

The McAlester City Council met in Rescheduled Regular session on Monday, April 12, 2010, at 6:00 P.M. after proper notice and agenda was posted, April 8, 2010, at 4:43 P.M.

CALL TO ORDER

Mayor Priddle called the meeting to order.

Fran Greathouse, First Christian Church, led the Pledge of Allegiance and gave the invocation.

ROLL CALL

Council Roll Call was as follows:

Present: Chris Fiedler, Steve Harrison, John Browne, Robert Karr, Buddy Garvin, Louis Smitherman & 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; Mel Priddy, Community Services Director; David Medley, Utilities Director; John Modzelewski, City Engineer/Public Works Director; William J. Ervin, City Attorney and Cora Middleton, City Clerk

CITIZENS' COMMENTS ON NON-AGENDA ITEMS

None

CONSENT AGENDA

- A. Approval of the Minutes from the March 9, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the Special Meeting on March 10, 2010, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the March 23, 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Approval of the Minutes from the Special Meeting on April 1, 2010, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- E. Approval of Claims for March 24, 2010 through April 12, 2010. *(Gayla Duke, Chief Financial Officer)* In the following amounts: General Fund - \$99,299.84; Nutrition - \$912.28; Police Grant Fund - \$5,674.69; SE Expo Center/Tourism Fund - \$5,728.41; E-911 - \$2,276.11; Economic Development - \$4,848.22; Gifts & Contributions - \$63,036.79 and CIP Fund - \$42,208.00.
- F. A Resolution directing filing and notification of the Publication of Biennial Supplements to the McAlester City Code of 1972. *(Cora Middleton, City Clerk)* Resolution No. 10-06.
- G. Concur with Mayor's Re-appointment of David Verner to the Airport Advisory Board for a term to expire January 22, 2012. *(Kevin E. Priddle, Mayor)*
- H. Concur with Mayor's Re-appointment of Mike Hogan to the Airport Advisory Board for a term to expire January 22, 2012. *(Kevin E. Priddle, Mayor)*
- I. Concur with Mayor's Re-appointment of Stephen Otis to the Airport Advisory Board for a term to expire January 22, 2012. *(Kevin E. Priddle, Mayor)*

- J. Concur with Mayor's Re-appointment of Mark Emmons to the Board of Adjustment for a term to expire March 31, 2012. *(Kevin E. Priddle, Mayor)*
- K. Concur with Mayor's appointment of Karen Stobaugh to the Board of Adjustment for a term to expire March 31, 2012. *(Kevin E. Priddle, Mayor)*
- L. Concur with Mayor's Re-appointment of Ruth Harkins to the Cemetery Board for a term to expire December 31, 2012. *(Kevin E. Priddle, Mayor)*

Councilman Harrison requested that items "E" and "H" be removed for individual consideration.

Vice-Mayor Browne moved to approve Consent Agenda item's "A through D", "F and G" and "I through L." The motion was seconded by Councilman Fiedler.

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

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

NAY: None

Mayor Priddle declared the motion carried.

ITEMS REMOVED FROM CONSENT AGENDA

- E. Approval of Claims for March 24, 2010 through April 12, 2010. *(Gayla Duke, Chief Financial Officer)* In the following amounts: General Fund - \$99,299.84; Nutrition - \$912.28; Police Grant Fund - \$5,674.69; SE Expo Center/Tourism Fund - \$5,728.41; E-911 - \$2,276.11; Economic Development - \$4,848.22; Gifts & Contributions - \$63,036.79 and CIP Fund - \$42,208.00.

Councilman Harrison moved for approval of Consent Agenda item "E." The motion was seconded by Councilman Karr.

Before the vote, Councilman Harrison commented that he had questions concerning some of the payments made in the claims list, of which was a payment to Center Point Energy for 1701 E. Carl Albert, a payment to McAfee and Taft and a lease payment to Welch State Bank. Acting City Manager Stasiak explained that the Center Point Energy payment was for part of the Cemetery, the payment to McAfee and Taft was for labor negotiations and grievances related to the Unions and the payment to Welch State Bank was the annual lease payment for a backhoe.

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

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

NAY: None

Mayor Priddle declared the motion carried.

- H. Concur with Mayor's Re-appointment of Mike Hogan to the Airport Advisory Board for a term to expire January 22, 2012. *(Kevin E. Priddle, Mayor)*

Councilman Harrison moved approval of Consent Agenda item "H." The motion was seconded by Vice-Mayor Browne.

Before the vote, Councilman Harrison commented that the resume included in the agenda packet was a good example of the information that the Council had requested on appointments. He then asked if the Code of Conduct had been sent to all of the Boards and he did not recall if the Council had been given a sign off sheet with the Code of Conduct they had received.

Mayor Priddle stated that the individuals that did not have resumes were currently appointed to other boards and the Council should be familiar with them.

Mr. Stasiak stated that the Code of Conduct had not been sent out to the boards but that would be done and the Council would be given the sign off sheets also.

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

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

Mayor Priddle declared the motion carried.

Mayor Priddle explained that there were two (2) items that needed to be submitted for a Public Hearing. He then asked for a motion to open the Public Hearing for comments on an Ordinance amending the budget for fiscal year 2009-2010 and for comments on the proposed Capital Program for FY 2009/2010-2014/2015.

Councilman Karr moved to open the Public Hearing for citizen comments regarding an Ordinance amending the budget for fiscal year 2009-2010 and the proposed Capital Program for FY 2009/2010-2014/2015. The motion was seconded by Councilman Harrison. There was no discussion, and the vote was taken as follows:

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

Mayor Priddle declared the motion carried and the Public Hearing was opened at 6:11 P.M.

PUBLIC HEARING

- 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.
- Public Hearing on the proposed Capital Program for FY 2009/10 – 2014/15 for the City of McAlester.

There were no comments or discussion on either of the items in the Public Hearing. Councilman Smitherman 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 Garvin, Smitherman, Fiedler, Harrison, Browne, Karr & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was closed at 6:12 P.M.

SCHEDULED BUSINESS

1. Consider, and act upon, McAlester Airport Advisory Board recommendation to renew rental and fuel fee contract with Bren Air, Inc. (*Mel Priddy, Director of Community Services*)

Executive Summary

A motion to approve the renewal of a contract with Bren Air, Inc. to increase rental rate \$25.00 per month for hangar rental, office, counter space, and fuel fees will remain the same.

Vice-Mayor Browne moved to approve the McAlester Airport Advisory Board recommendation to renew rental and fuel fee contract with Bren Air, Inc. The motion was seconded by Councilman Fiedler.

Before the vote, Mel Priddy explained that the Airport Advisory Board met on December 21, 2009 and voted unanimously to renew the contract for hangar rental, office and counter space and fuel fees with Bren Air, Inc. for five (5) years. He added that the Board had recommended a monthly increase of \$25.00 in the hangar rental rate.

Councilman Harrison commented that he had a problem with the minutes of the Airport Advisory Board and the way the votes recorded. There was a lengthy discussion among the Council regarding the length of the previous contract, the proposed contract, the comparison included in the agenda packet information, using the square footage in the calculation of the rate, adding a CPI adjustment and referring the contract back to the Airport Advisory Board to review

again. Mr. Stasiak commented that all of the City's contracts needed reviewed and worked on. Mr. Priddy stated that it was hard to do business with a shorter contract.

Councilman Harrison moved to table this item for further review. There was no second and Mayor Priddle declared the motion failed for lack of a second.

There was a brief discussion on adding a CPI clause into the contract with a cap at 3½ percent per year.

Vice-Mayor Browne moved to approve the McAlester Airport Advisory Board recommendation to renew rental and fuel fee contract with Bren Air, Inc. with the addition of a CPI clause with a 3½ percent per year cap. The motion was seconded by Councilman Smitherman.

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

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

NAY: None

Mayor Priddle declared the motion carried.

2. Consider, and act upon, Cemetery Board recommendation to increase fees at Oak Hill Cemetery. (*Mel Priddy, Director of Community Services*)

Executive Summary

A motion to approve Cemetery Board recommendation to increase fees at Oak Hill Cemetery.

Councilman Smitherman moved to approve the Cemetery Board recommendation to increase fees at Oak Hill Cemetery. The motion was seconded by Councilman Karr.

Before the vote, Mel Priddy explained that the Cemetery Board had met on March 10, 2010 and voted unanimously to raise the fees across the board by \$50.00 with the exception of infant grave and infant grave opening and closing charges in Babyland which would continue at no charge and raise the tent setup fee by \$75.00. There was no other discussion and no action was taken on this item.

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

NAY: None

Mayor Priddle declared the motion carried.

3. Consider, and act upon, a Personal Service Agreement with Larry Cox for Hay Baling on McAlester Water Shed and the Southside Industrial Park in the amount of \$3,120.00. (*Mel Priddy, Director of Community Services*)

Executive Summary

A motion to approve a Personal Service Agreement with Larry Cox for Hay Baling in the amount of \$3,120.00.

Vice-Mayor Browne moved to approve a Personal Service Agreement with Larry Cox for Hay Baling on McAlester Water Shed and the Southside Industrial Park in the amount of \$3,120.00. The motion was seconded by Councilman Harrison.

Before the vote, Mel Priddy explained that the Community Services Department had solicited bids for the hay baling on the McAlester Water Shed and the only bid received had been from Mr. Cox. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Harrison, Karr, Garvin, Smitherman, Fiedler, Browne & 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, Repayment (CIP) Fund: Appropriation to complete budget amendments required for completion of water treatment plant improvements. (Other budget amendments in connection with this project were approved January 12, 2010.)

Exhibit A-2, Cemetery Care Fund: Appropriate funds to purchase truck.

Exhibit A-3, Gifts & Contributions Fund: Appropriate Donations for trees and assistance with water bills.

Executive Summary

This agenda item involves Ordinance No. 2327 which established the budget for fiscal year 2009-2010.

ORDINANCE NO. 2353

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. 2353**, seconded by Councilman Karr.

Before the vote, Ms. Duke explained each of the three (3) exhibits. She commented that the first exhibit was for the appropriation to complete budget amendments required for the completion of the water treatment plant improvements. The second exhibit was to appropriate funds for the purchase of truck for the Cemetery and the third exhibit was to appropriate donations for trees and assistance with water bills. There was no discussion, and the vote was taken as follows:

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

Mayor Priddle declared the motion carried.

Councilman Smitherman moved to approve the EMERGENCY CLAUSE, seconded by Councilman Harrison.

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

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

Mayor Priddle declared the motion carried.

5. Consider, and act upon, authorizing the Mayor to sign a Lease Purchase Agreement upon City Attorney review for the lease of one truck-mounted asphalt patcher, one emulsion storage tank, one truck, and material to build aggregate storage bin and tank containment. (*John C. Modzelewski, PE, Director of Engineering and Public Works*)

Executive Summary

This agenda item involves a motion to approve the Mayor signing the Lease Purchase Agreement upon City Attorney review for the lease one truck-mounted asphalt patcher, one emulsion storage tank, one truck chassis, and material to build an aggregate storage bin and tank containment.

Councilman Fiedler moved to authorize the Mayor to sign a Lease Purchase Agreement upon City Attorney review for the lease of one truck-mounted asphalt patcher, one emulsion storage tank, one truck, and material to build aggregate storage bin and tank containment. The motion was seconded by Councilman Harrison.

Before the vote, John Modzelewski explained that this equipment had been advertised on March 17 and 24 and that one bid for each item was received. He added that these were opened on April 6, 2010. He further added that the DuraPatcher was recognized by the Strategic Highway Research Program as the most durable and cost efficient repair method. Mr. Modzelewski commented that the material to build an aggregate storage bin and tank containment would not be purchased with the lease agreement. He added that this would allow the City to patch roads

when the asphalt plants were not working. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

6. Presentation and Discussion on VOIP (Voice over Internet Provider) for 911 Service.
(*Councilman Chris Fiedler*)

Executive Summary

A presentation and discussion on VOIP – HB 2877 and Resolution.

Councilman Smitherman moved to open the floor for discussion on VOIP (Voice over Internet Provider) for 911 Service. The motion was seconded by Councilman Fiedler.

Councilman Fiedler explained that a House Bill had been passed that allowed cities to impose a fifty cent (50¢) fee on digital phones. Mayor Priddle commented that the initial problem with 911 was the receiving entity not knowing where call was coming from.

There was a brief discussion among the Council that included Lisa Sutterfield, E-911 Coordinator concerning the loss of many landlines with the increased use of cell phones, a resolution needed to enact this fee, the fact that several counties in the State had already implemented this fee, not being precluded from having both a City and County fee and the City of McAlester was the 911 provider for the county.

Mayor Priddle thanked Councilman Fiedler for bringing this before the Council and commented that the next step would be to work with the City Attorney and Ms. Sutterfield to bring this forward for the Council to consider for action.

7. Presentation and Discussion on the Explorer Program. (*Councilman Chris Fiedler*)

Executive Summary

A presentation and discussion on the Explorer Program.

Councilman Garvin moved to open the floor for discussion on the Explorer Program. The motion was seconded by Councilman Karr.

Councilman Fiedler stated that this program was under the umbrella of the Boy Scouts. He commented that this had been previously discussed in 1998/1999 with the County Sheriff's Department but had not gone any further. He added that he had contacted the Boy Scouts office in Tulsa regarding this program and asked that a representative come address the Council.

Lanny Brown, Field Director with the Boy Scouts of America from the Indian Nations Council of the Boy Scouts, addressed the Council explaining that the Explorer Program was the Young Adult Division of the Boy Scouts. He briefly explained that this worked to match career interests with students, the day to day activities and this could help to solidify choices.

There was a brief discussion among the Council including Mr. Brown regarding the age of the participants, membership requirements, the City's liability and the City's responsibility under the program.

Councilman Garvin thanked Councilman Fiedler for bringing this before the Council, commenting that he felt this would be a good influence on the youth of the area.

Mayor Priddle asked the City Manager to work with the Police and Fire Departments and the Boy Scouts to develop a program. Mr. Ervin commented that the City did outreach with the schools and they could coordinate with their personnel.

8. Consider, and act upon, a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction of the U.S. 69 Utility Relocate, ODOT State Job No. 14999 (04) as required by the Oklahoma Department of Transportation. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

A motion to approve and authorize the Mayor to sign the work order for Mehlburger Brawley to complete work required for U.S. 69 Utility Relocate, ODOT State Job No.14999 (04) for an estimated fee of \$50,000 upon review and approval of by the City Attorney's Office.

Councilman Harrison moved to approve a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction of the U.S. 69 Utility Relocate, ODOT State Job No. 14999 (04) as required by the Oklahoma Department of Transportation. The motion was seconded by Councilman Fiedler.

Before the vote, Mr. Stasiak stated that this topic had been discussed several times. He briefly reviewed the design of the map and the changes that ODOT had made from the input they received from the public. He commented that the issue tonight was the agreement the City had signed on December 8, 2009. He added that he had received a letter from ODOT in response to the City's concern over who would be responsible for additional cost if changes were made to the design of the highway after the City's engineering services for the relocation of utilities was completed. Mr. Stasiak commented that the letter, dated April 12, 2010, stated that it would be reasonable for the State to assume the responsibility for any additional cost caused by changes to the design. He added that the City was only obligating \$50,000.00 at this point for the utility relocation design.

There was a lengthy discussion among the Council, Mr. Stasiak and Robert Vaughan regarding the time frame of the engineering study, relocation of the utilities, construction of the highway, the design changes that had been made, how this would affect both the businesses and the citizens of McAlester, reducing the speed on the highway through that area, enticing people to stop in McAlester and not forcing them to stop, and asking the City Manager to review other areas in the State where similar construction was in place.

MEDS Director, Shari Cooper addressed the Council expressing her concerns with the highway construction and volunteered to help collect data from the various cities in Oklahoma on the impact that this type of highway construction had on other cities.

Mayor Priddle reminded everyone that the City of McAlester did not make the design for the bypass and ultimately it is the Department of Transportation's road that goes through our City.

Councilman Smitherman moved to table this item pending receipt of further information regarding how the traffic flow around the Rose State College area in Oklahoma City. The motion was seconded by Vice-Mayor Browne.

Before the vote, Councilman Harrison commented that he could not understand any further delay on this item since the reasons for the previous table had been addressed. Mayor Priddle commented that he felt the same inclination. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Fiedler, Browne, Garvin & Smitherman

NAY: Councilman Harrison, Karr & Mayor Priddle

Mayor Priddle declared the motion carried.

9. Consider, and act upon, authorizing the Mayor to sign a contract upon City Attorney review with Allied Waste Services of Alderson for the City of McAlester's solid waste collection, removal and disposal. (*John C. Modzelewski, PE, Director of Engineering and Public Works*)

Executive Summary

A motion to negotiate a contract with Allied Waste Services (AWS) of Alderson for the City of McAlester's solid waste collection, removal and disposal per the proposal submitted by AWS on December 15, 2009, maintain the City's current fee structure for residential trash pickup as identified in the discussion below, and to pursue the expansion of the sanitary landfill. Motion to include once per week residential trash collection.

Councilman Fiedler moved to authorize the Mayor to sign a contract upon City Attorney review with Allied Waste Services of Alderson for the City of McAlester's solid waste collection, removal and disposal. The motion was seconded by Councilman Smitherman.

Before the vote, Mr. Stasiak commented that the City was looking at Allied Waste providing solid waste collection service. He stated that service from Allied Waste could be implemented in approximately three (3) months and for the City to provide the same level of service it could take up to approximately three (3) years. He added the revenue stream from the service was an important area of concern, as several City components were supported by the revenue from the solid waste division. He stated that he would like for Mr. Modzelewski and Ms. Duke to review the numbers for the commercial side of the solid waste division.

There was a lengthy discussion among the Council including Mr. Stasiak regarding both the commercial and residential areas of the solid waste division, obtaining all of the information necessary to make an informed decision, the length of the proposed contract and the continued use of the City's landfill.

Mayor Priddle moved to table this item to allow Mr. Stasiak, senior Staff, Councilman Harrison and himself to further work with Allied Waste on both the commercial and residential sides of the proposed contract. The motion was seconded by Councilman Harrison.

Before the vote, Councilman Harrison distributed copies of a letter and memorandum from the Department of Environmental Quality (DEQ) regarding the problems at the City's landfill and asked if the City had scheduled a meeting with DEQ to address these problems.

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

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

Mayor Priddle declared the motion carried.

NEW BUSINESS

Mr. Ervin stated that the City of McAlester had received a Forced Pooling Order from the Oklahoma Corporation Commission. He explained that this action was to account for the various mineral interests in a section that was going to be producing. The area affected by this order was a 1.18 acre mineral interest. He reviewed the various options available to the City and then recommended that the City elect option 6.2 (v). He explained that this choice gave the City a 1/4th Total Royalty in lieu of a cash Bonus. He explained that this would give the City more money if production actually occurs. He also recommended that the Council authorize the City Manager to sign the response letter.

Councilman Garvin asked if there was a depth clause on this item. Mr. Ervin answered that this was not a lease so there was no depth clause. Councilman Harrison asked what would happen if the City did not make a choice. Mr. Ervin answered that a choice would be made for the City.

Mayor Priddle moved that the Council accept the City Attorney's recommendation and authorize the City Manager to sign the response letter in regard to the Forced Pooling Order. The motion was seconded by Councilman Harrison. There was no further discussion, and the vote was taken as follows:

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

Mayor Priddle declared the motion carried.

CITY MANAGER'S REPORT

Mr. Stasiak reported that "D" Street closed today for construction at the railroad crossing and would be closed for two (2) weeks. He announced that Karen Boatright had been selected as the Oklahoma Court Clerk of the Year.

REMARKS AND INQUIRIES BY CITY COUNCIL

Councilman Karr thanked all of the volunteers in the Pride cleanup and commented that if anyone needed help to contact any of the involved individuals.

Councilman Garvin remarked that Fifth Ward had a good cleanup on Saturday. An Old Town meeting had been scheduled for Thursday at 6:00 P.M. to be held at the Bistro. He then commented that he would not respond to any unsigned letters he received in the mail.

Councilman Smitherman encouraged everyone to participate in the City cleanup.

Councilman Fiedler mentioned the shooting at the Muskogee Mall.

Councilman Harrison had no comments.

Vice-Mayor Browne thanked the citizens that had attended the ward meeting. He thanked Mr. Stasiak and Mr. Modzelewski for getting work started on “D” Street. He announced that roll offs would be located at northeast corner of “A” and Seminole this weekend. He commended the City’s Police Department for the job they do and how McAlester does not have the gang problem the other cities have. He commented that he no longer had a land line and he gave out his cell phone number (918-916-2525) so anyone could call him.

Mayor Priddle reminded everyone that the Italian Festival was coming up and commended the group that was organizing the event for the great job they were doing.

RECESS COUNCIL MEETING

Mayor Priddle asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Harrison 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 Garvin, Smitherman, Fiedler, Harrison, Browne, Karr & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 7:49 P.M.

RECONVENE COUNCIL MEETING

The Regular Meeting was reconvened at 7:50 P.M.

Mayor Priddle commented that there were three (3) items on the agenda for the Executive Session. He stated that he would like to amend the items for discussion and only address the last two (2) items tonight. He added that first item, confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest, in accordance with Section 307.B.4 would be addressed at the next Executive Session.

Mayor Priddle moved to recess the Regular meeting for an Executive Session to discuss negotiations concerning employees and representatives of employee groups: FOP and IAFF, in accordance with Section 307.B.2 and to discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager, in accordance with Section 307.B.1. The motion was seconded by Councilman Harrison. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried and the Regular meeting was recessed at 7:51 P.M.

EXECUTIVE SESSION

- **Section 307 (B) (2)** – Discuss negotiations concerning employees and representatives of employee groups: FOP and IAFF.
- **Section 307 (B) (1)** – Discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager.

The Regular meeting was reconvened at 9:44 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 and IAFF, in accordance with Section 307.B.2 and to discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager, in accordance with Section 307.B.1. Only those matters were discussed, no action was taken and the Council returned to open session at 9:44 P.M. and this constituted the Minutes of the Executive Session.

ADJOURNMENT

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

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

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 9:45 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk