



# McAlester City Council

## NOTICE OF MEETING

### Amended

### Regular Meeting Agenda

Tuesday, August 25, 2009 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

Kevin E. Priddle.....	Mayor
Chris B. Fiedler .....	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

- Stephanie Swinnea, Pastor, All Saints Episcopal Church

### 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 July 28, 2009, Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- B. **Approval of the Minutes from the July 30, 2009, Special Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- C. **Approval of the Minutes from the August 11, 2009, Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- D. **Concur with Mayor's reappointment of Sabra Tate to the Tree Board for a term that expires September, 2011.** *(Kevin E. Priddle, Mayor)*
- E. **Concur with Mayor's reappointment of Theo Webb to the Tree Board for a term that expires September, 2011.** *(Kevin E. Priddle, Mayor)*
- F. **Concur with Mayor's reappointment of Ted Evicks to the Tree Board for a term that expires September, 2011.** *(Kevin E. Priddle, Mayor)*
- G. **Concur with Mayor's appointment of Marsha Green to the Tree Board for a term that expires September, 2011.** *(Kevin E. Priddle, Mayor)*
- H. **Concur with Mayor's appointment of Karen Harrison to the Tree Board for a term that expires September, 2010.** *(Kevin E. Priddle, Mayor)*
- I. **Accept and Place on File the Oklahomans for Independent Living Report for the Months of May and June, 2009.** *(Mike Ward, Executive Director, Oklahomans for Independent Living)*
- J. **Approval of Claims for ending June 30, 2009.** *(Gayla Duke, City Financial Officer)*
- K. **Approval of Claims for August 12, 2009 through August 25, 2009.** *(Gayla Duke, City Financial Officer)*
- L. **Approval of Claims for August 12, 2009 through August 25, 2009.** *(Gayla Duke, City Financial Officer)*

#### **ITEMS REMOVED FROM CONSENT AGENDA**

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#### **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.*

#### **SCHEDULED BUSINESS**

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- 1. **Presentation of the "Yard of the Month".** *(Kevin E. Priddle, Mayor and J. T. Collier, President of Pride-in-McAlester)*

#### Executive Summary

This agenda item involves the naming of a "Yard of the Month".

- 2. Presentation of the Mayor's Monthly Financial Report through July 31, 2009.** *(Kevin E. Priddle, Mayor)*

Executive Summary

This agenda item involves the financial report through July 31, 2009.

- 3. Consider, and act upon, an Agreement with Oklahomans for Independent Living regarding services to people with disabilities.** *(Mike Ward, Executive Director, Oklahomans for Independent Living)*

Executive Summary

This agenda item involves an agreement with the Oklahomans for Independent Living for fiscal year 2009/2010.

- 4. Consider, and act upon, authorizing the Mayor to sign an agreement with Advanced Data Processing, Inc. (d/b/a Intermedix-ADPI) for rescue ambulance billing and related professional services.** *(Harold Stewart, Fire Chief)*

Executive Summary

This agenda item involves an agreement to engage Advanced Data Processing, Inc. d/b/a Intermedix-ADPI to conduct EMS billings and collection.

- 5. Consider, and act upon, McAlester Main Street Program request to hold a car show, cruise night and burn out activity on October 10, 2009.** *(Donny Lenington, Executive Director, McAlester Main Street Program)*

Executive Summary

This agenda item involves a request to hold a Cruise Night and other activities on October 10, 2009.

- 6. Consider, and act upon, authorizing the Mayor to sign an Equipment Maintenance Agreement with BizTel Communications for the McAlester EXPO Center.** *(Mark B. Roath, City Manager)*

Executive Summary

This agenda item involves an equipment maintenance agreement with BizTel for communications equipment at the McAlester EXPO Center.

- 7. Consider, and act upon, authorizing the Mayor to sign a Ratification of Lease No. 118 with First National Bank and Trust Company, McAlester, Oklahoma, for equipment at the McAlester EXPO Center.** *(Sherry Alessi, Assistant Chief Financial Officer)*

Executive Summary

This agenda item involves ratifying and confirming a Lease Purchase entered into with First National Bank & Trust Company in September, 2002, for certain equipment at the McAlester EXPO Center.

- 8. Consider, and act upon, waiving the bidding procedure for the purchase of Skate Park equipment.** *(Mel Priddy, Community Services Director)*

Executive Summary

This agenda item involves declaring "sole source" a certain vendor for the purpose of purchasing skate park equipment for Connally Park.

- 9. Discussion, and possible action, on legislation to create a local bidder preference.** *(Chris Fiedler, City Councilmember)*

Executive Summary

This agenda item involves a discussion regarding potential legislation to establish a "local preference" in bidding.

- 10. Discussion, and possible action, on setting a public hearing to get citizen input on setting priorities for the future. (John Browne, City Councilmember)**

Executive Summary

This agenda item involves setting a date for a public hearing to obtain citizen input in setting City priorities for the future.

- 11. Consider, and act upon, a Resolution declaring certain buildings as dangerous by reason of dilapidation and a detriment to the welfare of the public and community. (Dennis Lalli, Building Inspector)**

Executive Summary

This agenda item involves the declaring the building at 2 E. Cherokee as “dilapidated and a detriment to the public welfare.”

- 12. Consider and act upon, a Utilities Extension Agreement with Mr. Fred Ettner to participate in the cost of extending 317 linear feet of sewer main on the 14<sup>th</sup> Street and Village Boulevard Utility Extensions, Project No. MC-09-01. (David Medley, Utilities Director)**

Executive Summary

This agenda item involves a utilities extension agreement with Fred Ettner.

- 13. Consider and act upon, an agreement with Mr. Kenneth Beale to obtain a 15 foot wide utility easement in Townsite Addition No. 4 for the South 69 Bypass Sewer Extension Project, Project No. MC-09-04. (David Medley, Utilities Director)**

Executive Summary

This agenda item involves a utilities easement agreement with Kenneth Beale.

- 14. Consider and act upon, an agreement with Mr. Kenneth Sherrill to obtain a 15 foot wide utility easement in Townsite Addition No. 4 for the South 69 Bypass Sewer Extension Project, Project No. MC-09-04. (David Medley, Utilities Director)**

Executive Summary

This agenda item involves a utilities easement agreement with Kenneth Sherrill.

- 15. Consider and act upon, an agreement with Lakewood Christian Church to obtain a 15 foot wide utility easement in Townsite Addition No. 4 for the South 69 Bypass Sewer Extension Project, Project No. MC-09-04. (David Medley, Utilities Director)**

Executive Summary

This agenda item involves a utilities easement agreement with Lakewood Christian Church.

- 16. Consider, and act upon, a request by the Italian Festival Foundation to waive the rental fee for the use of the Southeast EXPO Center for the 2010 Annual Italian Festival by partnering with them in the amount of \$2,125.00. (Chris Fiedler, Councilmember and Jerry Lynn Wilson, EXPO Manager)**

Executive Summary

This agenda item involves an EXPO Center partnering request by the Italian Festival Foundation.

- 17. Discussion, and possible action, on supporting the part of the additional cost for site work related to the new fire station from the City's portion of the quarter cent excise tax (sales tax) for fire services. (Harold Stewart, Fire Chief)**

Executive Summary

This agenda item involves a request by the Choctaw Nation of Oklahoma for the City to partially fund site work for the new fire station.

**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 August 11, 2009, Regular Meeting of the McAlester Airport Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item J regarding the Claims ending June 30, 2009.** *(Gayla Duke, Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item K regarding the Claims for the period of August 12, 2009 through August 25, 2009.** *(Gayla Duke, Chief Financial Officer)*

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*Majority of a Quorum required for approval*

- **Approval of the Minutes from the August 11, 2009, Regular Meeting of the McAlester Public Works Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item J regarding the Claims ending June 30, 2009.** *(Gayla Duke, Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item K regarding the Claims for the period of August 12, 2009 through August 25, 2009.** *(Gayla Duke, Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item 9 regarding legislation to create a local bidder preference.** *(Chris Fiedler, City Councilmember)*
- **Confirm action taken on City Council Agenda Item 10 regarding setting a public hearing to get citizen input on setting priorities for the future.** *(John Browne, City Councilmember)*
- **Confirm action taken on City Council Agenda Item 12 regarding a Utilities Extension Agreement with Mr. Fred Ettner to participate in the cost of extending 317 linear feet of sewer main on the 14<sup>th</sup> Street and Village Boulevard Utility Extensions, Project No. MC-09-01.** *(David Medley, Utilities Director)*
- **Confirm action taken on City Council Agenda Item 13 regarding Consider and act upon, an agreement with Mr. Kenneth Beale to obtain a 15 foot wide utility easement in Townsite**

**Addition No. 4 for the South 69 Bypass Sewer Extension Project, Project No. MC-09-04.**  
*(David Medley, Utilities Director)*

- **Confirm action taken on City Council Agenda Item 14 regarding Consider and act upon, an agreement with Mr. Kenneth Sherrill to obtain a 15 foot wide utility easement in Townsite Addition No. 4 for the South 69 Bypass Sewer Extension Project, Project No. MC-09-04.** *(David Medley, Utilities Director)*
- **Confirm action taken on City Council Agenda Item 15 regarding Consider and act upon, an agreement with Lakewood Christian Church to obtain a 15 foot wide utility easement in Townsite Addition No. 4 for the South 69 Bypass Sewer Extension Project, Project No. MC-09-04.** *(David Medley, Utilities Director)*

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**CONVENE AS McALESTER RETIREMENT TRUST AUTHORITY**

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*Majority of a Quorum required for approval*

- **Approval of the Minutes from the July 28, 2009, Regular Meeting of the McAlester Retirement Trust.** *(Cora Middleton, City Clerk)*
- **Approval of Retirement Benefit Payments for the period of September, 2009.** *(Gayla Duke, Chief Financial Officer)*

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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**