

Council Chambers
Municipal Building
March 9, 2010

The McAlester City Council met in Regular session on Tuesday, March 9, 2010, at 6:00 P.M. after proper notice and agenda was posted, March 5, 2010, at 10:28 A.M.

CALL TO ORDER

Mayor Priddle called the meeting to order.

PRESENTATION AND SWEARING IN CEREMONY

Mayor Priddle explained that due to the election of the previous week there would be a Council change over ceremony. He added that during the ceremony he would present a plaque of appreciation to each of the outgoing Councilmen and then Judge Deborah Hackler would administer the Oath of Office to each of the new Councilmen. As each of the departing Councilmen received their plaque they were given time to say a few words of advice and farewell.

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

INVOCATION & PLEDGE OF ALLEGIANCE

Donald E. Brown, First Baptist, Rentiesville

ELECTION OF VICE-MAYOR

Mayor Priddle explained that the first order of business when seating new Councilmen or if there is any change in the Council makeup was the selection of the new Vice-Mayor. Mayor Priddle requested a motion and second to proceed with the election of a new Vice-Mayor. Vice-Mayor Garvin moved to take motions for the selection of the new Vice-Mayor. The motion was seconded by Councilman Fiedler.

Before the vote, Vice-Mayor Garvin commented that serving as Vice-Mayor for the City of McAlester had been an enjoyable experience. He stated at this time he would like to nominate

Councilman John Browne as Vice-Mayor. He continued that in the past five (5) years he had served with five (5) different City Managers and he has found that the most forthcoming City Manager has been with Acting City Manager Peter Stasiak. He commented that at this time he wanted to concentrate on Fifth Ward. The nomination was seconded by Councilman Harrison. There were no other nomination and Mayor requested a motion to close the nominations. A motion to close the Vice-Mayor nominations was made by Councilman Fiedler and seconded by Councilman Harrison. 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.

CITIZENS' COMMENTS ON NON-AGENDA ITEMS

None

CONSENT AGENDA

- A. Approval of the Minutes from the February 23, 2010, Regular Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- B. Approval of Claims for January 28, 2010 through March 9, 2010. (*Gayla Duke, Chief Financial Officer*) In the following amounts: General Fund - \$140,060.43; Nutrition - \$490.30; Landfill Res./Sub-title D - \$7,813.25; Police Grant Fund - \$6,864.75; SE Expo Ctr/Tourism Fund - \$7,531.14; E-911 - \$1,804.72; Economic Development - \$4,458.50; Gifts & Contributions - \$5,536.65 and Dedicated Sales Tax – MPWA - \$8,441.54.
- C. Accept, and place on file the McAlester Economical Development Service, Inc. Audit for year ending June 30, 2009. (*Shari Cooper, Executive Director, MEDS*)

Mr. Stasiak requested that Item “B” be pulled for individual consideration. Councilman Harrison requested that Item “C” be pulled for individual consideration.

Councilman Karr moved for approval of the Consent Agenda item “A”. The motion was seconded by Councilman Smitherman. 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.

ITEMS REMOVED FROM CONSENT AGENDA

- B. Approval of Claims for January 28, 2010 through March 9, 2010. (*Gayla Duke, Chief Financial Officer*) In the following amounts: General Fund - \$139,922.62; Nutrition -

\$490.30; Landfill Res./Sub-title D - \$7,813.25; Police Grant Fund - \$6,864.75; SE Expo Ctr/Tourism Fund - \$7,531.14; E-911 - \$1,804.72; Economic Development - \$4,458.50; Gifts & Contributions - \$5,536.65 and Dedicated Sales Tax – MPWA - \$8,441.54.

Vice-Mayor Browne moved to approve the claims for January 28, 2010 through March 9, 2010. The motion was seconded by Councilman Harrison.

Before the vote, Acting Manager Stasiak there had been a duplicate payment to Staples. He would like to remove check number 49696 in the amount of \$726.52 and replace with check for \$559.91. There was no further discussion, and the vote was taken as follows with the noted changes to the totals:

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

Mayor Priddle declared the motion carried.

C. Accept, and place on file the McAlester Economical Development Service, Inc. Audit for year ending June 30, 2009. (*Shari Cooper, Executive Director, MEDS*)

Councilman Fiedler moved to Accept, and place on file the McAlester Economical Development Service, Inc. Audit for year ending June 30, 2009. The motion was seconded by Councilman Karr.

Before the vote, Councilman Harrison commented on the MEDS Audit for this Audit period, stating that the Fair Market Value of the office space should be addressed and the depreciation of the intangible asset of the webpage was still showing a value but it should have been fully depreciated by now. There was no further discussion and the vote was taken as follows:

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

The Mayor declared the motion carried.

Councilman Garvin moved to open the Public Hearing to allow for comments of four (4) proposed Ordinances on the agenda. The motion was seconded by Vice-Mayor Browne. 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 was and the Public Hearing was opened at 6:29 P.M.

PUBLIC HEARING

- 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.
- Consider, and act upon, an Ordinance amending Ordinance 2218, SECTION 62-213 (C), Wade Watts Avenue Corridor Development changing 454, 455, 456, 457, 458, 459, 460 and 461 to read “ALL” of the McAlester Code of Ordinance, City of McAlester, Oklahoma and declaring an emergency.
- Consider, and act upon, an Ordinance of the city of McAlester, Oklahoma to annul, vacate, and close all that part of “D” street located within lots 181 and 182, in Townsite Addition #1, in the city of McAlester, Pittsburg County, State of Oklahoma, more particularly described as follows: beginning at the southwest corner of said lot 182; thence east along south line of said lot 182 a distance of 30 feet; thence north and parallel to the west line of said lots 182 and 181 a distance of 311.8 feet; thence west in a straight line a distance of 30 feet to a point on the west lot line of said lot 181; thence south along the west line of said lots 181 and 182 a distance of 311.8 feet to the point of beginning. Granting ownership to said property to the abutting property owners.
- Consider, and act upon, an Ordinance of the City of McAlester, Oklahoma to annul, vacate, and close the platted alley in Block 457, formerly South McAlester, City of McAlester Pittsburg County, State Of Oklahoma. Granting ownership to said property to the abutting property owners.

Councilman Karr expressed concerns over the Ordinance proposing the closing of “D” Street located within lots 181 and 182 and asked if this was for the housing development in that area.

Mayor Priddle and Mr. Stasiak acknowledged that is was for the ongoing development of the affordable homes and this could be further address during the discussion of the item itself.

There was no other discussion from the audience or the Council and Mayor Priddle asked for a motion to close the Public Hearing.

The motion to close the Public hearing was made by Councilman Harrison and seconded by Councilman Fiedler. There was no other discussion and the vote was taken as follows;

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

NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was closed at 6:30 P.M.

SCHEDULED BUSINESS

1. Consider, and act upon, waiving the standard bidding procedure and authorizing the Mayor to sign a Lease Purchase Agreement for the lease of one truck-mounted DuraPatcher and one Emulsion Storage DuraTank. (*John C. Modzelewski, PE, Engineering/Public Works Director*)

Executive Summary

This item involves a motion to approve the Mayor signing the Lease Purchase Agreement for the lease one truck-mounted DuraPatcher and one Emulsion Storage DuraTank.

Vice-Mayor Browne moved to waive the standard bidding procedure and authorizing the Mayor to sign a Lease Purchase Agreement for the lease of one truck-mounted DuraPatcher and one Emulsion Storage DuraTank. The motion was seconded by Councilman Fiedler.

Before the vote, Mr. Stasiak explained this machine had been demonstrated twice but in the Charter Section 3.06 B that addresses competitive bidding and this machine is not a sole source provider. He continued that because of the requirements in the Charter, what was being asked for tonight was the commitment of the funds and to go forward with competitive bidding. The approximate amount would be \$215,000.00.

There was a lengthy discussion among the Council, Mr. Stasiak and Tim Adams, Street Superintendent regarding the Patching machine's quality of work, the ease of the process, fewer employees needed to operate the equipment, how the funds would be appropriated, the unavailability of asphalt, how this could affect employee moral while they were asked to continue with furlough days and how this purchase could free up funds for other important projects.

Mayor Priddle moved to amend the motion to state "Authorize the City Manager to go out for bids for street patching machine limited to \$215,000.00. The motion was seconded by Councilman Harrison. There was no other 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.

2. Consider, and act upon, a Budget Authorizations to prepare amendments to allow for construction of the Buffalo Tank Repair and Upgrades. (*David Medley, Director of Utilities*)

Executive Summary

This item involves a motion to approve and authorize the City Chief Financial Officer to perform Budget Amendments for work required for the Buffalo Tank Repair and Upgrades.

Councilman Fiedler moved to authorize Budget Amendments to allow for construction of the Buffalo Tank Repair and Upgrades. The motion was seconded by Vice-Mayor Browne.

Before the vote, David Medley explained that this budget amendment would allow the Utility Department to proceed with the repair of the Buffalo Water Tank. He stated that the project would be bid out and he commented that all of the water tanks needed some sort of maintenance

or repair. He added that the plan was to sandblast, paint and repair all of the tanks eventually and install mixers to keep the water fresh.

There was discussion among the Council regarding a proposal at the next meeting to work on all of the tanks, security of the tanks, making sure that the hatches on the tanks were locked, relocating the communications equipment at the Buffalo Tank, lowering the level of the overflow to sixteen (16) inches from the ground, creating an ongoing maintenance program and looking into any help that could be available through Homeland Security. There was no other discussion and no action was taken on this item.

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

NAY: None

Mayor Priddle declared the motion carried.

3. Consider, and act upon, McAlester Airport Advisory Board proposal to raise hangar rental rates by \$25.00 per hangar at Airport. (*Mel Priddy, Community Services Director*)

Executive Summary

This item involves a motion to approve raising the hangar rental rates at McAlester Regional Airport by \$25.00 per hangar.

Councilman Smitherman moved to approve the McAlester Airport Advisory Board's proposal to raise hangar rental rates by \$25.00 per hangar at Airport. The motion was seconded by Councilman Karr.

Before the vote, Mel Priddy addressed the Council commenting that the Airport Advisory Board had met in regular session on December 21, 2009 and had unanimously voted to raise the rental rates for the airport hangars by \$25.00 per hangar.

Mr. Stasiak stated that he agreed with the proposal and would like in the future to look at a comparison of other airports based on the square footage.

There was a brief discussion among the Council regarding comparing other airports, and having an annual review of all contracts.

Mr. Priddy stated that only the corporate hangar had an annual contract. The other hangars were leased monthly. 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.

4. Consider, and act upon, an Inter-Agency Agreement between the City of McAlester and the City of Krebs for Police Dispatch services and waive the annual fee. (*Jim Lyles, Chief of Police*)

Executive Summary

This item involves a motion to approve the Inter-Agency Agreement to provide dispatch services to the City of Krebs and waive the annual fee for fiscal year 2010-2011.

Mr. Stasiak requested this item be pulled from the agenda.

5. Consider, and act upon, a Memorandum of Understanding and Agreement, and Standard Assurances regarding grant funds for 9-1-1 services. (*Jim Lyles, Chief of Police*)

Executive Summary

This item involves a motion to approve the Memorandum of Understanding and Agreement, and Standard Assurances regarding grant funds for 9-1-1 services.

Councilman Fiedler moved to approve a Memorandum of Understanding and Agreement, and Standard Assurances regarding grant funds for 9-1-1 services. The motion was seconded by Councilman Karr.

Before the vote, Chief Lyles welcomed the new Councilman and expressed his appreciation to the E-911 Coordinator for the hard work she had done. He explained that Ms. Sutterfield had applied for a 9-1-1 grant through the Oklahoma Department of Public Safety and the grant had been approved in the amount of \$126,877.44. He added that the funds would be used to acquire, implement, and employ the use of technologies to achieve substantial compliance with Phase II E-911 services, or for acquisition, implementation and migration to an Internet Protocol (IP) enabled emergency network. Chief Lyles commented that cell phone location services were approximately 90% ready and this would help greatly with radio reception. There was no other 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. **TABLED** Consider, and act upon, an agreement for fireworks display with Hance Pyrotechnics for the 2010 scheduled July 4th celebration in the amount of \$25,000.

Executive Summary

This item involves a motion to approve an agreement for the July 4th fireworks display.

Mr. Stasiak asked the Council to table this item again, so staff could check with another pyrotechnic company to get a bid. He added that there could possibly be a corporate sponsor.

Mayor Priddle moved to table the consideration of an agreement for fireworks display with Hance Pyrotechnics for the 2010 scheduled July 4th celebration in the amount of \$25,000. until the next meeting. The motion was seconded by Councilman Fiedler. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

7. Consider, and act upon, approving and authorizing the Mayor and City Clerk to sign corrected Oil & Gas Leases from the City of McAlester to Antero Resources Corporation

dated 9th day of February regarding Section 2, T5N, Rg. 14E and Section 31, T7N, Rg. 16E, Pittsburg County, OK. (*Cora Middleton, City Clerk*)

Executive Summary

This item involves a motion to approve and authorize the Mayor and City Clerk to sign corrected Oil & Gas Leases from the City of McAlester to Antero Resources Corporation dated 9th day of February.

Councilman Harrison moved to approve and authorize the Mayor and City Clerk to sign corrected Oil & Gas Leases from the City of McAlester to Antero Resources Corporation dated 9th day of February regarding Section 2, T5N, Rg. 14E and Section 31, T7N, Rg. 16E, Pittsburg County, OK. The motion was seconded by Councilman Fiedler.

Before the vote, Mr. Stasiak explained the company had requested the address be changed and they had found during further title research that the City owned 4.22277 more mineral acres in Section 2 than they first realized. He added that there would be an additional \$1,477.97 cash bonus. There was no other 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.

8. 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: Transfer to CIP (Repayment) Fund for capital projects. Transfer funds for ambulance billing service. Reduce budgeted transfer to Emergency Fund.

Exhibit A-2: Transfer to General Fund for pass-through to Repayment (CIP) Fund.

Exhibit A-3: Repayment Fund (CIP): Capital projects, detailed list attached.

Exhibit A-4: Nutrition Fund: Appropriate grant funding and transfer funds for new van.

Executive Summary

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

ORDINANCE NO. 2349

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 Smitherman moved to approve **ORDINANCE NO. 2349**, seconded by Vice-Mayor Browne.

Before the vote, Ms. Duke distributed amended information to the Council. She suggested that possibly conducting a work session to review government accounting methods with the Council. She then explained each of the exhibits. There was a brief discussion about leasing the Street Repair Machine rather than purchasing it outright.

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.

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

9. Consider, and act upon, expanding the Wade Watts Avenue Corridor Development.
(*Peter J. Stasiak, Acting City Manager*)

Executive Summary

Motion to approve and act upon expanding the Wade Watts Corridor Development to include all of blocks 412, 413, 414, 415, 416, 417, 418, 419, 454, 455, 456, 457, 458, 459, 460, and 461 of the City of McAlester and authorizing the Mayor to sign the attached Ordinance.

ORDINANCE NO. 2350

AN ORDINANCE AMENDING ORDINANCE 2218, SECTION 62-213 (C), WADE WATTS AVENUE CORRIDOR DEVELOPMENT CHANGING BLOCKS 457, 458, 459, 460 AND 461 TO READ “ALL” OF THE McALESTER CODE OF ORDINANCE, CITY OF McALESTER, OKLAHOMA AND DECLARING AN EMERGENCY.

Councilman Fiedler moved to approve **ORDINANCE NO. 2350**, seconded by Councilman Smitherman.

Before the vote, Mr. Stasiak commented that the Planning Commission had approved this recommendation to expand the Wade Watts Corridor to include the entire blocks south of Wade Watts Avenue and north of Delaware Avenue between Strong Boulevard and Highway 69 Bypass.

There was a brief discussion, among the Council including the City Attorney and Mr. Stasiak concerning the amendment to the original motion at the Planning Committee meeting, if the affected individuals had received proper notification, removing the added blocks and sending them back to the Planning Committee for individual consideration.

Councilman Harrison moved to amend the original motion to strike blocks 454, 455 and 456 from the ordinance. The motion was seconded by Mayor Priddle. 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.

10. Consider, and act upon, closing a portion of the Right of Way on “D” Street. This portion of “D” Street is thirty (30) feet of a One Hundred Sixty (160) foot Right of Way. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves a motion to approve and act upon the closing a thirty (30) foot wide section of “D” Street and authorizing the Mayor to sign the attached Ordinance.

Councilman Smitherman moved to approve closing a portion of the Right of Way on “D” Street. This portion of “D” Street is thirty (30) feet of a One Hundred Sixty (160) foot Right of Way. The motion was seconded by Councilman Fiedler.

Before the vote, Acting City Manager Stasiak explained that the applicant, , was requesting the closure of a thirty (30) foot wide section of “D” Street to accommodate the second phase of the Desert Ridge housing development. The property was platted by the Railroad and currently had a thirty (30) foot roadway constructed upon it. He stated that the current Right of Way was one hundred sixty (160) feet wide and a normal platted Right of Way for the City of McAlester was one hundred (100) feet wide.

Councilman Karr expressed concern about the amount of affordable housing within Ward Four and he requested that this item be tabled and allow the citizens of that ward to voice their concerns.

There was a brief discussion among the Council regarding the plans for the property, the citizens meeting with a representative of the housing development, the standard rent at the developments and if tabling the item would create any problems for the development.

Councilman Karr moved to table the item for two weeks. The vote 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

Mayor Priddle declared the motion carried.

11. Consider, and act upon, the closing of an alleyway located between Fourteenth Street and Fifteenth Street in Block 457 of the City of McAlester. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves a motion to approve and act upon the closing of an alleyway located between Fourteenth Street and Fifteenth Street in Block 457 of the City of McAlester and authorizing the Mayor to sign the attached Ordinance.

Councilman Fiedler moved to approve **ORDINANCE NO. 2351**, seconded by Vice-Mayor Browne.

Before the vote, Mr. Stasiak explained that the Planning Commission had met in regular session on February 16, 2010 and voted in favor to recommend to the City Council the closure of the alleyway that encompasses Block 457 with Wade Watts Avenue to the north, Delaware Avenue to the south, Fourteenth Street to the West and Fifteenth Street to the east.

There was a brief discussion among the Council, the City Attorney and the Acting City Manager concerning the adjacent property owners would split the alley, public safety concerns about the location of the buildings and the utility easements. 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.

12. Consider, and act upon, signing a Division Order from Newfield Exploration Mid-Continent Inc. for the production of a oil well with royalty interest. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves a motion to approve a Division Order from Newfield Exploration Mid-Continent Inc. and authorizing the Mayor to sign the document.

Councilman Fiedler moved to approve signing a Division Order from Newfield Exploration Mid-Continent Inc. for the production of an oil well with royalty interest. The motion was seconded by Councilman Karr.

Before the vote, Acting City Manager Stasiak explained that Newfield Exploration Mid-Continent, Inc. had completed the construction of the Stipe 1 H-9 production oil well. He stated that the well was located in Section 9, Township 5N, Range 14E, Pittsburg County, Oklahoma and the City had a .086631563 in the production well for royalties. He added that the City Attorney had verified and confirmed the calculations for the royalty interest in the production well.

There was a brief discussion among the Council regarding how the royalties would be divided, if this property was in the city limits and if this was a result of the seismic surveys. There was no further information and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

13. Consider, and act upon, Rescinding Resolution No. 10-04, and canceling the request for May 11, 2010 Special Election to authorize financing for the acquisition of a medical/physician office building. (*William J. Ervin, City Attorney*)

Executive Summary

This item involves a motion to rescind Resolution No. 10-04 and cancel the request for May 11, 2010 Special Election to authorize financing for the acquisition of a medical/physician office building.

Councilman Harrison moved to rescind Resolution No. 10-04 and cancel the request for the May 11, 2010 Special Election to authorize financing for the acquisition of a medical/physician office building. The motion was seconded by Councilman Fiedler.

Before the vote, Mr. Stasiak explained that the City had been contacted by Shaun Beggs, CEO of McAlester Regional Health Center asking that the Special Election be canceled. He explained that First National Development Corp no longer wished to sell the physicians building. He added that no expense had been incurred by the City for this election. There was no other 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.

14. Submission and Presentation of the Proposed Capital Budget by March 15, 2010 per the City Charter. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves a submission and presentation of the Capital Budget per the City Charter.

Acting City Manager Stasiak presented the proposed 2010 Capital Budget to the Council. He explained that the summaries were available tonight and the supporting documentation would be furnished to the Council by Friday, March 12th or Monday, March 15 at the latest. He reviewed the summary with the Council highlighting the top four (4) items in each department. Mr. Stasiak commented on a new item in the Capital Budget which was Street Reconstruction, explaining that the City would need to replace some of the streets each year. He added that much of the funds for street repair had been used to patch the streets after water line repairs. He commented that in order to address the City's problems the City would need to systematically repair or replace equipment. He added that staff had chosen to continue funding the ADA improvements for the next five (5) years.

There was a lengthy discussion among the Council regarding converting the City's automotive fleet to compressed natural gas and the fact that the Capital Budget had been received by the March 15th deadline.

NEW BUSINESS

None

CITY MANAGER'S REPORT

Mr. Stasiak recognized Jered Weeks for training to help and backup James Stanford the City's IT person. He reminded the Council of the work session with the Oklahoma Department of Transportation at the Eastern Oklahoma State Campus in McAlester on Wednesday. He stated that he had met with the Strategic Planning Committee and they had recommended conducting on site interviews of the three (3) companies that had submitted RFP's for the Strategic Plan.

REMARKS AND INQUIRIES BY CITY COUNCIL

Councilman Fiedler welcomed the new Councilmen. He stated that the Italian Festival was continuing to move forward and each of the Council was invited to help serve. He added that money raised at the festival went back into the community. He then requested that all events that Council might attend be posted.

Councilman Harrison commented that he was glad to be on the Council and that they all had the same goal to see the City prosper. He commented on the March sales tax and urged all to keep expenditures under control. He stated that he was glad to see the attendance at the meeting and he wanted to hear from his constituents on all issues.

Vice-Mayor Browne thanked the Council for their confidence in him by making him Vice-Mayor and he welcomed the new members.

Councilman Karr thanked the residents of Fourth Ward for their votes and he expressed his appreciation to Councilman Wilkinson for the time he served as Councilman. He stated that he planned to be open and wanted to hear from his constituents. He then asked how to address issues to the City Manager.

Councilman Garvin welcomed the new Councilmen and thanked the past Councilmen. He commented that Fifth Ward was doing fine.

Councilman Smitherman commented that it was a golden opportunity to be back on the Council. He stated that Councilman Mason had done a great job. He stated that he wanted to be a part of making McAlester a greater community. He mentioned that the McAlester Girls basketball team was in the State Tournament.

Mayor Priddle thanked the former Councilmen and the new Councilmen. He stated that he was grateful for the senior staff and for Mr. Stasiak. He commented that he felt the City was finding new ways to address old problems and that we were handling problems a lot better. He mentioned that McAlester Main Street was hosting the "Rocking the Art" event on March 17th through 19th and local youth would be designing rocking chairs. These chairs would be displayed in the downtown stores and could be bid on with 75% of the proceeds going to McAlester Main Street and the remaining 25% going to the Southeastern Oklahoma Fine Arts Association. He added that he felt the City was moving forward down the right path.

RECESS COUNCIL MEETING

Mayor Priddle asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Karr moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Garvin 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 Regular Meeting was recessed at 8:54 P.M.

RECONVENE COUNCIL MEETING

The Regular Meeting was reconvened at 8:56 P.M.

ADJOURNMENT

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

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

Mayor Priddle declared the motion carried, and the meeting was adjourned at 8:57 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk