

McAlester City Council **NOTICE OF MEETING**



Workshop Meeting Agenda **Tuesday, August 25, 2026 - 5:00 PM** **McAlester City Hall – Council Chambers** **28 E. Washington Ave**

Attending in Person

Justin Few	Mayor
Levi Gilmore	Ward One
Robin Woodley	Ward Two
Chris Stone	Ward Three
Janet Wansick	Ward Four
Billy J. Boatright	Ward Five
Kevin Beaty-Vice Mayor	Ward Six
Ken Wimer	City Manager
Cora M. Middleton	City Clerk
John T. Hammons	City Attorney

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 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.

Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When the public body desires more information on an item, the public body may refer the matter to City staff or back to a committee. Under certain circumstances, items may be deferred to a specific date or stricken from the agenda entirely.

CALL TO ORDER

Announce the presence of a Quorum.

ROLL CALL

SCHEDULED BUSINESS

1. Discussion on current vacancies on the Parking Authority Board of Trustees and to determine if the Parking Authority Trust should be dissolved or new board members appointed. *(Ken Wimer, City Manager)*
2. Discussion only on whether to seek a vote of the people to raise the current sales tax rate by 1% dedicated to repair and maintenance of city streets. *(Ken Wimer, City Manager)*
3. Discussion only on the current status of the Community Advisory Committee and potential Resolutions/Ordinances for future consideration by Council. *(Cully Stephens, Committee Chair and Doug Basinger, Community Services Director)*
4. Discussion on filling potential vacancies on the Parks Board. *(Justin Few, Mayor)*

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2026 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.

Cora M. Middleton, City Clerk



McAlester City Council AGENDA REPORT



Meeting Date: Tuesday, August 25, 2026
Department: Admin
Prepared By: Kenneth Wimer, City Manager
Date Prepared: 08/17/2026

Account Code:
Budgeted Amount:

Subject:

1. Discussion on current vacancies on the Parking Authority Board of Trustees and to determine if the Parking Authority Trust should be dissolved or new board members appointed. *(Ken Wimer, City Manager)*

Recommendation:

Discussion:

There currently exist no active members of the Parking Authority Trust, which oversees fees collected from paid city-owned parking facilities. Discussion and a way forward is needed to either (1) solicit a District Court decree to dissolve the Trust, or appoint new members to the Board.

Approved By:	Initial	Date
Department Head:		
City Manager:	kjw	17 Aug 26

Exhibits:

None



CIVILITY ORDINANCE

ART. XVI, CH. 40, CODE OF ORDINANCES

**Joint Meeting of Public Safety & Homeland Security
and Regulation & Neighborhood Affairs**

City Council Committees

November 17, 2016

Presented by the Office of the City Attorney
Danielle Folsom, Assistant City Attorney



CREATION OF CIVILITY ORDINANCE

- Article XVI, Chapter 40, Code of Ordinances.
- Passed in 2002 (Ord. No. 2002-504, June 12, 2002).
- Was patterned after Seattle ordinance that was upheld by the 9th Circuit. See *Roulette v. City of Seattle*, 97 F.3d 300 (9th Cir. 1996).

What is the Civility Ordinance?

- City Code Section 40-352: Between the hours of 7:00 a.m. and 11:00 p.m. in a designated area, it is unlawful for any person to:
 - 1) sit or lie down on a sidewalk or on a blanket, stool, or any other object placed upon a sidewalk; or
 - 2) place or deposit any item of bedding materials or personal possessions on a sidewalk.

Civility Ordinance Continued

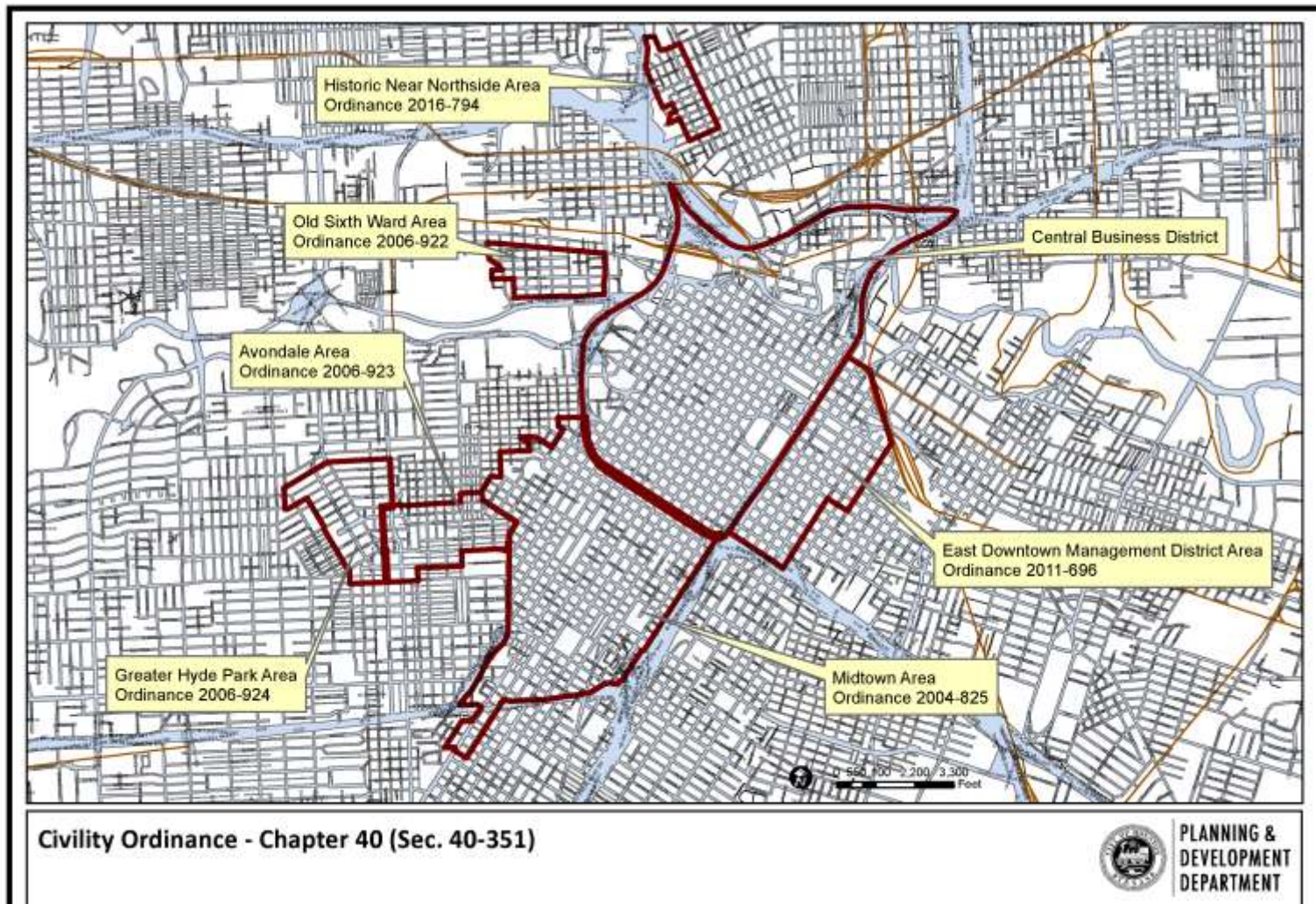
- Prior to enforcement, an officer observing a violation of § 40-352, must notify the person engaged in the prohibited conduct that he or she is in violation of the ordinance.
- Affirmative defense that upon notice, person stopped engaging in prohibited conduct within a reasonable time.

Affirmative Defenses

It is an affirmative defense to prosecution of § 40-352 that the person is:

- Sitting or lying down due to medical emergency;
- As the result of a disability, utilizing a wheelchair, walker, or similar device to move about the sidewalk;
- Operating or patronizing a commercial establishment or service or government function conducted on the sidewalk;
- Participating in or attending a parade, festival, performance, rally, demonstration, meeting, or similar event lawfully conducted on the public street or sidewalk;
- Sitting on a chair or bench located on a sidewalk that is supplied by a governmental agency or the abutting private property owner; or
- Sitting or has placed materials on a sidewalk while waiting for public or private transportation or waiting for access to enter any building.

Where are the “designated areas” located?



Creation of Designated Areas

- Designated areas are added through a citizen petition process pursuant to § 40-353. Petition must:
 - 1) Describe proposed boundaries and indicate that signers desire the proposed area to be subject to § 40-352;
 - 2) Contain signatures from property owners whose property represents 20 percent of the total area designated;
 - 3) Contain signatures of at least 100 citizens over age of 18 residing in the proposed area;
 - 4) Contain signatures collected within 60-day period; and
 - 5) Be Submitted to City Secretary within 90 days of the date of first signature.

Creation of Designated Areas

- HPD investigates proposed area and reports to City Council regarding existence of conduct prohibited by civility ordinance and other criminal misconduct in the area.
- City Council conducts public hearing within 45 days of filing of valid petition.
- City Council adds proposed designated area to civility ordinance if:
 - 1) petition meets all requirements;
 - 2) proposed area exhibits the type of conduct and adverse impact on sidewalks and adjacent properties that civility ordinance was intended to address; and
 - 3) designation of proposed area would best serve the health, safety, and welfare of the public.

Questions/Comments

City of Grants Pass, Oregon

Ordinances at Issue in City of Grants Pass v. Johnson (2024)

GPMC 5.61.010 – Prohibited Camping

Camping is prohibited on public property within the City of Grants Pass. Camping includes occupying public areas with bedding, sleeping bags, blankets, or other materials used for sleeping or sheltering, including sidewalks and streets.

GPMC 5.61.020 – Definitions

Camping is defined as remaining in a public place for the purpose of sleeping or habitation, including use of tents, tarps, bedding, or similar materials.

GPMC 5.61.030 – Enforcement and Penalties

Violations may result in civil citations and fines. Repeated violations may lead to exclusion orders or misdemeanor enforcement under city code provisions.

GPMC 6.46.090 – Park Regulations (Sleeping and Camping)

Sleeping or camping in city parks without authorization or permit is prohibited.

GPMC 5.61 / Public Nuisance & Obstruction – Sleeping in Doorways and Business Entrances

City nuisance and obstruction provisions prohibit obstructing sidewalks, building entrances, or commercial doorways. Sleeping, lying, or placing bedding in business entrances or doorways that interferes with access may be cited as obstruction or public nuisance.

Note: This is a summarized printable reference based on publicly available municipal code provisions discussed during litigation. Consult the official Grants Pass Municipal Code for full legal language.

8.46.010 Definitions.

Unless the context requires otherwise, the following definitions apply to this chapter:

- A. “To camp” means to set up or to remain in or at a campsite.
- B. “Campsite” means any place where bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof. [Ord. 808 § 1, 2024.]

8.46.020 Sleeping on sidewalks, streets, alleys, or within doorways prohibited.

- A. No person may sleep on public sidewalks, streets, or alleyways at any time as a matter of individual and public safety.
- B. No person may sleep in any pedestrian or vehicular entrance to public or private property abutting a public sidewalk.
- C. In addition to any other remedy provided by law, any person found in violation of this section may be immediately removed from the premises. [Ord. 808 § 1, 2024.]

8.46.030 Camping prohibited.

No person may occupy a campsite in or upon any sidewalk, street, alley, lane, public right-of-way, park, bench, or any other publicly owned property or under any bridge or viaduct, unless (A) otherwise specifically authorized by this code, (B) by a formal declaration of the City Manager in emergency circumstances, or (C) upon City Council resolution. The Council may exempt a special event from the prohibitions of this section if the Council finds such exemption to be in the public interest and consistent with Council goals and notices and in accordance with conditions imposed by the Planning and Public Works Department Director. Any conditions imposed will include a condition requiring that the applicant provide evidence of adequate insurance coverage and agree to indemnify the City for any liability, damage or expense incurred by the City as a result of activities of the applicant. Any findings by the City Council shall specify the exact dates and location covered by the exemption. [Ord. 808 § 1, 2024.]

8.46.050 Removal of campsite on public property.

Upon discovery of a campsite on public property, removal of the campsite by the Police Department may occur under the following circumstances:

- A. Prior to removing the campsite, the City shall post a notice 24 hours in advance.
- B. At the time a 24-hour notice is posted, the City shall inform a local agency (delivering social services to homeless individuals) of the location of the campsite.
- C. After the 24-hour notice period has passed, the Police Department is authorized to remove the campsite and all personal property related thereto. [Ord. 808 § 1, 2024.]

8.46.060Disposition and release of personal property.

For purposes of this chapter, “personal property” means any item reasonably recognizable as belonging to a person and having apparent utility or monetary value. Items having no apparent utility or monetary value and items in an unsanitary condition may be immediately discarded. Weapons, drug paraphernalia, items appearing to be stolen, and evidence of a crime may be retained as evidence by the Police Department until an alternate disposition is determined. All personal property removed from the campsite which is not retained, disposed of, or held as evidence (as provided above) shall be stored by the Police Department for a minimum of 30 days, during which time it shall be reasonably available for and released to an individual confirming ownership. [Ord. 808 § 1, 2024.]

8.46.070Mitigation.

Upon conviction for a violation of this chapter, in addition to any other factors deemed appropriate by the Court, the Court shall consider in mitigation whether or not the person immediately removed all personal property and litter, including but not limited to bottles, cans, and garbage, from the campsite after being informed it was in violation of the law. [Ord. 808 § 1, 2024.]

8.46.080Penalty.

Any person found to be in violation of the terms of this chapter may be cited for a civil infraction and may be barred from City parks and facilities for a period of 30 days. [Ord. 808 § 1, 2024.]

Sec. 40-352. Sitting and lying down on sidewalks.

- (a) It shall be unlawful for any person to sit or lie down on a sidewalk or on a blanket, stool, or any other object placed upon a sidewalk:
 - (1) At any time in the Central Business District, East Downtown Management District Area, East End Area, and any other designated area defined in section 40-351 if subject to the rules and regulations for enforcement issued in compliance with section 40-354 of this Code; or
 - (2) Between the hours of 7:00 a.m. and 11:00 p.m. in any designated area not subject to the provisions of subsection (a)(1) of this section.
- (b) It shall be unlawful for any person to place or deposit any item of bedding materials or personal possessions, including but not limited to any blanket, bag, package, or container of personal possessions on a sidewalk:
 - (1) At any time in the Central Business District, East Downtown Management District Area, East End Area, and any other designated area defined in section 40-351 if subject to the rules and regulations for enforcement issued in compliance with section 40-354 of this Code; or
 - (2) Between the hours of 7:00 a.m. and 11:00 p.m. in any designated area not subject to the provisions of subsection (b)(1) of this section.
- (c) It is an affirmative defense to any prosecution under subsection (a) or (b) of this section that the person is:
 - (1) Sitting or lying down on a sidewalk because of a medical emergency;
 - (2) As the result of a disability, utilizing a wheelchair, walker, or similar device to move about the sidewalk;
 - (3) Operating or patronizing a commercial establishment or service or governmental function conducted on the sidewalk pursuant to a permit or authorization issued under this Code or under the laws of this state;
 - (4) Participating in or attending a parade, festival, performance, rally, demonstration, meeting, or similar event lawfully conducted on the public street or a sidewalk;
 - (5) Sitting on a chair or bench located on the sidewalk that is supplied by a governmental agency or the abutting private property owner; or
 - (6) Sitting or has placed materials on a sidewalk while waiting for public or private transportation or waiting for access to enter any building.
- (d) Prior to taking any action to enforce the provisions of this article, any law enforcement officer observing a violation of this article shall first notify the person engaged in the prohibited conduct that he or she is in violation of this article. It is an affirmative defense to a prosecution under this article that any person so notified promptly ceased, within a time reasonable under the circumstances, to engage in the prohibited conduct following such notification.

(Ord. No. 02-504, § 4, 6-12-02; Ord. No. 2025-605, § 2, 7-16-2025; Ord. No. 2025-960, §§ 5, 6, 11-12-2025)

8.76.290 Structures in parks or on city property.

- A. It is unlawful to camp, erect, install or set tents or other shelters overnight or place any structure within a park, city right-of-way or on city property, except as provided herein.
- B. "Structure" means any structure or shelter, including but not limited to any temporary makeshift dwelling units, lean-tos, shacks and/or trailers, comprised of tree branches, wood, cardboard, plastic, metal, nylon, tarp or any other materials.
- C. This section shall not apply to:
1. Any structure erected installed or placed within a park, right-of-way or city property by the City or as expressly authorized by special use permit issued by the City.
 2. A temporary structure that has only a roof and no walls. [Ord. 728 § 1, 2020; Ord. 579 § 10, 2014; Ord. 420 § 1, 2006; Ord. 126 § 1, 1997.]

The Lakewood Municipal Code is current through Ordinance 843, passed February 2, 2026.

Disclaimer: The city clerk's office has the official version of the Lakewood Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.cityoflakewood.us](http://www.cityoflakewood.us)

[City Telephone: \(253\) 589-2489](tel:(253)589-2489)

[Hosted by General Code.](#)



McAlester City Council AGENDA REPORT



Meeting Date: Tuesday, August 25, 2026
Department: Admin
Prepared By: Kenneth Wimer, City Manager
Date Prepared: 08/18/2026

Account Code:
Budgeted Amount:

Subject:

4. Discussion on filling potential vacancies on the Parks Board. *(Justin Few, Mayor)*

Recommendation:

Discussion:

Approved By:	Initial	Date
Department Head:		
City Manager:	kjw	18 Aug 26

Exhibits:
Park Board 08.18.26

Park Board

(As of 08.18.26)

Ward	Name	Term Expiration & Date of Appt.	Address (Mailing or email)	Phone
1	Vacant			
2	Vacant			
3	Vacant			
4	Vacant			
5	Vacant			
6	Amy Mitchell	July 31, 2027 (09.24.24)	728 E. Seneca Ave. aemitchell4him@yahoo.com	918-916-2323
	Pam Pulchny – Member @ Large	July 31, 2028 (10.14.25)	201 E. Cherokee Ave. pamp@oilok.org	918-426-6220

Excerpt from Code of Ordinances:

Sec. 86-2. Park board.

- (a) There is hereby created a park board consisting of nine members. One member shall be appointed from each of the six wards of the City, and one shall be a member at large, such members to be appointed by the mayor with the approval of the council. Two members shall be elected by the student body of McAlester High School. The students so elected shall serve for a one-year term and be residents of the City and all other members shall serve for a term of **three years**. The members shall serve without compensation.
- (b) If a member of the park board fails to attend more than half of all the meetings (regular and special) held within a year, he shall, ipso facto, cease to be a member. The mayor, with the approval of the council, may remove any member of the park board.
- (c) As soon as practicable after January 1 of each year, the park board shall elect a Chairperson, a Vice-Chairperson and a Secretary. The Secretary need not be a member of the board. The board shall determine the time and place of its regular meetings and the Chairperson or any four of the members may call special meetings.
- (d) The park board shall advise and make recommendations to the council and the city manager on any matters pertaining to parks and recreation.