

Council Chambers
Municipal Building
September 14, 2010

The McAlester City Council met in Regular session on Tuesday, September 14, 2010, at 6:00 P.M. after proper notice and agenda was posted, September 10, 2010, at 3:42 P.M.

CALL TO ORDER

Mayor Priddle called the meeting to order.

Pastor Charles Neff, First United Methodist Church gave the invocation and lead the Pledge of Allegiance.

ROLL CALL

Council Roll Call was as follows:

Present: Chris Fiedler, Steve Harrison, John Browne, Robert Karr, Buddy Garvin & 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 Finance Officer; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Citizen's Comments on Non-agenda Items

There were no citizen comments.

Consent Agenda

- A. Approval of the Minutes from the August 24, 2010, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of the Minutes from the August 25, 2010, Special Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- C. Approval of Claims for August 25, 2010 through September 14, 2010. (*Gayla Duke, Chief Financial Officer*) In the following amounts: General Fund - \$184,888.14; Nutrition - \$3,250.50; Landfill Res./Sub-Title D - \$21,099.13; Educational Fund - \$1,500.00; Tourism Fund - \$350.00; SE Expo Ctr/Tourism Fund - \$37,891.53; E-911 - \$2,982.44; Economic Development - \$282.50; Gifts & Contributions - \$2,869.74; Fleet Maintenance - \$21,259.28 and CIP Fund - \$13,396.74.

- D. Concur with Mayor's Re-appointment of Doris Hackler to the Tree Board for a term to expire September, 2012. *(Kevin E. Priddle, Mayor)*
- E. Concur with Mayor's Re-appointment of Karen Harrison to the Tree Board for a term to expire September, 2012. *(Kevin E. Priddle, Mayor)*
- F. Concur with Mayor's Appointment of John Goodyear to the Tree Board for a term to expire September, 2012. *(Kevin E. Priddle, Mayor)*

Councilman Karr moved to approve the Consent agenda. The motion was seconded by Councilman Garvin.

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

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

Mayor Priddle declared the motion carried.

Vice-Mayor Browne moved to open a Public Hearing to address an ordinance amending the Budget for Fiscal Year 2010-2011. The motion was seconded by Councilman Harrison.

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

AYE: Councilman Harrison, Browne, Karr, Garvin, Fiedler & 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.**

There were no comments from the citizens or the Council and Councilman Harrison moved to close the Public Hearing. The motion was seconded by Councilman Fiedler.

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

AYE: Councilman Browne, Karr, Garvin, Fiedler, 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. 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 Officers)*

Executive Summary

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

ORDINANCE NO. 2372

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. 2372**, seconded by Vice-Mayor Browne.

Before the vote, Ms. Duke explained that this was to appropriate fund balance for repairs at the Industrial Park.

Manager Stasiak distributed a map of the proposed areas of the railroad spurs in the Industrial Park that were in need of repair. He explained that this problem was caused by a failure of the base under the railroad spurs and two (2) of the areas the City was requesting \$22,800.00 to use for the necessary repairs. He added that the City would go out for Request for Proposals for the other four (4) areas that were in need of repair.

There was a brief discussion among the Council concerning how long these repairs would take, if there were mines in the area that could have caused this problem and if routine maintenance would help to prevent this in the future. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

2. Consider, and act upon, declaring certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2- 286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2- 287. *(John Modzelewski, PE)*

Executive Summary

This item involves a motion to declare certain vehicles and equipment surplus property and to authorize the sale of them.

Councilman Garvin moved to declare certain vehicles and equipment surplus property in accordance with the Code of Ordinances Sec 2- 286 and authorize the City Manager to sell them in accordance with the Code of Ordinances Sec 2- 287. The motion was seconded by Councilman Karr.

Before the vote, Mr. Modzelewski explained that the Public Works Department had two (2) fairly new sanitation trucks that could be transformed into dump trucks by removing their compactor units, selling them and replacing them with dump beds. He added that the Public Works Department also had a 1994 Scarab Window Composting Machine that had not been used for severable years and was not serviceable at this time. Mr. Modzelewski stated that the Community Services Department had a used Senior Citizen van that had been replaced by a new van and was no longer needed. He added that the vehicles and equipment to be declared surplus and sold were listed as follows:

Tag	Mileage	Make Model	VIN
CI-12839	21,679	Freightliner M2-106 Truck (SW-3)	1FVHCYBS59DAN2552
CI-12840	32,283	Freightliner M2-106 Truck (SW-6)	1FVHCYBS39DAN2551
3-47247	128,948	1999 Ford 350 HC Van (Van-#1)	1FDWE3055XHB63295
LF13	NA	1994 Scarab Windrow Composting Machine MDL 10	194

There was a brief discussion among the Council concerning if the City still owed for the sanitation trucks, if the City was violating any contracts, getting the banks approval in writing before anything was done and what type of dump beds would be ordered for the trucks.

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

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

NAY: None

Mayor Priddle declared the motion carried.

3. Consider, and act upon, authorizing the Mayor to sign a Service Agreement with iWorQ Systems “iWorQ” located in Logan, Utah. *(Peter J. Stasiak, City Manager)*

Executive Summary

The item involves a motion to authorize the Mayor to sign a Service Agreement between the City of McAlester and iWorQ Systems.

Vice-Mayor Browne moved to authorize the Mayor to sign a Service Agreement with iWorQ Systems “iWorQ” located in Logan, Utah. The motion was seconded by Councilman Garvin.

Before the vote, Manager Stasiak explained that the iWorQ Systems was the first company to offer city and county government management applications as an internet service. He added that the City would concentrate on Code enforcement initially and this application would allow the City to track permits, violations, inspections and licenses. He stated that the system would generate numbers for each case, detailed reports and track the steps or progress used to mitigate the various reported problems. Manager Stasiak commented that this would be a way to be more responsive to the citizens concerns.

There was a brief discussion among the Council regarding when this would be ready to implement, if citizens could still call to lodge complaints and that this would be a better way to manage complaints and work with the citizens.

Manager Stasiak added that beginning Monday there would be an information person in the foyer and the City would also have a live receptionist.

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

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

NAY: None

Mayor Priddle declared the motion carried.

New Business

Vive-Mayor Browne commented that he had an item that he wanted to address at this time if it qualified for new business. He explained that he was concerned with the amount of graffiti around the City and would like the City to donate money to Crime Stoppers.

Mr. Ervin stated that this did not meet the new business requirements; it could be taken up between the meetings or even placed on the next agenda.

Vice-Mayor Browne asked that this item be placed on the next Council agenda.

Manager Stasiak stated that he thought there was money in the Crime Stopper's account and he would have Ms. Duke verify that information.

City Manager's Report

Manager Stasiak reported that the City had switched back to the cleaned clear well and were not having any reports or complaints of dirty water. He reported that the Public Works Department was preparing for a large roadway reconstruction project in Northgate. He stated that the Dura Patcher had been in North Town preparing for the Old Town Festival and then would move to the school areas then into the central business district. He added that people continue to invest in the City. He commented that the City was already at \$21 million in building permits for the first eight (8) months of this year, the average for new home construction was forty (40) and the City

was at forty (40) new homes. He commented that the City had eighty-one (81) building permits with \$106,000.00

Remarks and Inquiries By City Council

Councilman Fiedler thanked all of the individuals in the upcoming Chili Cook Off, Car Show and the North Town Festival. He thanked all of the individuals involved in the State Fair booth. He commented that there were twenty-six (26) sponsors and with the help of Allegiance Communications citizens would be able to view a live broadcast of the Fair on channels 16 and 21 and the City's website.

Councilman Harrison commented on his quarterly newsletter and mentioned the opening of the recycling center on Monday.

Vice-Mayor Browne stated that he had received complaints about a truck going around town selling furniture. He asked if they were paying sales tax.

Manager Stasiak stated that the individuals did have a City permit but there was no way to verify if they were paying sales tax.

Vice-Mayor Browne asked if there was any way to set this up.

Manager Stasiak stated that the City would need to establish an ordinance.

Vice-Mayor Browne commented that a local kid, Brandon Keith would be starting for the Arizona Cardinals. He added that it was great to see local people succeeding. He then complimented Councilman Harrison on his newsletter.

Councilman Karr thanked the City for fixing the water problem and expressed concern about some fire hydrants that seemed to be leaking.

Councilman Garvin announced that the North Town Festival would be held this Saturday from 9:00 A.M. until 6:00 P.M. and he expected it to be a fun day. He thanked the City for getting the North Town area ready and commented that the Dura Patcher did everything it was supposed to do. He added that he had been asking for five (5) years to have the North Gate area fixed. He suggested speaking with the residents in that area, if they would be willing to pay the cost of bringing the repairs to their expansion joints and make that area look better.

Mayor Priddle commented on getting to see the work paying off and problems getting solved. He added that the iWorQ was a good example. He stated that the City was not finished with improvements to the water system. He encouraged everyone to attend the North Town Festival, the Car Show and the Chili Cook Off and that this should be a great day. He reminded everyone that the recycling center would start next Monday.

Recess Council Meeting

Mayor Priddle asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Fiedler 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 Karr, Garvin, Fiedler, Harrison, Browne & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 6:48 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 6:49 P.M.

Councilman Garvin moved to recess the Regular meeting for an Executive Session to discuss negotiations concerning employees and representatives of employee groups: FOP, in accordance with Title 25, Section 307.B.4. The motion was seconded by Vice-Mayor Browne. There was no discussion, and the vote was taken as follows:

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

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 6:49 P.M.

Executive Session

Recess into Executive Session in compliance with Section Title 25 Section 307 B.4 et.seq. Oklahoma Statutes, to wit:

- Section 307 (B) (2) – Discussing negotiations concerning employees and representatives of employee groups: FOP

The Regular Meeting was reconvened at 7:15 P.M. Mayor Priddle reported that the Council had recessed the Regular Meeting for an Executive Session to discuss negotiations concerning employees and representatives of employee groups: FOP, in accordance with Title 25, Section 307.B.4. Only that matter was discussed, no action was taken, and the Council returned to open session at 7:15 P.M., and this constituted the Minutes of the Executive Session. Mayor Priddle then asked for a motion to approve the FOP, Fraternal Order of Police contract for fiscal year 2010/2011.

- Consider, and take necessary action related to negotiations with FOP.

Councilman Garvin moved for approval of the FOP, Fraternal Order of Police contract for fiscal year 2010/2011. The motion was seconded by Councilman Karr. There was no discussion, and the vote was taken as follows:

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

Mayor Priddle declared the motion carried.

Adjournment

There being no further business to come before the Council, Councilman Harrison 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 Karr, Garvin, Fiedler, Harrison, Browne & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 7:16 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk