiak was doing and for the work that Frank Phillips did. He commented that everyone should remember to check on their elderly neighbors during bad weather.

Councilman Mason commented that he hoped all the preparation for the ice storm would not be needed.

Mayor Priddle congratulated Mr. Stasiak and Ms. Duke for the speed in which the audit for year ending June 30, 2009 had been completed. He urged all citizens to prepare for the weather. He thanked the City staff and employees for their continued work on the Budget. He announced that he would give the State of the City Address next Tuesday, February 2, 2010, in the Council Chambers at 6:00 P.M.

RECESS COUNCIL MEETING

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

AYE: Councilman Fiedler, Condit, Browne, Wilkinson, Garvin, Mason & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 8:45 P.M.

RECONVENE COUNCIL MEETING

The Regular Meeting was reconvened at 8:49 P.M.

Councilman Browne 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 office or employee: City Manager in accordance with Title 25, Section 307.B.1. The motion was seconded by Vice-Mayor Garvin. There was no discussion, and the vote was taken as follows:

AYE: Councilman Condit, Browne, Wilkinson, Garvin, Mason, Fiedler & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried and the Regular meeting was recessed at 8:50 P.M.

EXECUTIVE SESSION

Recess into Executive Session in compliance with Section Title 25 Section 307 B.1 et.seq. Oklahoma Statutes, to wit:

- **Section 307 (B) (1) – Discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager.**

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

The Regular meeting was reconvened at 9:15 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: City Manager, in accordance with Title 25, Section 307.B.1. Only that matter was discussed, no action was taken and the Council returned to open session at 9:15 P.M. and this constituted the Minutes of the Executive Session.

ADJOURNMENT

There being no further business to come before the Council, Councilman Condit moved for the meeting to be adjourned, seconded by Councilman Wilkinson. The vote was taken as follows:

AYE: Councilman Browne, Wilkinson, Garvin, Mason, Fiedler, Condit & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 9:16 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk