



# McAlester City Council

## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, April 28, 2009 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

Kevin E. Priddle.....	Mayor
Chris B. Fielder .....	Ward One
Donnie Condit.....	Ward Two
John Browne .....	Ward Three
Haven Wilkinson .....	Ward Four
Buddy Garvin .....	Vice-Mayor, Ward Five
Sam Mason .....	Ward Six
Mark B. Roath .....	City Manager
William J. Ervin .....	City Attorney
Cora M. Middleton.....	City Clerk

*This agenda has been posted at the McAlester City Hall, distributed to the appropriate news media, and posted on the City website: [www.cityofmcalester.com](http://www.cityofmcalester.com) within the required time frame.*

*The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.*

*The McAlester City Hall is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 918.423.9300, Extension 4956.*

### CALL TO ORDER

*Announce the presence of a Quorum.*

### INVOCATION & PLEDGE OF ALLEGIANCE

- Felix Waller, The King's House

### ROLL CALL

### CITIZENS COMMENTS ON NON-AGENDA ITEMS

*Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to five (5) minutes.*

### 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 April 13, 2009, Rescheduled Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- B. **Approval of Claims for April 14, 2009 through April 28, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*

## **ITEMS REMOVED FROM CONSENT AGENDA**

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### **PUBLIC HEARING**

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*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.*

1. **Public Hearing: An Ordinance adopting an “Identity Theft Prevention Program” to comply with Federal Regulations Relating to Red Flags and Identity Theft; and approving administrative rules entitled “Identity Theft Prevention Program Rules”; providing for a severability clause; and declaring an emergency.**
2. **Public Hearing: An Ordinance amending Chapter 106 of the McAlester Code of Ordinances, by adding an Article V., establishing a Stormwater Utility; providing for a severability clause; and declaring an emergency.**
3. **Public Hearing: An Ordinance amending Ordinance No. 2299, which established the Budget for Fiscal Year 2008-2009; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency.**

### **SCHEDULED BUSINESS**

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1. **Presentation of the Mayor’s Property of the Month.** *(Kevin E. Priddle, Mayor)*

Executive Summary

This agenda item involves the Mayor’s Property of the Month.

2. **Consider, and act upon, an Ordinance adopting an “Identity Theft Prevention Program” to comply with Federal Regulations Relating to Red Flags and Identity Theft; and approving administrative rules entitled “Identity Theft Prevention Program Rules”; providing for a severability clause; and declaring an emergency.** *(Sherry Alessi, Assistant Chief Financial Officer)*

Executive Summary

This agenda item involves adoption of an “Identity Theft Prevention Program” for the City of McAlester.

3. **Consider, and act upon, an Ordinance amending Chapter 106 of the McAlester Code of Ordinances, by adding an Article V., establishing a Stormwater Utility; providing for a severability clause; and declaring an emergency.** *(George Marcangeli, City Engineer and Public Works Director)*

Executive Summary

This agenda item involves an ordinance establishing a stormwater utility for the City of McAlester.

4. **Consider, and act upon, an Ordinance amending Ordinance No. 2299, which established the Budget for Fiscal Year 2008-2009; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (Mark B. Roath, City Manager)**

Executive Summary

This agenda item involves an amendment to the current fiscal year budget.

5. **Consider, and act upon, a Collective Bargaining Agreement with the Fraternal Order of Police, Lodge No. 97 for the period July 1, 2008 to June 30, 2009. (Mark B. Roath, City Manager and Jim Lyles, Chief-of-Police)**

Executive Summary

This agenda item involves a collective bargaining agreement with the FOP Lodge No. 97 for July 1, 2008 to June 30, 2009.

6. **Consider, and act upon, an Agreement with Hance Pyrotechnics for the July 4<sup>th</sup> fireworks display in the amount of \$25,000. (Mel Priddy, Community Services Director)**

Executive Summary

This agenda item involves the hiring of Hance Pyrotechnics for the 4<sup>th</sup> of July fireworks display.

7. **Consider, and act upon, a Service Agreement with United Safety & Claims, Inc., to administer the Worker's Compensation Claims for an annual service fee of \$14,805. (Mark B. Roath, City Manager)**

Executive Summary

This agenda item involves an agreement to administer worker's compensation claims for a yearly service fee of \$14,805.

## **NEW BUSINESS**

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*Any matter not known or which could not have been reasonably foreseen prior to the time of posting the Agenda in accordance with Sec. 311.9, Title 25, Oklahoma State Statutes.*

## **CITY MANAGER'S REPORT**

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## **REMARKS AND INQUIRIES BY CITY COUNCIL**

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### RECESS COUNCIL MEETING

## **CONVENE AS McALESTER AIRPORT AUTHORITY**

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*Majority of a Quorum required for approval*

- **Approval of the Minutes from the April 13, 2009, Rescheduled Regular Meeting of the McAlester Airport Authority. (Cora Middleton, City Clerk)**
- **Confirm action taken on City Council Agenda Item B regarding the Claims for the period of April 14, 2009 through April 28, 2009. (Sherry Alessi, Assistant Chief Financial Officer)**

### ADJOURN MAU

## **CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

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*Majority of a Quorum required for approval*

- **Approval of the Minutes from the April 13, 2009, Rescheduled Regular Meeting of the McAlester Public Works Authority. (Cora Middleton, City Clerk)**

- **Confirm action taken on City Council Agenda Item B regarding the Claims for the period of April 14, 2009 through April 28, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item 2 regarding an Ordinance adopting an “Identity Theft Prevention Program” to comply with Federal Regulations Relating to Red Flags and Identity Theft; and approving administrative rules entitled “Identity Theft Prevention Program Rules”; providing for a severability clause; and declaring an emergency.**
- **Confirm action taken on City Council Agenda Item 3 regarding an Ordinance amending Chapter 106 of the McAlester Code of Ordinances, by adding an Article V., establishing a Stormwater Utility; providing for a severability clause; and declaring an emergency.** *(George Marcangeli, City Engineer and Public Works Director)*
- **Confirm action taken on City Council Agenda Item 7 regarding a Service Agreement with United Safety & Claims, Inc., to administer the Worker’s Compensation Claims for an annual service fee of \$14,805.**

ADJOURN MPWA

**CONVENE AS McALESTER RETIREMENT TRUST AUTHORITY**

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*Majority of a Quorum required for approval*

- **Approval of the Minutes from the March 24, 2009, Special Meeting of the McAlester Retirement Trust.** *(Cora Middleton, City Clerk)*
- **Approval of Retirement Benefit Payments for the period of May, 2009.** *(Sherri Alessi, Assistant Chief Financial Officer)*

ADJOURN MRTA

RECONVENE COUNCIL MEETING

**ADJOURNMENT**

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**CERTIFICATION**

*I certify that this Notice of Meeting was posted on this \_\_\_ day of \_\_\_\_, 2009 at \_\_\_ a.m./ p.m. as required by law in accordance with Section 303 of the Oklahoma Statutes and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of McAlester website: [www.cityofmcalester.com](http://www.cityofmcalester.com).*

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**Cora M. Middleton, City Clerk**