



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, May 12, 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 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

- Brandon Parker, Pastor, New Life 4 Today Ministries

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 28, 2009, Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- B. **Approval of Claims for April 29, 2009 through May 12, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- C. **A resolution appointing David Medley to serve as the City of McAlester's representative on the Board of Directors of the Association for Landfill Financial Assurance.** *(Mark B. Roath, City Manager)*
- D. **Authorize the Pittsburg County Chapter of the NAACP to use Michael J. Hunter Park on Saturday, June 20, 2009, between the hours of 9:00 a.m. to 6:00 p.m., for the Juneteenth Celebration.** *(Maureen Harrison, Pittsburg County Chapter of the NAACP)*

ITEMS REMOVED FROM CONSENT AGENDA

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.

1. **Public Hearing: An Ordinance amending the Code of Ordinances, Chapter 2, Article IV, Division 3, Sections 2-131 and 2-132 regarding the duties of the Department of Public Works; providing for repealing, savings and severability clauses; and providing for an effective date.**
2. **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

1. **Presentation of the Mayor's Financial Report for March, 2009.** *(Kevin E. Priddle, Mayor)*

Executive Summary

This agenda item involves the Mayor's Financial Report for the month of March, 2009.

2. **Consider, and act upon, an Ordinance amending the Code of Ordinances, Chapter 2, Article IV, Division 3, Sections 2-131 and 2-132 regarding the duties of the Department of Public Works; providing for repealing, savings and severability clauses; and providing for an effective date.** *(Mark B. Roath, City Manager)*

Executive Summary

This agenda item involves amending the Code of Ordinances regarding the duties of the Department of Public Works to include the newly created Stormwater Quality Management Division.

3. **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 and Sherry Alessi, Assistant Chief Financial Officer)*

Executive Summary

This agenda item involves a budget amendment for various expenditures.

4. **Consider, and act upon, a Resolution supporting a new Public Library Building and endorsing a fund raising campaign by the Friends of the Library of McAlester, Inc.** (*Emily Dunagin, President, Friends of the Library of McAlester, Inc., and Don Jones, Chairman, McAlester Public Library Advisory Board*)

Executive Summary

This agenda item involves a plan for a new Public Library Building and fund raising campaign.

5. **Consider, and act upon, Land Use Acceptance and accompanying map to grant Use Permitted After Review.** (*Pete Stasiak, Planning and Community Development Director*)

Executive Summary

This agenda item involves the granting of a Use Permitted After Review for a Chiropractic Office located at 1501 Wade Watts, McAlester, Oklahoma.

6. **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.** (*Pete Stasiak, Planning and Community Development Director and Dennis Lalli, Building Official*)

Executive Summary

This agenda item involves a Resolution listing structures that may be a detriment to the welfare of the public and community.

7. **Consider, and act upon, authorizing the Mayor to sign a Deputation Agreement and Addendum for Law Enforcement in the Choctaw Nation of Oklahoma.** (*Jim Lyles, Chief of Police*)

Executive Summary

This agenda item involves a cross deputation agreement and addendum with the Choctaw Nation of Oklahoma.

8. **Consider, and act upon, authorizing the Mayor to sign an Engagement Letter with Crawford and Associates, P.C., for the period from July 1, 2009 through June 30, 2010.** (*Mark B. Roath, City Manager*)

Executive Summary

This agenda item involves an Engagement Letter covering the accounting services that Crawford and Associates, P.C., might provide during the period from July 1, 2009 through June 30, 2010.

9. **Consider, and act upon, a Resolution establishing the position of part-time Electrical Inspector within the City's Classification and Compensation Plan.** (*Pete Stasiak, Planning and Community Development Director*)

Executive Summary

This agenda item involves establishing a part-time electrical inspector position and setting a salary for said position within the Building Division of the Planning and Community Development Department

10. **Consider, and act upon, a Resolution authorizing the sale of certain real property located in the City of McAlester, County of Pittsburg, State of Oklahoma, to the Choctaw Nation of Oklahoma.** (*William J. Ervin, City Attorney*)

Executive Summary

This agenda item involves the sale of the "King Ranch Property" to the Choctaw Nation of Oklahoma for the sum of \$1,425,000.00 and authorizing the City Attorney to prepare the documents and the Mayor to sign said documents.

NEW BUSINESS

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**REMARKS AND INQUIRIES BY CITY COUNCIL**RECESS COUNCIL MEETING**CONVENE AS McALESTER AIRPORT AUTHORITY**

Majority of a Quorum required for approval

- Approval of the Minutes from the April 28, 2009, 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 29, 2009 through May 12, 2009. *(Sherry Alessi, Assistant Chief Financial Officer)*

ADJOURN MAU**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

Majority of a Quorum required for approval

- Approval of the Minutes from the April 28, 2009, 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 29, 2009 through May 12, 2009. *(Sherry Alessi, Assistant Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C regarding a resolution appointing David Medley to serve as the City of McAlester's representative on the Board of Directors of the Association for Landfill Financial Assurance. *(Mark B. Roath, City Manager)*
- Confirm action taken on City Council Agenda Item 2 regarding an Ordinance amending the Code of Ordinances, Chapter 2, Article IV, Division 3, Sections 2-131 and 2-132 regarding the duties of the Department of Public Works; providing for repealing, savings and severability clauses; and providing for an effective date. *(Mark B. Roath, City Manager)*
- Confirm action taken on City Council Agenda Item 3 regarding 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 and Sherry Alessi, Assistant Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 8 regarding Consider, and act upon, authorizing the Mayor to sign an Engagement Letter with Crawford and Associates, P.C., for the period from July 1, 2009 through June 30, 2010. *(Mark B. Roath, City Manager)*

ADJOURN MPWARECONVENE COUNCIL MEETING

ADJOURNMENT

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.

Cora M. Middleton, City Clerk

Council Chambers
Municipal Building
April 28, 2009

The McAlester City Council met in regular session on Tuesday, April 28, 2009, at 6:00 P.M. after proper notice and agenda was posted, April 23, 2009, at 11:25 A.M.

CALL TO ORDER

Mayor Priddle called the meeting to order.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Priddle gave the invocation and led the Pledge of Allegiance.

ROLL CALL

Council Roll Call was as follows:

Present: Chris Fiedler, Donnie Condit, John Browne, Buddy Garvin, Sam Mason & Mayor Priddle

Absent: Haven Wilkinson

Presiding: Kevin E. Priddle, Mayor

Staff Present: Mark Roath, City Manager; Pete Stasiak, Planning & Community Development Director; George Marcangeli, City Engineer/Public Works Director; Cliff Pitner, Engineering Inspector; Sherry Alessi, Assistant Finance Officer; William J. Ervin, Jr., City Attorney and Cora Middleton, City Clerk

Mr. Roath recognized George Marcangeli for the twenty-five (25) years of extraordinary service to the City of McAlester.

The Mayor and each of the Councilmen thanked Mr. Marcangeli for his service to the community and the professional job that he had done.

CITIZENS' COMMENTS ON NON-AGENDA ITEMS

None

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*) In the following amounts: General Fund - \$116,172.26; Parking Authority - \$118.23; Nutrition - \$783.20; Employee Retirement - \$18,618.00; C.O.P.S./Grant - \$429.95; SE Expo Ctr/Tourism Fund - \$22,788.60; E-911 - \$2,915.11 and Economic Development - \$19,196.67.

Councilman Browne requested that item "B" be removed for individual consideration.

Councilman Mason moved for approval of consent agenda item "A". The motion was seconded by Councilman Condit. There was no discussion and the vote was taken as follows:

AYE: Councilman Fiedler, Condit, Browne, Wilkinson, Garvin, Mason & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

ITEMS REMOVED FROM CONSENT AGENDA

B. Approval of Claims for April 14, 2009 through April 28, 2009. (*Sherry Alessi, Assistant Chief Financial Officer*) In the following amounts: General Fund - \$116,172.26; Parking Authority - \$118.23; Nutrition - \$783.20; Employee Retirement - \$18,618.00; C.O.P.S./Grant - \$429.95; SE Expo Ctr/Tourism Fund - \$22,788.60; E-911 - \$2,915.11 and Economic Development - \$19,196.67.

Councilman Browne moved for approval of item "A", claims for April 14, 2009 through April 28, 2009. The motion was seconded by Councilman Condit.

Before the vote, Councilman Browne asked about the payment to Margaret McMorrow-Love. He requested a copy of the agreement between Ms. Love and the City of McAlester, and for a total of the payments for the year.

Mr. Roath stated that he would get the information and furnish it to Councilman Browne.

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

AYE: Councilman Condit, Browne, Wilkinson, Garvin, Mason, Fiedler & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

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.

Mayor Priddle stated that there were three (3) items on the agenda that required a Public Hearing.

Councilman Wilkinson moved to open a Public Hearing to consider an ordinance dealing with identity theft prevention, an ordinance establishing a Stormwater Utility and an ordinance to amend the FY 2008-2009 Budget. The motion was seconded by Councilman Fiedler.

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

AYE: Councilman Browne, Wilkinson, Garvin, Mason, Fiedler, Condit & Mayor Priddle
NAY: None

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

There were no comments on any of the items from the Council or audience and Mayor Priddle asked for a motion to close the Public Hearing.

Councilman Fiedler moved to close the Public Hearing. The motion was seconded by Councilman Condit.

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

AYE: Councilman Wilkinson, Garvin, Mason, Fiedler, Condit, Browne & Mayor Priddle
NAY: None

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

SCHEDULED BUSINESS

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.

Mayor Priddle explained that instead of having a property of the month for each of the wards there would only be one property of the month. He then reviewed the criteria for nominating a particular property and stated that the selection had been made by Pride In McAlester. He then announced that the award for property of the month went to Bill and Jean Staples at 1801 Wood Road.

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.

ORDINANCE NO: 2320

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.

Councilman Condit moved to approve ORDINANCE NO. 2320, adopting an “Identity Theft Prevention Program.” The motion was seconded by Vice-Mayor Garvin.

Before the vote, Mr. Roath noted that he had asked Chief Lyles, Chief Stewart and Sherry Alessi to develop this program, and that Ms. Alessi had taken the lead on this issue, and he thought she should explain the program.

Sherry Alessi addressed the Council explaining that this was a Federal Trade Commission mandated program and had to be adopted by May 1, 2009. She stated that this would help to protect certain information about the citizens that previously had been considered as public information. She commented that this had to be updated annually, and that any employee with access to personal information had to participate in training to meet the programs requirements. She then thanked all of the employees that had been involved in the creation of this ordinance and program rules.

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

AYE: Councilman Garvin, Mason, Fiedler, Condit, Browne, Wilkinson & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

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

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

AYE: Councilman Mason, Fiedler, Condit, Browne, Wilkinson, Garvin & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

- 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.

ORDINANCE NO. 2321

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.

Councilman Fiedler moved for approval of ORDINANCE NO. 2321, to establish a Stormwater Utility. The motion was seconded by Councilman Browne.

Before the vote, George Marcangeli addressed the Council stating that this ordinance would establish a new Utility Division. He commented that there had been some minor corrections in the original ordinance that had been furnished to the Council and he had corrected copies to distribute to them. He added that Federal regulations for stormwater made it necessary for the City to adopt an ordinance to regulate stormwater discharges inside the City of McAlester and for the City to stay in compliance with the DEQ requirements of the NPDES M S4 Stormwater Permit issued to the City on February 8, 2005. Mr. Marcangeli commented that the City was in the third year of the program and Cliff Pitner had done most of the work.

There was a brief discussion among the Council, Mr. Roath and Mr. Ervin regarding Mr. Pitner as the person to head the work on this program, if there were any penalties in place to enforce this ordinance, educating the citizens and businesses before beginning the enforcement process and how Mr. Pitner had already began to furnish educational information to the area schools. Mr. Roath commented that it could be advantageous to meet with the building community and educate them before enforcement of the ordinance.

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

AYE: Councilman Wilkinson, Garvin, Mason, Fiedler, Condit, Browne & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

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

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

AYE: Councilman Fiedler, Condit, Browne, Wilkinson, Garvin, Mason & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

- 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.

ORDINANCE NO. 2322

AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, 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.

Councilman Condit moved to approve **ORDINANCE NO. 2322**, to amend the Fiscal Year 2008-2009 Budget to fund the FOP contract and worker's compensation claims. The motion was seconded by Councilman Wilkinson.

Before the vote, Mr. Roath explained that this proposed budget amendment contained provisions to fund the proposed collective bargaining agreement with the FOP Lodge No. 97, for the portion of the personnel costs that were not in the current fiscal year budget, and to fund additional worker's compensation claims that had been made against the City.

Councilman Mason asked again about a report that furnished a running total for all of the current year budget amendments.

Mr. Roath stated that he had just overlooked that report and would furnish it to the Council.

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

AYE: Councilman Condit, Browne, Wilkinson, Garvin, Mason, Fiedler & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

Councilman Mason moved to approve the EMERGENCY CLAUSE, seconded by Councilman Wilkinson,

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

AYE: Councilman Browne, Wilkinson, Garvin Mason, Fiedler, Condit & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

- 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.

Councilman Condit moved for approval of a Collective Bargaining Agreement with the Fraternal Order of Police, Lodge No. 97 for the period July 1, 2008 to June 30, 2009. The motion was seconded by Vice-Mayor Garvin.

Before the discussion, City Manager Roath emphasized that this contract had clarifications to several of the articles, such as the probationary period, the union dues would be \$45.00 per month for membership, the promotion policy, the grievance process had been streamlined and made the dates more consistent, there was an across the board 4% increase to wages, clarified the two routes to becoming a Master Patrolman, clarified rest periods and sick leave, deleted the longevity pay clause, clarified the uniform payment, and added a clause for replacement of sunglasses that were damaged in the line of duty.

Councilman Browne clarified that only prescription sunglasses would be reimbursed.

Councilman Condit asked when the discussion concerning the NUC would be considered. Mr. Roath commented that he would need to coordinate that, and he would like to bring the NUC to the Council at the same time the IAFF was submitted.

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

AYE: Councilman Wilkinson, Garvin, Mason, Fiedler, Condit, Browne & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

6. Consider, and act upon, an Agreement with Hance Pyrotechnics for the July 4th 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 4th of July fireworks display.

Councilman Fiedler moved to approve an Agreement with Hance Pyrotechnics for the July 4th fireworks display in the amount of \$25,000. The motion was seconded by Councilman Condit.

Before the vote, City Manager Roath explained that this was the same company that had been used last year. He advised that some corrections had been made to the contract, and the Council had been furnished with the corrected copies.

Councilman Mason asked if the City Attorney had reviewed the contract.

Mr. Ervin stated that he had reviewed the contract and it was satisfactory.

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

AYE: Councilman Garvin, Mason, Fiedler, Condit, Browne, Wilkinson & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried.

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.

Councilman Browne move to approve a Service Agreement with United Safety & Claims, Inc., to administer the Worker's Compensation Claims for an annual service fee of \$14,805. The motion was seconded by Councilman Fiedler.

Before the vote, Mr. Roath commented that this agreement was the same as the previous agreement but with a five percent (5%) increase in the administrative fee. He explained that this third party handled all of the claims and they were asking for \$14,805.00.

There was a brief discussion among the Council regarding any issues that the City may have with the company, limiting the amount that was given to companies and if this was the first increase or if it increased annually.

Willie Faries commented that to his knowledge this was the first increase in this contract.

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

AYE: Councilman Mason, Fiedler, Condit, Browne, Wilkinson, Garvin & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried.

NEW BUSINESS

None

CITY MANAGER'S REPORT

Mr. Roath reported that recently there had been a meeting in regarding stimulus money that may be available to the City involving the Drinking Water State Revolving Fund and the City was currently ranked 12th for potential funding. He stated that there were some issues connected to the Charter and that bond Counsel was looking into those matters. He thanked the Council for funding the Incode software for the Municipal Court. He thanked Mr. Stasiak and Mr. Priddy for the curb painting and the pickup effort.

REMARKS AND INQUIRIES BY CITY COUNCIL

Councilman Fiedler thanked Shaun Beggs and Dr. Cotton for attending the 1st Ward Town Meeting. He then thanked Mr. Stasiak for the job he was doing in the Community Development Department.

Councilman Condit asked Mayor Priddle if he needed to postpone the 2nd Ward meeting until further notice. Mayor Priddle commented that he would like for it to be postponed until after the first of the fiscal year.

Councilman Browne asked Mr. Roath about the recent problems with the water plants new tanks leaking. Mr. Roath commented that the tank had been repaired and there may be more repairs. He added that this work had a one (1) year warranty on all improvements. Councilman Mason commented that the problem did not appear to be a manufacturing problem but could have been with the transfer or installation. But the manufacturer was making the repairs. Councilman Browne commented that the warranty should begin after all repairs had been made.

Councilman Wilkinson thanked Mr. Stasiak, Elaine Thomas and all of the individuals involved for the improvements to the 500 block on west Adams.

Vice-Mayor Garvin asked if Mr. Roath knew who had put the second road into the Industrial Park. He would like to send them a letter of recognition. He asked if the City could use dirt from the Industrial Park to cover the landfill and in the process possibly help in the preparations of the industrial park. Mr. Roath commented that he would look into that suggestion.

Councilman Mason commented on the improvements in the Down Town area. He added that the City was making good progress.

Mayor Priddle announced that the Armed Forces Day Banquet was scheduled for Friday, May 1, 2009. The Parade would be on Saturday, May 2, 2009. He commented that the March of Dimes walk had been on the last Saturday. He stated that the Hazardous Waste cleanup had been amazing. He thanked Mr. Stasiak and Pride In McAlester for their work and the Pittsburg County Sheriff's Department for the use of the Trustees.

Councilman Fiedler commented on the Drive Safely program that had been held at the Expo and he asked about the street lights at Main and Washington. Mr. Roath stated that he would look into that and get back to him.

Councilman Browne announced that Saturday, May 9, 2009 would be the National Letter Carriers food drive and he asked that everyone contribute. He added that the food remained in the local area.

RECESS COUNCIL MEETING

Mayor Priddle asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Mason moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Browne and the vote was taken as follows:

AYE: Councilman Fiedler, Condit, Browne, Wilkinson, Garvin, Mason & Mayor Priddle
NAY: None

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 6:58 P.M.

RECONVENE COUNCIL MEETING

The Regular Meeting was reconvened at 7:01 P.M.

ADJOURNMENT

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

AYE: Councilman Condit, Browne, Wilkinson, Garvin, Mason, Fiedler & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 7:01 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk

**CLAIMS FROM APRIL 29, 2009
THRU
MAY 12, 2009**

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00028 "A" PLUS LAWN SERVICE					
	I-08-24552	01 -5542306	CONTRACTED SE MOWING CONTRACT	045883	625.00
01-A00170 ADA PAPER CO.					
	I-233636	01 -5548203	REPAIRS & MAI CLEANING SUPPLIES	045885	184.22
01-A00200 ADAMS TRUE VALUE					
	I-141005	01 -5542202	OPERATING SUP FERTILIZER FOR PARK BEDS	045886	245.00
01-A00260 AGS REBUILDERS INC.					
	I-289411	01 -5431316	REPAIRS & MAI ALTERNATOR FOR AMBULANCE	045887	136.00
01-A00267 AIRGAS					
	I-106092561	01 -5431202	OPERATING SUP OXYGEN FOR AMBULANCE	045888	161.38
	I-10611132	01 -5431202	OPERATING SUP OXYGEN FOR AMBULANCE	045888	82.60
	I-106126476	01 -5431202	OPERATING SUP OXYGEN FOR AMBULANCE	045888	89.15
	I-106149105	01 -5431202	OPERATING SUP OXYGEN FOR AMBULANCE	045888	113.12
	I-106197424	01 -5431202	OPERATING SUP OXYGEN FOR AMBULANCE	045888	23.97
01-A00362 ALLEGIANCE COMMUNICATIO					
	I-MAY 09	01 -5320202	OPERATING EXP ANNUAL CABLE SERVICE	045889	109.99
01-A00570 AMERICAN SOD FARMS					
	I-3362	01 -5547203	REPAIRS & MAI SOD FOR REPAIRING GRAVES	045890	50.00
	I-3363	01 -5865218	STREET REPAIR 6 PALLETS OF SOD	045890	480.00
01-A00585 AMERICAN TARGET CO.					
	I-08-24472	01 -5321325	FIRING RANGE TARGETS (FIRING RANGE)	045891	185.00
01-A00751 ATWOODS					
	C-3264423	01 -5542316	REPAIRS & MAI MISC REPAIR & MAINT. ITEM	045892	0.99-
	I-3214620	01 -5548203	REPAIRS & MAI MAINTENANCE MATERIALS	045892	89.99
	I-3257239	01 -5542316	REPAIRS & MAI MISC REPAIR & MAINT. ITEM	045892	17.98
	I-3259488	01 -5542316	REPAIRS & MAI MISC REPAIR & MAINT. ITEM	045892	24.95
	I-3264380	01 -5542316	REPAIRS & MAI MISC REPAIR & MAINT. ITEM	045892	38.95
	I-3264426	01 -5542316	REPAIRS & MAI MISC REPAIR & MAINT. ITEM	045892	3.59
	I-3268504	01 -5542316	REPAIRS & MAI MISC REPAIR & MAINT. ITEM	045892	49.94
	I-3270673	01 -5542316	REPAIRS & MAI MISC REPAIR & MAINT. ITEM	045892	94.99
	I-3274580	01 -5542316	REPAIRS & MAI MISC REPAIR & MAINT. ITEM	045892	147.97
	I-3274786	01 -5542316	REPAIRS & MAI MISC REPAIR & MAINT. ITEM	045892	8.35
01-A00770 AUTO PARTS CO					
	C-839660	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	12.31-
	I-839198	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	19.32
	I-839214	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	32.97
	I-839217	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	44.68
	I-839386	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	115.97
	I-839433	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	96.80
	I-839503	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	78.76

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-AG0770 AUTO PARTS CO		continued				
		I-839524	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	64.34
		I-839532	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	23.84
		I-839552	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	156.43
		I-839556	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	32.99
		I-839574	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	104.18
		I-839597	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	108.34
		I-839612	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045894	33.73
		I-839633	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	154.03
		I-839642	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	67.17
		I-839650	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	46.93
		I-839677	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	16.56
		I-839687	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	20.07
		I-839737	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	20.36
		I-839824	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	27.94
		I-839842	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	199.53
		I-839862	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	76.68
		I-839870	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	36.76
		I-839888	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	193.65
		I-839891	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	39.51
		I-839893	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045895	79.37
01-B00180 SEMAC SUPPLY						
		I-S1443925	01 -5548203	REPAIRS & MAI MATERIALS FOR MAINTENANCE	045897	158.43
		I-S1448267	01 -5548203	REPAIRS & MAI MATERIALS FOR MAINTENANCE	045897	38.80
		I-S1453164.001	01 -5542202	OPERATING SUP OPERATING SUPPLIES	045897	46.52
		I-S1453878.001	01 -5542202	OPERATING SUP OPERATING SUPPLIES	045897	95.66
01-B00380 BOARD OF TEST FOR ALCOH						
		I-3186	01 -5321331	EMPLOYEE TRAV TUITION-INTOXILYZER SCHOO	045898	90.00
01-B00488 BRADELY RAY INYAN						
		I-08-24569	01 -5542308	CONTRACTED SE SB LEAGUE UMPIRE FEES	045899	80.00
01-B00490 BRIGGS PRINTING						
		I-031809-1	01 -5101319	MISCELLANEOUS COPIES FOR ETHICS BOARD	045900	93.08
01-C00013 CABLE ORGANIZER.COM						
		I-11687-0	01 -5210202	OPERATING SUP CORD COVER FOR CONF ROOM	045902	43.02
01-C00046 C D W GOVERNMENT, INC						
		I-NVJ9593	01 -5225401	COMPUTER TECH PHOTOSHOP CS4 SOFTWARE	045903	659.33
		I-NVJ9593	01 -5225401	COMPUTER TECH LIGHTROOM 2 SOFTWARE	045903	276.52
01-C00275 CECIL E. WADE						
		I-08-24549	01 -5542308	CONTRACTED SE MONTHLY MOWING CONTRACT	045904	425.00
01-C00300 CPC - CEMETERY PERPETUA						
		I-08-24566	01 -5215622	TRANSFERS-CCP 1ST QTR 12 1/2%	045905	146.88

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-CC0840	CRAWFORD & ASSOCIATES					
		I-4176	01 -5215301	AUDITING CONSULTING SERVICES	045907	3,075.00
01-C00847	CRYSTAL DATA					
		I-178827	01 -5324202	OPERATING SUP CANON INK CARTRIDGES	045908	179.44
		I-178827	01 -5324202	OPERATING SUP CANON INK CARTRIDGES	045908	188.96
		I-178827	01 -5324202	OPERATING SUP SHIPPING	045908	6.22
01-C00006	D & D ELEVATOR INC					
		I-2020	01 -5215316	REPAIRS & MAI ELEVATOR REPAIR	045910	726.95
01-C00330	DEPT. OF PUBLIC SAFETY					
		I-04-2911147	01 -5321308	CONTRACTED SE TELETYPE RENTALS	045915	350.00
01-E00135	EDDY TANNEHILL					
		I-430906	01 -5652318	ABATEMENTS CLEAN UP EQUIPMENT	045916	405.00
		I-430907	01 -5652318	ABATEMENTS CLEAN UP EQUIP	045916	90.00
01-E00219	ENGLISH JANITORIAL					
		I-17194	01 -5542316	REPAIRS & MAI JANITORIAL SUPPLIES	045917	247.12
		I-17210	01 -5542316	REPAIRS & MAI JANITORIAL SUPPLIES	045917	12.50
01-E00266	ERVIN & ERVIN ATTORNEYS					
		I-MAY RETAINER	01 -5214302	CONSULTANTS/L RETAINER	045918	2,500.00
01-E00280	ESTES, INCORPORATED					
		I-491437	01 -5542206	MAJOR CHEMICA FIRE ANT KILLER FOR PARKS	045919	165.00
		I-491533	01 -5544202	OPERATING SUP CHEMICALS FOR OUTFIELDS	045919	189.83
01-F00015	FLEETCOR TECHNOLOGIES					
		I-NP17521460	01 -5862205	PETROLEUM PRO FUEL FOR GEN ACCT VEHICLE	045920	10,565.29
01-F00037	FASTENAL					
		I-0XMC479180	01 -5215480	CONTINGENCY/A DRINKING CUPS	045921	94.50
01-F00038	FED EX					
		I-9-160-95575	01 -5321202	OPERATING SUP MAILED PACKAGE (RADAR)	045922	18.24
01-F00125	FIREHOUSE SOFTWARE					
		I-388639	01 -5431330	DCES & SUBSCR FIREHOUSE SOFTWARE SUPPOR	045923	330.00
01-F00170	FIRST NATIONAL BANK					
		I-MAY 2009	01 -5865510	CAPITAL LEASE LEASE 121 ROAD GRADER	045924	3,091.82
01-F00250	FOSTERS FLOWERS					
		I-000129792	01 -5652202	OPERATING SUP CHARLEY GILBERTSON	045925	35.00
01-G00010	G & C RENTAL CENTER, IN					
		I-8492	01 -5547203	REPAIRS & MAI EQUIPMENT RENTAL	045926	75.90

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-G00010	G & C RENTAL CENTER, IN	continued				
		I-8494	01 -5547203	REPAIRS & MAI EQUIPMENT RENTAL	045926	310.40
		I-8638	01 -5547203	REPAIRS & MAI EQUIPMENT RENTAL	045926	25.50
		I-8897	01 -5547203	REPAIRS & MAI EQUIPMENT RENTAL	045926	40.00
		I-8926	01 -5547203	REPAIRS & MAI EQUIPMENT RENTAL	045926	458.00
01-G00310	GIB'S TRANSMISSION, INC					
		I-1494	01 -5862203	REPAIRS & MAI REPLACE TRANS- PD UNIT 98	045928	464.00
01-G00475	GREENLEAF NURSERY					
		I-D.70986.1	01 -5542316	REPAIRS & MAI BOXWOODS-REPLACE OLD ONES	045929	290.00
01-G00490	GRISCOM IMPLEMENT INC					
		I-76071	01 -5547204	SMALL TOOLS 2 REPLACEMENT WEEDEATERS	045930	980.00
01-G00500	AMSAK-PARIS					
		I-199890542	01 -5548203	REPAIRS & MAI BRACKETS, BOLTS, PADLOCKS	045931	238.65
		I-199891409	01 -5548203	REPAIRS & MAI BRACKETS, BOLTS, PADLOCKS	045931	73.63
01-I00061	IKON OFFICE SOLUTIONS,					
		I-5011150698	01 -5321308	CONTRACTED SE RICOH COPIER-BASE CHARGE	045932	22.43
		I-5011150698	01 -5321308	CONTRACTED SE CANNON COPIER BASE CHARGE	045932	103.75
01-I00110	IMPRESS OFFICE SUPPLY					
		I-027648	01 -5213202	OPERATING SUP SUPPLIES	045933	106.35
		I-027829	01 -5213317	ADVERTISING & RECEIPTS	045933	260.50
		I-027926	01 -5321202	OPERATING SUP SUPPLIES	045933	8.86
		I-027941	01 -5213317	ADVERTISING & MINUTE ORDERS	045933	150.28
		I-027946	01 -5213202	OPERATING SUP SUPPLIES	045933	132.57
		I-027982	01 -5211202	OPERATING SUP OFFICE SUPPLIES	045933	24.17
		I-028020	01 -5211202	OPERATING SUP OFFICE SUPPLIES	045933	45.77
		I-028026	01 -5211202	OPERATING SUP OFFICE SUPPLIES	045933	19.63
		I-028030	01 -5321202	OPERATING SUP SUPPLIES	045933	7.26
01-I00120	INCODE					
		I-76735	01 -5225349	INCODE SOFTWA NETWORK SUPPORT	045934	200.00
01-I00140	INDIAN NATION WHOLESALE					
		I-4883979	01 -5542202	OPERATING SUP CONCESSION SUPPLIES	045935	479.90
		I-4885940	01 -5862202	OPERATING SUP PAPER TOWELS FOR SHOP	045935	433.83
		I-4891444	01 -5542202	OPERATING SUP JANITORIAL SUPPLIES	045935	343.42
01-I00261	INTERNATIONAL SAFETY, L					
		I-429317	01 -5320202	OPERATING EXP DRAGER TUBES FOR AMMONIA	045936	192.75
		I-429317	01 -5320202	OPERATING EXP SHIPPING	045936	7.58
01-J00326	JIM MIZE					
		I-08-24590	01 -5542308	CONTRACTED SE SB LEAGUE UMPIRE FEES	045937	160.00

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VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/I	ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-L00339	LINCOLN EQUIPMENT, INC						
		I-51112032	01	-5543203	REPAIRS & MAI REPL VACUUM HEAD FOR POOL	045940	103.45
01-L00380	LOCKE SUPPLY CO.						
		I-10198914-00	01	-5543203	REPAIR & MAIN NIPPLES, VALVES, BUSHINGS	045941	38.92
		I-10260138-00	01	-5548316	REPAIRS & MAI MAINTENANCE REPAIRS	045941	6.71
		I-10273814-00	01	-5548316	REPAIRS & MAI MAINTENANCE REPAIRS	045941	25.56
		I-10278176-00	01	-5548316	REPAIRS & MAI MAINTENANCE REPAIRS	045941	52.36
		I-10345228-00	01	-5548316	REPAIRS & MAI MAINTENANCE REPAIRS	045941	133.58
01-L00383	LOCKE ELECTRICAL SUPPLY						
		I-10272226-00	01	-5545203	REPAIRS & MAI NEW HOT WATER HEATER	045942	345.05
01-L00428	LOWE'S CREDIT SERVICES						
		I-012401246.	01	-5431203	REPAIRS & MAI REPAIR SUPPLIES	045943	213.10
		I-01350	01	-5548203	REPAIRS & MAI REPAIR MATERIALS	045943	161.60
		I-01381	01	-5548203	REPAIRS & MAI REPAIR MATERIALS	045943	38.88
		I-01510	01	-5548203	REPAIRS & MAI REPAIR MATERIALS	045943	217.97
		I-05509	01	-5543203	REPAIRS & MAI SEALANT TO REPAIR LEAKS	045943	83.27
		I-07398.	01	-5547204	SMALL TOOLS VACUUM CLEANER	045943	318.38
		I-09464.	01	-5548203	REPAIRS & MAI REPAIR MATERIALS	045943	21.49
		I-09768	01	-5548203	REPAIRS & MAI REPAIR MATERIALS	045943	70.36
		I-09975-A	01	-5548203	REPAIRS & MAI PARTS FOR MAINTFNANCE	045943	264.28
		I-13455	01	-5542202	OPERATING SUP MISC OPERATING SUPPLIES	045943	135.60
		I-14529	01	-5542202	OPERATING SUP MISC OPERATING SUPPLIES	045943	126.90
01-M00084	MARLEY CARPET CLEANING						
		I-08-24451	01	-5542202	OPERATING SUP CLEAN CARPETS-WEIGHT ROOM	045944	450.00
01-M00095	MOY TIRE						
		I-34308	01	-5562203	REPAIRS & MAI CIRCUIT BRAKER UNIT 36	045945	13.52
		I-34308	01	-5562203	REPAIRS & MAI LABOR UNIT 36	045945	65.00
		I-34348	01	-5562203	REPAIRS & MAI BLANKET PO FOR AUTO REPAI	045945	86.95
		I-34350	01	-5562203	REPAIRS & MAI BLANKET PO FOR AUTO REPAI	045945	185.00
		I-34355	01	-5562203	REPAIRS & MAI BLANKET PO FOR AUTO REPAI	045945	151.95
		I-34360	01	-5562203	REPAIRS & MAI SWITCH, RELAY UNIT 78	045945	12.60
		I-34360	01	-5562203	REPAIRS & MAI LABOR UNIT 78	045945	65.00
01-M00532	MISTY VALLEY WATER CO.						
		I-5600	01	-5542202	OPERATING SUP WATER FOR SBC CONCESSION	045947	323.50
01-M00098	MCASSEE & TAFT						
		I-293984	01	-5214302	CONSULTANTS/L PROFESSIONAL SERVICES	045948	158.00
		I-294888	01	-5214302	CONSULTANTS/L PROFESSIONAL SERVICES	045948	147.00
01-M00140	MCALESTER PAINT & SUPPL						
		I-027506	01	-5563203	REPAIR & MAIN PAINT FOR CROOKAW CURBS	045949	146.96
01-M00200	MCALESTER SCOTTISH RTE						

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VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-MC0200	MCALESTER SCOTTISH RITE	continued				
		1-700321	01 -5545311	PARKING RENTA 6 MONTHS FEE FOR PARKING	045950	375.00
01-MOC461	MICHAEL EUGENE BOX					
		1-08-24586	01 -5542308	CONTRACTED SE SB LEAGUE UMPIRE FEES	045951	120.00
01-NC0250	MCALESTER NEWS CAPITAL					
		I-01566730	01 -5212317	ADVERTISING & COUNCIL PUBLICATIONS	045952	22.65
		I-01566731	01 -5212317	ADVERTISING & COUNCIL PUBLICATIONS	045952	12.30
01-000060	OFFICE DEPOT, INC					
		I-470446041-001	01 -5213316	REPAIRS & MAI FURNITURE & EQUIPMENT	045955	1,158.75
		I-470446042-001	01 -5213316	REPAIRS & MAI FURNITURE & EQUIPMENT	045955	6.33
		I-470446042-002	01 -5213316	REPAIRS & MAI FURNITURE & EQUIPMENT	045955	35.90
		I-470446043-001	01 -5213316	REPAIRS & MAI FURNITURE & EQUIPMENT	045955	32.66
01-000075	O'REILLY AUTO PARTS					
		I-0230-139772	01 -5431316	REPAIRS & MAI AUTO PARTS/SUPPLIES	045956	19.99
		I-0230-329501	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045956	117.58
		I-0230-378020	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045956	12.16
		I-0230-463642	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045956	288.60
		I-0230-489437	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	045956	9.65
		I-0230-491914	01 -5431316	REPAIRS & MAI AUTO PARTS/SUPPLIES	045956	6.20
01-000380	OKLA. ST. FIREFIGHTERS					
		1-08-24565	01 -5431331	EMPLOYEE TRAV REGISTRATION FEE	045958	200.00
01-000520	OIL-OK INDEPENDENT LIVI					
		I-MAY 2009	01 -5215355	OIL-OK FOR 1N MONTHLY AGREEMENT FEE	045959	2,000.00
01-P00250	PATRY CASH					
		I-08-24578	01 -5210331	EMPLOYEE TRAV FED STIMULUS MEETING	045960	128.15
		I-08-24578	01 -5321325	FIRING RANGE SHIPPING FOR CLOCK REPAIR	045960	5.00
		I-08-24578	01 -5321331	EMPLOYEE TRAV CLEET RADAR SCHOOL	045960	35.63
		I-08-24578	01 -5324331	EMPLOYEE TRAV TRAVEL DISPATCH MEETING	045960	20.62
		I-08-24578	01 -5431203	REPAIRS & MAI BRASS NIPPLE FOR PRESSURE	045960	10.25
		I-08-24578	01 -5431331	EMPLOYEE TRAV TRAVEL-REPAIR HAZMAT TRUC	045960	29.19
		I-08-24578	01 -5542202	OPERATING SUP PROPANE EQUIPMENT	045960	23.00
		I-08-24579	01 -5211331	EMPLOYEE TRAV MEAL-CLASS HANDLING CLASS	045960	28.06
		I-08-24579	01 -5213202	OPERATING SUP FEED THE PRISONERS	045960	10.93
		I-08-24579	01 -5213331	EMPLOYEE TRAV OMCCA WORKSHOP	045960	237.78
01-P00331	PITTS COUNTY CRIME STOP					
		1-08-24536	01 -5215357	CRIME STOPPER FUNDING FOR PROGRAM	045961	2,500.00
01-000051	QUINTON BLAND					
		I-08-24591	01 -5542308	CONTRACTED SE SB LEAGUE UMPIRE FEES	045963	300.00
01-R00405	RIVERSIDE AUTO PLEX					

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FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-RC0405	RIVERSIDE AUTO PLEX	continued				
		I-CHCS120508	01 -5862203	REPAIRS & MAI DIAGNOSTIC FEE FOR BMW	045964	84.95
01-RC0523	ROY J. ENGLEMAN					
		I-156527	01 -5547202	OPERATING SUP RENTAL ON EQUIPMENT	045965	450.00
01-RC0526	ROSEN'S UNIFORMS					
		I-142591	01 -5431207	CLOTHING ALLO CLOTHING - ERIC GILES	045966	102.93
01-S00060	SANDERS NURSERY					
		I-999999-	01 -5542220	DONATIONS EXP REPLACEMENT TREES	045967	460.00
		I-999999A	01 -5542316	REPAIRS & MAI TREES FOR PARKS & ROWS	045967	1,071.70
01-S00150	SEARS COMMERCIAL ONE					
		I-034679021001	01 -5321316	REPAIRS & MAI 204 PIECE TOOL SET	045968	99.99
01-S00510	SOUTHERN SUPPLY & EQUIP					
		I-46226	01 -5542203	REPAIRS & MAI MISC REPAIRS & MAINT ITEM	045969	78.26
		I-46625	01 -5542203	REPAIRS & MAI MISC REPAIRS & MAINT ITEM	045969	215.50
01-S00726	STAPLES BUSINESS ADVANT					
		C-86327	01 -5225202	OPERATING SUP SUPPLIES, HARDWARE	045971	9.49-
		I-25964	01 -5225202	OPERATING SUP SUPPLIES, HARDWARE	045971	184.27
		I-7051293430-000001	01 -5212202	OPERATING SUP MISC. OFFICE SUPPLIES	045971	57.21
		I-84056	01 -5213316	REPAIRS & MAI PRINTER INK	045971	322.56
		I-84572	01 -5225202	OPERATING SUP SUPPLIES, HARDWARE	045971	94.47
		I-86330	01 -5225202	OPERATING SUP SUPPLIES, HARDWARE	045971	34.11
		I-86528	01 -5225202	OPERATING SUP SUPPLIES, HARDWARE	045971	71.06
		I-91075	01 -5225202	OPERATING SUP SUPPLIES, HARDWARE	045971	114.96
		I-96440	01 -5211202	OPERATING SUP OFFICE SUPPLIES	045971	35.07
		I-96441	01 -5213316	REPAIRS & MAI PRINTER INK	045971	44.81
		I-96445	01 -5213316	REPAIRS & MAI PRINTER INK	045971	30.26
01-S00770	STATEWIDE COMMUNICATION					
		I-1338	01 -5863203	REPAIR & MAIN SERVICE UNIT #3 - FUSE	045972	0.65
		I-1338	01 -5863203	REPAIR & MAIN SERVICE UNIT #3 - LABOR	045972	25.00
01-T00010	T. H. ROGERS LUMBER CO.					
		I-391245	01 -5548516	REPAIRS & MAI CITY CLERK DOOR FOR OFFIC	045973	106.69
01-T00056	TED ALEXANDER					
		I-08-24592	01 -5542308	CONTRACTED SE SB LEAGUE UMPIRE FEES	045975	160.00
01-T00366	TIMOTHY B MATKIN					
		I-08-24587	01 -5542308	CONTRACTED SE SB LEAGUE UMPIRE FEES	045977	220.00
01-T00370	TIPPIT INSURANCE					
		I-28409	01 -5215321	AUTO INSURANC ADD 2 TRASH TRUCKS	045978	197.00
		I-28410	01 -5215321	AUTO INSURANC ADD 3 FIRE TRUCKS	045978	189.00

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VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT	
01-T00554 TRI-TECH INC							
		I-51711	01 -5321202	OPERATING SUP DRUG KITS - METH	045979	190.00	
		I-51711	01 -5321202	OPERATING SUP DRUG KITS - MARIJUANA	045979	190.00	
		I-51711	01 -5321202	OPERATING SUP SHIPPING DRUG KITS	045979	11.37	
01-T00630 TWIN CITIES READY MIX							
		I-28258	01 -5865218	STREET REPAIR STREET REPAIRS	045980	1,269.00	
		I-30034	01 -5865218	STREET REPAIR STREET REPAIRS	045980	714.38	
		I-30613	01 -5865218	STREET REPAIR STREET REPAIRS	045980	198.75	
		I-30901	01 -5865218	STREET REPAIR STREET REPAIRS	045980	925.00	
		I-30902	01 -5865218	STREET REPAIR CONCRETE	045980	925.00	
01-U00130 UNITED SAFETY & CLAIMS							
		I-08-24613	01 -5215106	WORKMAN'S COM WORKERS COMP-DON BASS	045984	37,570.00	
		I-08-24614	01 -5215106	WORKMAN'S COM WORKERS COMP MED CLAIMS	045985	7,107.56	
		I-7442	01 -5215106	WORKMAN'S COM MAY 2009 SERVICE FEE	045986	1,175.00	
01-W00040 WALMART COMMUNITY BRC							
		I-01987	01 -5431202	OPERATING SUP CLEANING SUPPLIES	045987	80.17	
		I-022999	01 -5652316	REPAIRS & MAI PAINTING SUPPLIES	045987	111.75	
		I-02460	01 -5431202	OPERATING SUP CLEANING SUPPLIES	045987	55.54	
		I-027783	01 -5652316	REPAIRS & MAI PAINTING SUPPLIES	045987	2.64	
		I-04298	01 -5320202	OPERATING EXP SUPPLIES	045987	15.34	
		I-04742	01 -5431202	OPERATING SUP CLEANING SUPPLIES	045987	27.99	
		I-05008	01 -5431202	OPERATING SUP CLEANING SUPPLIES	045987	197.82	
		I-05009	01 -5431202	OPERATING SUP CLEANING SUPPLIES	045987	24.96	
		I-05636	01 -5431202	OPERATING SUP CLEANING SUPPLIES	045987	69.27	
		I-08139	01 -5321202	OPERATING SUP BLANKET MISC. SUPPLIES	045987	34.61	
		I-09240	01 -5321202	OPERATING SUP MISC SUPPLIES	045988	9.92	
		I-09473	01 -5431202	OPERATING SUP CLEANING SUPPLIES	045988	46.36	
01-W00193 WEDDLE SIGNS							
		I-05188	01 -5215480	CONTINGENCY/A ADA SIGNS WITH BRAILLE	045990	593.44	
01-W00270 WHITE ELECTRICAL SUPPLY							
		I-234594	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	045991	97.19	
		I-235057	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	045991	256.92	
		I-235503	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	045991	41.16	
		I-235675	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	045991	267.03	
		I-235873	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	045991	446.32	
		I-235877	01 -5548203	REPAIRS & MAI BULBS & BALLASTS	045991	790.84	
01-X00023 XEROX CORP-MAJOR ACCOUN							
		I-039891036	01 -5215312	EQUIPMENT REN LEASE COPIER	045992	475.47	
01-Z00010 ZEE MEDICAL INK							
		I-0021831231	01 -5865202	OPERATING SUP MEDICAL SUPPLIES	045993	52.70	
FUND 01 GENERAL FUND						TOTAL:	105,143.15

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00103	ACCURATE LABS & MINING					
		I-9C04019	02 -5974304	LAB TESTING TRM & HAA TESTING MONTHLY	045884	80.00
		I-9C04020	02 -5974304	LAB TESTING TRM & HAA TESTING MONTHLY	045884	100.00
		I-9D08032	02 -5974304	LAB TESTING TRM & HAA TESTING MONTHLY	045884	100.00
		I-9D08033	02 -5974304	LAB TESTING TRM & HAA TESTING MONTHLY	045884	80.00
		I-9D15018	02 -5974308	CONTRACTED SE STAGE 2 DBPR	045884	1,360.00
01-A00753	ATCO INTERNATIONAL					
		I-10235555	02 -5862203	REPAIRS & MAI HAND CLEANER	045893	759.00
01-B00043	B & S SUPPLY, INC.					
		I-59021	02 -5864204	SMALL TOOLS NUTS, BOLTS, TOOL SET	045896	334.84
01-B00491	BRENTAG SOUTHWEST					
		I-BSW133252	02 -5973203	REPAIRS & MAI KEGAL CHLORINATOR	045901	1,725.00
		I-BSW134524	02 -5973206	MAJOR CHEMICA CHLORINE GAS	045901	515.00
		I-BSW134524	02 -5973206	MAJOR CHEMICA SULFUR DIOXIDE	045901	900.00
		I-BSW134524	02 -5973206	MAJOR CHEMICA FREIGHT	045901	27.50
01-C00669	CONTINENTAL RESEARCH CO					
		I-312614-CRC-1	02 -5973203	REPAIRS & MAI DISINFECTANT CLEANER	045906	178.27
		I-312656-CRC-1	02 -5973203	REPAIRS & MAI CASE GREASE	045906	253.68
01-C00850	CRONATRON WELDING SYSTE					
		I-7774647	02 -5862203	REPAIRS & MAI WELDING SUPPLIES	045909	1,317.73
01-D00010	D & R ELECTRIC, INC					
		I-2173	02 -5974203	REPAIRS & MAI REPAIR EXTERIOR LIGHTS	045911	2,400.00
		I-2174	02 -5973203	REPAIRS & MAI PHONE DIALER LINKS LIFT	045911	650.00
		I-2175	02 -5973203	REPAIRS & MAI PHONE DIALER AMERIC INN	045911	990.00
01-D00323	DEPT. OF ENVIR. QUALITY					
		I-55355237	02 -5974329	DEQ FEES 2009 ANNUAL FEE	045914	5,123.00
01-F00015	FLEETCOR TECHNOLOGIES					
		I-NP17521461	02 -5862205	PETROLIUM PRO FUEL FOR MPWA ACCOUNT	045920	5,735.30
01-G00010	G & C RENTAL CENTER, IN					
		I-8829	02 -5864312	EQUIPMENT REN RENTAL ON DOZER - MAR 09	045926	3,100.00
01-I00110	IMPRESS OFFICE SUPPLY					
		I-027829	02 -5974317	ADVERTISING & PUBLIC NOTICE	045933	276.08
		I-027924	02 -5216202	OPERATING SUP HP LASER/LET INK	045933	71.99
		I-027938	02 -5216202	OPERATING SUP OFFICE SUPPLIES	045933	98.07
01-K00040	KALUBE COMPANY					
		I-0824371	02 -5973203	REPAIRS & MAI RED CROWN LUBE	045938	397.60
01-N00312	NORTH 69 AUTO SALVAGE					

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-N00312	NORTH 69 AUTO SALVAGE		continued			
		I-01002170	02 -5862203	REPAIRS & MAI REAR END FOR J 04	045953	400.00
01-N00347	MEHLBURGER BRAWLEY / NR					
		I-MC-07-03-11	02 -5974401	CAPITAL OUTLA ENHANCED COAGULATION	045954	9,108.66
01-000275	OKLA DEPT OF COMMERCE					
		I-MAY 2009	02 -5267521	COBG LOAN #89 COBG-EDIF #8908 ECON. DEV	045957	1,145.83
01-P00250	PETTY CASH					
		I-08-24578	02 -5216202	OPERATING SUP POSTAGE-CATASTROIC REPAIR	045960	16.88
		I-08-24578	02 -5862203	REPAIRS & MAI KEYS FOR SW1 & SW2	045960	5.26
		I-08-24579	02 -5216331	TRAVEL & TRAI MEAL-CASH HANDLING CLASS	045960	15.79
		I-08-24579	02 -5216331	TRAVEL & TRAI MEAL-CASH HANDLING CLASS	045960	16.16
01-P00420	POSTMASTER					
		I-08-24637	02 -5216317	POSTAGE POSTAGE FOR UTILITY BILLI	045962	9,000.00
01-SG0530	SOUTHWEST CHEMICAL SERV					
		I-85730	02 -5974206	MAJOR CHEMICA CAUSTIC	045970	8,224.00
01-UC0053	UTILITY SUPPLY					
		I-038396	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	116.22
		I-038456	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	71.79
		I-038457	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	25.00
		I-038458	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	57.09
		I-038459	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	29.70
		I-038647	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	36.06
		I-038648	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	136.08
		I-038778	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	124.00
		I-039076	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	122.09
		I-039077	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	9.28
		I-039078	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	27.84
		I-039079	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	63.88
		I-039080	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	173.52
		I-039081	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045981	8.43
		I-039082	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045982	225.75
		I-039083	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	045982	245.16
01-U00128	UNITED PACKAGING & SHIP					
		I-63544	02 -5974329	DEQ FEES SHIP SAMPLES	045983	269.78
		I-64771	02 -5974329	DEQ FEES SHIP SAMPLES	045983	235.82
01-W00130	WATER PRODUCTS					
		I-0755225-IN	02 -5975334	SEWER MAIN RE 6" PVC DRI4 PIPE	045989	1,550.00
		I-0755225-IN	02 -5975334	SEWER MAIN RE 8" PVC SEWER PIPE	045989	921.00
			FUND 02 MPWA	TOTAL:		58,964.33

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 03 AIRPORT AUTHORITY

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-F00170	FIRST NATIONAL BANK					
		I-MAY 2009	03 -5876511	FNB LOAN #119 LOAN#119817 AIRPORT AUTH	045924	2,510.00
			FUND	03 AIRPORT AUTHORITY	TOTAL:	2,510.00

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 08 NUTRITION

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT

C1-D00213	DEBBIE COMPTON					
		I-08-24628	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	045913	150.00
		I-08-24634	08 -5549308	CONTRACT SERV REIMB OF MILEAGE	045913	122.10
01-G00220	KENNETH EUGENE CARR					
		I-08-24633	08 -5549308	CONTRACT SERV REIMB OF MILEAGE	045927	137.50
01-K00186	KENNETH BAKER					
		I-08-24627	08 -5549308	CONTRACT SERV REIMB OF MILEAGE	045939	116.60
		I-08-24629	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	045939	150.00
			FUND	08 NUTRITION	TOTAL:	676.20

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 28 SE EXPO CTR/TOURISM FUND

VENDOR NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-CC0669 CONTINENTAL RESEARCH CO	I-312506-CRC-1	28 -5654203	REPAIR & MAIN OX-22 POWER CLEANER	045906	408.50
01-DC0205 DAYLIGHT DONUTS	I-2503-25	28 -5654224	CATERING DONUTS FOR OK HEALTHCARE	045912	27.60
01-L00428 LOWE'S CREDIT SERVICES	I-01249	28 -5654316	REPAIRS & MAI WELDER & SUPPLIES	045943	921.99
01-T00054 BIZ CHAIR	I-0287613	28 -5654316	REPAIRS & MAI BANQUET CHAIRS	045974	4,798.00
01-T00058 BIZTEL	I-3463	28 -5654316	REPAIRS & MAI FAX LINE INSTALLATION	045976	85.00
01-W00040 WALMART COMMUNITY BRC	I-017971	28 -5654210	CONCESSION SU CONCESSION SUPPLIES	045987	53.78
	I-020637	28 -5654224	CATERING CATERING FOR DHS	045987	12.44
	I-024796	28 -5654210	CONCESSION SU CONCESSION SUPPLIES	045987	19.74
	I-027552	28 -5654202	OPERATING SUP AV COMPONENTS & ADDING MAC	045987	18.00
FUND 28 SE EXPO CTR/TOURISM FUND TOTAL:					6,145.05

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 29 E-911

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-130428	LOWE'S CREDIT SERVICES					
		I-01452	29 -5324316	REPAIRS-MAINT MISC SUPPLERS-911 REMODEL	045943	199.39
01-300058	BIZTEL					
		I-3467	29 -5324316	REPAIRS-MAINT MOVE EQUIPMENT	045976	302.08
			FUND 29 E-911		TOTAL:	501.47

PACKET: 04308 CLAIMS FOR 5/12/09

VENDOR SET: 01

FUND : 30 ECONOMIC DEVELOPMENT

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-M00270	MEDS					
		1-MAY 2009	30 -5211360	MC ECONOMIC D MONTHLY EXPENSE CONTRACT	045946	12,500.00
01-N00250	MCALESTER NEWS CAPITAL					
		I-02563408	30 -5211403	ECONOMIC DEVE BID AD ON NEW SEWER LINE	045952	55.10
01-000275	OKLA DEPT OF COMMERCE					
		I-MAY 2009	30 -5211510	CDBG / EDIF @ CDBG-EDIF CONT. #12248 ED	045957	282.50
			FUND 30	ECONOMIC DEVELOPMENT	TOTAL:	12,837.60
					REPORT GRAND TOTAL:	186,777.80

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	--- LINE ITEM ---			-----GROUP BUDGET-----		
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
2008-2009	01 -5101319	MISCELLANEOUS	93.08	3,000	236.56				
	01 -5210202	OPERATING SUPPLIES	43.02	5,500	475.68				
	01 -5210331	EMPLOYEE TRAVEL & TRAININ	128.15	3,000	1,664.43				
	01 -5211202	OPERATING SUPPLIES	124.64	7,050	329.15				
	01 -5211331	EMPLOYEE TRAVEL & TRAININ	28.06	5,000	1,603.12				
	01 -5212202	OPERATING SUPPLIES	57.21	2,341	50.39				
	01 -5212317	ADVERTISING & PRINTING	34.95	5,000	295.72				
	01 -5213202	OPERATING SUPPLIES	309.85	7,000	3,705.21				
	01 -5213316	REPAIRS & MAINTENANCE	1,631.27	2,500	223.31				
	01 -5213317	ADVERTISING & PRINTING	410.78	7,535	2,213.98				
	01 -5213331	EMPLOYEE TRAVEL & TRAINING	237.78	3,000	282.67				
	01 -5214302	CONSULTANTS/LABOR RELATION	2,785.00	119,965	36,436.49				
	01 -5215106	WORKMAN'S COMP	45,852.56	298,525	12,704.92				
	01 -5215301	AUDITING	3,075.00	25,000	4,151.28				
	01 -5215312	EQUIPMENT RENTALS	475.47	50,506	14,009.20				
	01 -5215316	REPAIRS & MAINTENANCE	726.95	6,000	4,767.74				
	01 -5215321	AUTO INSURANCE	386.00	44,394	4,126.14				
	01 -5215355	OIL-OK FOR INDEPENDENT LIV	2,000.00	24,000	0.00				
	01 -5215357	CRIME STOPPERS	2,500.00	2,500	0.00				
	01 -5215480	CONTINGENCY/ADA COMPLIANCE	687.94	46,445	3,049.10				
	01 -5215622	TRANSFERS-CCP 12.5%	146.88	5,000	0.00				
	01 -5225202	OPERATING SUPPLIES	479.38	4,005	653.63				
	01 -5225349	INCODE SOFTWARE MAINTENANC	200.00	27,400	1,721.00				
	01 -5225401	COMPUTER TECHNOLOGY	935.85	47,500	22,964.72				
	01 -5320202	OPERATING EXPENSE	325.66	5,000	1,178.50				
	01 -5321202	OPERATING SUPPLIES	470.26	15,000	5,035.36				
	01 -5321308	CONTRACTED SERVICES	476.16	20,683	11,379.42				
	01 -5321316	REPAIRS & MAINTENANCE	99.99	10,000	9,850.01				
	01 -5321325	FIRING RANGE	190.00	9,000	8,328.60				
	01 -5321331	EMPLOYEE TRAVEL & TRAININ	125.63	12,000	5,370.49				
	01 -5324202	OPERATING SUPPLIES	374.62	1,276	173.31				
	01 -5324331	EMPLOYEE TRAVEL & TRAINING	20.62	500	284.38				
	01 -5431202	OPERATING SUPPLIES	913.33	31,000	4,157.00				
	01 -5431203	REPAIRS & MAINT SUPPLIES	223.35	12,927	7,149.05				
	01 -5431207	CLOTHING ALLOWANCE	102.93	16,125	1,990.45				
	01 -5431316	REPAIRS & MAINTENANCE	162.19	16,000	661.92				
	01 -5431330	DUES & SUBSCRIPTIONS	330.00	13,000	5,478.12				
	01 -5431331	EMPLOYEE TRAVEL & TRAININ	229.19	12,000	718.36				
	01 -5542202	OPERATING SUPPLIES	2,269.50	48,000	17,737.70				
	01 -5542203	REPAIRS & MAINT SUPPLIES	293.76	26,000	2,083.39				
	01 -5542206	MAJOR CHEMICALS	165.00	24,000	15,486.15				
	01 -5542220	DONATIONS EXPENSE	460.00	75,000	68,892.54				
	01 -5542308	CONTRACTED SERVICES	2,090.00	25,000	4,016.72				
	01 -5542316	REPAIRS & MAINTENANCE	2,007.05	20,000	1,901.27				
	01 -5543203	REPAIRS & MAINT SUPPLIES	186.72	16,000	1,505.99				

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM		GROUP BUDGET	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
01	-5544202	OPERATING SUPPLIES	189.83	3,000	439.17		
01	-5545203	REPAIRS & MAINT SUPPLIES	345.05	9,300	2,521.69		
01	-5545311	PARKING RENTAL	375.00	4,500	0.00		
01	-5547202	OPERATING SUPPLIES	450.00	500	50.00		
01	-5547203	REPAIRS & MAINT SUPPLIES	959.80	10,000	406.98		
01	-5547204	SMALL TOOLS	1,196.38	2,000	801.62		
01	-5548203	REPAIRS & MAINTENANCE SUPP	3,487.76	44,901	5,217.87		
01	-5548316	REPAIRS & MAINTENANCE	324.90	11,025	390.09		
01	-5652202	OPERATING SUPPLIES	35.00	3,200	290.80		
01	-5652316	REPAIRS & MAINTENANCE	114.39	0	114.39		
01	-5652318	ABATEMENTS	495.00	15,000	5,852.44		
01	-5862202	OPERATING SUPPLIES	433.83	2,000	386.57		
01	-5862203	REPAIRS & MAINT SUPPLIES	3,434.96	194,670	7,122.68		
01	-5862205	PETROLEUM PRODUCTS	10,565.29	410,000	127,606.31		
01	-5863203	REPAIR & MAINT SUPPLIES	211.53	37,800	20,081.80		
01	-5865202	OPERATING SUPPLIES	52.70	2,000	143.50		
01	-5865218	STREET REPAIRS & MAINTENAN	4,512.13	220,500	15,286.80		
01	-5865510	CAPITAL LEASE	3,091.82	37,101	0.00		
02	-5216202	OPERATING SUPPLIES	186.94	16,385	1,532.84		
02	-5216317	POSTAGE	9,300.00	50,000	9,500.00		
02	-5216331	TRAVEL & TRAINING	31.95	1,500	1,201.71		
02	-5267521	CDBG LOAN #6908	1,145.83	13,750	0.04		
02	-5862203	REPAIRS & MAINT SUPPLIES	2,481.99	339,000	12,379.62		
02	-5862205	PETROLEUM PRODUCTS	5,735.30	200,000	56,501.54		
02	-5864204	SMALL TOOLS	334.84	1,000	429.84		
02	-5864312	EQUIPMENT RENTALS	3,100.00	96,500	11,650.00		
02	-5973203	REPAIRS & MAINT SUPPLIES	4,194.55	57,500	7,184.51		
02	-5973206	MAJOR CHEMICALS	1,442.50	5,000	191.66		
02	-5974203	REPAIRS & MAINT SUPPLIES	2,400.00	40,000	13,762.25		
02	-5974206	MAJOR CHEMICALS	8,224.00	350,000	25,904.49		
02	-5974304	LAB TESTING	360.00	34,000	1,301.38		
02	-5974308	CONTRACTED SERVICES	1,160.00	55,000	2,770.09		
02	-5974317	ADVERTISING & PRINTING	276.08	4,000	2,496.98		
02	-5974329	DEQ FEES	5,628.60	7,000	295.34		
02	-5974401	CAPITAL OUTLAY	9,108.66	1,006,785	161,022.88		
02	-5975209	UTILITY MAINTENANCE SUPP.	1,472.09	30,000	75.18		
02	-5975334	SEWER MAIN REPAIR	2,481.00	10,000	5,539.00		
03	-5876511	FNB LOAN #119817 PAYMENTS	2,510.00	30,120	0.00		
08	-5549308	CONTRACT SERVICES	676.20	15,930	2,261.58		
28	-5654202	OPERATING SUPPLIES	18.00	7,726	1,307.15		
28	-5654203	REPAIR & MAINT SUPPLIES	408.50	16,000	2,327.77		
28	-5654210	CONCESSION SUPPLIES	73.52	25,200	208.35		
28	-5654224	CATERING	40.04	4,300	937.92		
28	-5654316	REPAIRS & MAINTENANCE	5,604.99	12,000	3,273.32		
29	-5324316	REPAIRS-MAINTENANCE	501.47	31,220	26,917.92		

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM		GROUP BUDGET	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
	30 -5211360	MC ECONOMIC DEVELOPMENT	12,500.00	170,500	0.00		
	30 -5211403	ECONOMIC DEVELOPMENT PROJE	55.10	505,001	487,735.90		
	30 -5211510	CDBG / EDIF DURALINE LOAN	282.50	3,390	0.00		
	** 2008-2009 YEAR TOTALS **		186,777.80				

NO ERRORS

** END OF REPORT **



McAlester City Council

AGENDA REPORT

Meeting Date: May 12, 2009 Item Number: C
Department: City Manager
Prepared By: Mark B. Roath Account Code: _____
Date Prepared: May 6, 2009 Budgeted Amount: _____
Exhibits: One

Subject

A resolution appointing David Medley to serve as the City of McAlester's representative on the Board of Directors of the Association for Landfill Financial Assurance (ALFA).

Recommendation

Motion to approve a resolution appointing David Medley to serve on the Board of Directors of the Association for Landfill Financial Assurance (ALFA).

Discussion

The City of McAlester, through the McAlester Public Works Authority, is entitled to have a representative on the ALFA Board of Directors pursuant to the Participation Agreement with ALFA dated July 1, 1995. With the retirement of George Marcangeli, the City needs to appoint a new representative. David Medley, Utilities Director, is familiar with the ALFA organization as well as the landfill operations, and would be a good replacement.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>05/06/09</u>

R E S O L U T I O N N O. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McALESTER, OKLAHOMA, APPOINTING DAVID MEDLEY TO SERVE ON THE BOARD OF DIRECTORS OF THE ASSOCIATION FOR LANDFILL FINANCIAL ASSURANCE (ALFA).

WHEREAS, the City of McAlester, through the McAlester Public Works Authority, is a member of ALFA pursuant to a Participation Agreement dated July 1, 1995, and is thereby entitled to have a representative on the ALFA Board of Directors; and

WHEREAS, the City of McAlester's current representative on the ALFA Board of Directors has retired as of April 30, 2009; and

WHEREAS, a new representative to the ALFA Board of Directors needs to be appointed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF McALESTER, OKLAHOMA:

Section 1. David Medley is hereby appointed as the representative of the City of McAlester and the McAlester Public Works Authority to serve on the Board of Directors of ALFA.

Section 2. This Resolution shall be in full force and effect from and after its adoption.

PASSED and APPROVED this 12th day of May, 2009.

**CITY OF McALESTER, OKLAHOMA
A Municipal Corporation**

By: _____
Kevin E. Priddle, Mayor

ATTEST:

By: _____
Cora Middleton, City Clerk



McAlester City Council

AGENDA REPORT

Meeting Date: May 12, 2009
Department: City Manager
Prepared By: Mark B. Roath
Date Prepared: May 6, 2009

Item Number: D
Account Code: _____
Budgeted Amount: _____
Exhibits: One

Subject

Consider, and act upon, authorizing the Pittsburg County Chapter of the NAACP to use Michael J. Hunter Park on Saturday, June 20, 2009, between the hours of 9:00 a.m. to 6:00 p.m., for the Juneteenth Celebration.

Recommendation

Motion to approve the use of Michael J. Hunter Park for the Juneteenth Celebration on Saturday, June 20, 2009.

Discussion

Ms. Maureen Harrison, on behalf of the Pittsburg County Chapter of the NAACP is requesting the use of the above named park. (See attached letter)

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>05/06/09</u>

RECEIVED

APR 27 2009

19 West Coleman
McAlester, Oklahoma 74501
April 25, 2009

McAlester City Council
Municipal Building
1st & Washington
McAlester, Oklahoma 74501

Re: JUNETEENTH CELEBRATION
Saturday, June 20, 2009
Michael J. Hunter Park
15th & Chickasaw, McAlester

Sirs:

This letter is a request to use the above-named park for our annual Juneteenth Celebration.

We are requesting the use of Michael J. Hunter Park from 9:00 a.m. until approximately 6:00 p.m. on Saturday, June 20, 2009.

The community event will include speakers, food vendors, children's activities and more—in a family-friendly atmosphere.

Juneteenth Celebration honors the date of June 19, 1865, in which Major General Gordon Granger and the union soldiers reached Galveston, Texas. General Granger read the news the war had ended and the slaves were free. The official Emancipation Proclamation signed by President Abraham Lincoln was dated January 1, 1863.

Thank you for your assistance in making this a successful event.

Sincerely,



Maureen Harrison
Publicity Chairperson
Pittsburg County Chapter – NAACP

mh

xc: file

423-1385 (home #)



McAlester City Council

AGENDA REPORT

Meeting Date: May 6, 2009
Department: City Council
Prepared By: Kevin E. Priddle
Date Prepared: May 6, 2009

Item Number: 1
Account Code: _____
Budgeted Amount: _____
Exhibits: _____

Subject

Presentation of Mayor's March 2009 Financial Report.

Recommendation

Discussion

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>05/06/09</u>



McAlester City Council

AGENDA REPORT

Meeting Date: May 12, 2009 Item Number: 2
Department: City Manager
Prepared By: Mark B. Roath Account Code: _____
Date Prepared: May 6, 2009 Budgeted Amount: _____
Exhibits: One

Subject

Consider, and act upon, an Ordinance amending the Code of Ordinances, Chapter 2, Article IV, Division 3, Sections 2-131 and 2-132 regarding the duties of the Department of Public Works; providing for repealing, savings and severability clauses; and providing for an effective date.

Recommendation

Motion to adopt an Ordinance amending Sections 2-131 and 2-132 of the Code of Ordinances regarding the duties of the Department of Public Works.

Discussion

At the April 28, 2009 meeting, the City Council adopted an ordinance establishing a Stormwater Utility. Section 106-412 of that Ordinance created a Division of Stormwater Quality Management within the Public Works Department. This proposed Ordinance amends the original enabling legislation that adopted the Department of Public Works to include as part of its duties the Stormwater Quality Management Division. (See double underlined language).

Approved By

Initial

Date

Department Head

MBR

05/06/09

City Manager

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ARTICLE IV, DIVISION 3, SECTIONS 2-131 AND 2-132 REGARDING THE DUTIES OF THE DEPARTMENT OF PUBLIC WORKS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of McAlester, Oklahoma ("McAlester") has investigated and determined that it will be beneficial and advantageous to the citizens of McAlester to amend Sections 2-131 and 2-132 of the Code of Ordinances for the purpose of revising the Department of Public Works; and

WHEREAS, the City Council has further investigated and determined that a change in duties are needed as a result of the adoption of Ordinance No. 23-21; and

WHEREAS, the City Council has further investigated and determined that such revisions to the department supports and furthers a public purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF McALESTER, OKLAHOMA:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Section 2-131 of the Code of Ordinances. Section 2-131 is hereby amended to clarify the creation and director of the Department of Public Works:

There is hereby established an executive department of the City of McAlester to be known as the Department of Public Works. The Department of Public Works shall be organized into the divisions of: Engineering, Facilities Maintenance, Fleet Maintenance, Solid Waste, Stormwater Quality Management, Streets Maintenance and Traffic Control. The head of such department shall be the City Engineer and Director, who shall be appointed by the City Manager for an indefinite term and removable by the Manager. The City Engineer and Director shall be an officer of the city and shall have supervision and control of the Department of Public Works.

SECTION 2: Amendment to Section 2-132 of the Code of Ordinances. Section 2-132 is hereby amended to allow for the following additional duties:

It shall be the duty of the City Engineer and Director to oversee the divisions within the Department of Public Works:

- (1) Engineering Division, which shall be directly responsible for the performance or approval of all engineering services, including the design and preparation of all contract drawings and specifications for all public works construction; the supervision and inspection of all such construction; the establishment of all street, alley and walk grades; and shall be further responsible for stormwater management program. The division shall carry out such other functions as may be prescribed by statute, City Charter or ordinance. The division shall perform other functions as assigned by the City Engineer and Director.
- (2) Facilities Division, which shall be directly responsible for maintaining all buildings and grounds used by the city. The division shall carry out such other functions as may be prescribed by statute, City Charter or ordinance. The division shall perform other functions as assigned by the City Engineer and Director.
- (3) Fleet Maintenance Division, which shall be directly responsible for maintaining city equipment and vehicles. The division shall carry out such other functions as may be prescribed by statute, City Charter or ordinance. The division shall perform other functions as assigned by the City Engineer and Director.
- (4) Solid Waste Division, which shall be directly responsible for the collection and disposal of solid waste and the operation and maintenance of all facilities for such purposes. The division shall carry out such other functions as may be prescribed by statute, City Charter or ordinance. The division shall perform other functions as assigned by the City Engineer and Director.
- (5) Stormwater Quality Management Division, which shall be directly responsible for designing and implementing compliance programs protecting the City's natural resources. The division shall carry out such other functions as may be prescribed by statute, City Charter or ordinance. The division shall perform other functions as assigned by the City Engineer and Director.
- (6) Streets Division, which shall be directly responsible for the maintenance of all streets, highways, alleys, walks, pavements and surfaces, including maintenance of appurtenant storm sewer systems, street cleaning, street repairs. The division shall carry out such other functions as may be prescribed by statute, City Charter or ordinance. The division shall perform other functions as assigned by the City Engineer and Director.
- (7) Traffic Control Division, which shall be directly responsible for the placement and operation of traffic signals and lighting fixtures. The division shall carry out such other functions as may be prescribed by statute, City Charter or ordinance. The division shall perform other functions as assigned by the City Engineer and Director.

SECTION 3: Savings/ Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any

pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. McAlester hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 5: Effective Date. This Ordinance shall take affect and be in force thirty (30) days after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF McALESTER, OKLAHOMA, on this 12th day of May, 2009.

Kevin E. Priddle, Mayor

ATTEST TO:

Cora Middleton, City Clerk

APPROVED AS TO FORM:

William J. Ervin, City Attorney



McAlester City Council

AGENDA REPORT

Meeting Date: May 12, 2009 Item Number: 3
Department: City Manager
Prepared By: Mark B. Roath Account Code: _____
Date Prepared: May 6, 2009 Budgeted Amount: _____
Exhibits: Two

Subject

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.

Recommendation

Motion to approve a Budget Amendment Ordinance amending Ordinance No. 2299, which established the Budget for Fiscal Year 2008-2009.

Discussion

This proposed Budget Amendment Ordinance contains the following items:

1. Severance/Unused Leave: The Fire Department had several unexpected retirements and/or terminations during the fiscal year, which were not anticipated at the time their budgeted was developed.
2. Wage Claim: This amount is to cover a non-budgeted wage claim.
3. Street Repairs and Maintenance: This amount is to provide the Street Division with funds to patch potholes, etc., through June 30, 2009.
4. Smith Barney Reimbursement: This amount is for additional payments to new retirees.
5. Agent Fees: This amount is BancFirst agent fees in handling the bond bank accounts.

In addition, attached here is a summary of budget amendments for FY 2008-2009 including those listed herein.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>05/06/09</u>

ORDINANCE NO. __

AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, 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.

WHEREAS, the City Council heretofore adopted Ordinance No. 2299 setting forth the Budget for Fiscal Year 2008-2009 beginning July 1, 2008 and ending June 30, 2009; and

WHEREAS, the City Departments and Divisions routinely review their budget appropriations to determine if any changes are necessary; and

WHEREAS, based upon said review the City staff now recommends that certain amendments to the Budget be considered by the City Council; and

WHEREAS, the City Council has the authority to make amendments to the City Budget under Article 5, Section 5.07 (b) of the City Charter as well as State law; and

WHEREAS, the City Council has determined that the proposed amendment to the FY 2008-2009 Budget, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF McALESTER, OKLAHOMA:

SECTION 1: The proposed amendment to the FY 2008-2009 Budget of the City of McAlester, Oklahoma, as heretofore adopted by Ordinance, as summarized in Exhibit A-1, A-2 and A-3, which are attached hereto and fully incorporated herein by reference, be, and the same hereby are, completely adopted and approved as an amendment to the said FY 2008-2009 Budget.

SECTION 2: All portions of the existing FY 2008-2009 Budget, Ordinance No. 2299 except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

SECTION 3: That all other ordinances in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other ordinances not in conflict herewith shall remain in full force and effect.

SECTION 4: Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the

same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part or parts as declared to be invalid, illegal, or unconstitutional.

SECTION 5: That an emergency is hereby declared to exist, and for the provision of the public peace, health and safety, by reason whereof it is necessary that all acts take effect immediately and be in full force and effect from, and after the passage and approval.

PASSED and the EMERGENCY CLAUSE ruled on separately this 12th day of May, 2009.

**CITY OF MCALESTER, OKLAHOMA
A Municipal Corporation**

By _____
Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk

Approved as to form and legality this 12th day of May, 2009.

William J. Ervin, City Attorney

FY 2008-2009 BUDGET AMENDMENT

GENERAL FUND (01)

Estimated Fund Balance 6/30/08	-
FY 08-09 Budgeted Revenues	14,600,599
FY 08-09 Budgeted Appropriations	(14,348,792)
Additional Revenue	-
Budget Amendments	<u>(95,973)</u>
Estimated Ending Fund Balance	<u>155,834</u>

DEPARTMENT	FUND	CCOUNT	N(REV/EXP	AMOUNT	DESCRIPTION	COUNCIL MEETING
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APPROPRIATIONS 01

FIRE	5431105	EXP	56,291	Severance/Unused Leave
STREETS	5865101	EXP	9,682	Wage claim.
STREETS	5865218	EXP	30,000	Street Repairs & Maintenance
<u>Total Appropriations</u>			<u>95,973</u>	

FY 2008-2009 BUDGET AMENDMENT

MCALESTER RETIREMENT FUND (11)

Estimated Fund Balance 6/30/08	-
FY 08-09 Budgeted Revenues	480,585
FY 08-09 Budgeted Appropriations	(480,585)
Additional Revenue	12,176
Budget Amendments	<u>(12,176)</u>
Estimated Ending Fund Balance	<u>-</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION	COUNCIL MEETING
RETIREMENT	11	4-0-625	REV	12,176	Smith Barney reimbursement	
		<u>Total Revenues</u>		<u>12,176</u>		
RETIREMENT	11	5220102	EXP	12,176	Additional pension payments.	
		<u>Total Appropriations</u>		<u>12,176</u>		

FY 2008-2009 BUDGET AMENDMENT

DEDICATED SALES TAX (38)

Estimated Fund Balance 6/30/08	-
FY 08-09 Budgeted Revenues	4,102,106
FY 08-09 Budgeted Appropriations	(3,179,558)
Additional Revenue	-
Budget Amendments	<u>(2,938)</u>
Estimated Ending Fund Balance	<u>919,610</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION	COUNCIL MEETING
DEDICATED SALES TAX	38	5215520	EXP	2,938	Agent Fees	
		<u>Total Appropriations</u>		<u>2,938</u>		

FY 2008-2009 BUDGET AMENDMENT

GENERAL FUND (01)

Estimated Fund Balance 6/30/08	-
FY 08-09 Budgeted Revenues	13,886,471
FY 08-09 Budgeted Appropriations	(13,813,856)
Additional Revenue	714,129
Budget Amendments	(630,909)
Estimated Ending Fund Balance	<u>155,834</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION	COUNCIL MEETING
REVENUES	01	4-0-106	REV	300,000	Sales Tax	04/28/2009
GENERAL		4-0-106	REV	162,751	Sales Tax	02/24/2009
		4-0-300	REV	24,000	Hiway Safety Grant	12/23/2008
		4-0-422	REV	120,000	Oil & Gas Revenue	02/24/2009
		4-0-602	REV	42,627	Auction	04/28/2009
		4-0-625	REV	36,851	Union Ins. Co. Hail Damage reimb. to A/C units.	01/13/2009
		4-0-628	REV	27,900	DEA reimbursement to PD narcotics overtime.	02/24/2009
		<u>Total Revenues</u>		<u>714,129</u>		
APPROPRIATIONS	01					
Council		5101350	EXP	13,500	Special Election for the one cent sales tax.	12/23/2008
Municipal Court		5213102	EXP	21,946	Part-time payroll (Warrant Officer)	08/26/2008
		5213108	EXP	1,361	Fica	08/26/2008
		5213109	EXP	137	Unemployment	08/26/2008
		5213110	EXP	2,195	Pension	08/26/2008
		5213111	EXP	318	Medicare	08/26/2008
INFORMATION SERV.		5225404	EXP	33,000	Incode Municipal Court software.	02/24/2009
POLICE/CID		5320103	EXP	25,000	PD narcotics overtime.	02/24/2009
		5320111	EXP	479	Medicare for additional overtime/holiday pay	02/24/2009
POLICE/CID		5320101	EXP	10,000	Full Time Payroll	04/28/2009
		5320103	EXP	700	Overtime	04/28/2009
		5320111	EXP	163	Medicare	04/28/2009
		5320112	EXP	500	Holiday Pay	04/28/2009
		5320113	EXP	1,456	Pension Uniform	04/28/2009
POLICE/PATROL		5321105	EXP	18,000	Severance pay for employee retirement.	02/24/2009
		5321111	EXP	261	Medicare for severance pay.	02/24/2009
POLICE		5321114	EXP	24,000	Grant- Traffic Enforcement	12/23/2008
POLICE/PATROL		5321101	EXP	30,822	Full Time Payroll	04/28/2009
		5321103	EXP	760	Overtime	04/28/2009
		5321111	EXP	487	Medicare	04/28/2009
		5321112	EXP	2,000	Holiday Pay	04/28/2009
		5321113	EXP	4,366	Pension Uniform	04/28/2009
FIRE		5431102	EXP	2,719	PT Administrative Assistant for EMS billing.	02/24/2009
		5431108	EXP	169	Fica	02/24/2009
		5431111	EXP	39	Medicare	02/24/2009
		5431510	EXP	22,700	Tax exempt lease purchase for new ambulance	03/31/2009
				-	5 year annual payment at 4.75%	
FIRE		5431105	EXP	56,291	Severance/Unused Leave	PENDING
PARKS		5542206	EXP	3,000	Major Chemicals	02/24/2009
SWIMMING POOLS		5543203	EXP	11,000	Pool drain replacement mandated by Federal Gov	02/24/2009
FACILITY MAINT.		5548405	EXP	36,851	Replacement of A/C units	01/13/2009
STREETS		5865101	EXP	9,682	Jeremy Johnson claim	PENDING
STREETS		5865218	EXP	30,000	Street Repairs & Maintenance	PENDING
INTERDEPARTMENTAL		5215106	EXP	65,000	Workmen's Comp	
		5215106	EXP	45,000	Funds for Worker's Compensation claims.	02/24/2009
		5215322	EXP	750	Insurance/Bonds- Charter changes(City Mgr.)	08/26/2008
		5215322	EXP	730	Insurance/Bonds- Charter changes(CFO)	08/26/2008
		5215322	EXP	750	Insurance/Bonds- Charter changes(AFO)	08/26/2008
		5215323	EXP	20,000	Funds for damage claims.	02/24/2009
		5215323	EXP	20,000	Additional Damage Expenses	12/09/2008
		5215357	EXP	2,500	Crime Stoppers	03/10/2009
		5215358	EXP	2,000	Tree Board/Trees	03/10/2009
		5215480	EXP	(9,723)	Change in beginning balance of ADA funds.	10/28/2008

5215629 EXP 120,000 Oil & Gas transfer to Emergency Fund

02/24/2009

Total Appropriations 630,909



McAlester City Council

AGENDA REPORT

Meeting Date: May 12, 2009 **Item Number:** 4
Department: City Manager
Prepared By: Mark B. Roath **Account Code:** _____
Date Prepared: May 6, 2009 **Budgeted Amount:** _____
Exhibits: Three

Subject

Consider, and act upon, a Resolution supporting a new Public Library Building and endorsing a fund raising campaign by the Friends of the Library of McAlester, Inc.

Recommendation

Motion to approve a Resolution supporting a new Public Library Building and endorsing a fund raising campaign.

Discussion

Ms. Emily Dunagin, President, Friends of the Library of McAlester, Inc., and Don Jones, Chairman, McAlester Public Library Advisory Board has submitted a cover letter and supplemental information related to a plan for a new Public Library Building. (See attached) Jointly, they are seeking McAlester City Council support for a Resolution regarding their plan for a new building.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>05/06/09</u>

RESOLUTION NO. _____

**A RESOLUTION SUPPORTING A NEW PUBLIC LIBRARY BUILDING AND
ENDORING A FUND RAISING CAMPAIGN BY THE FRIENDS OF THE
LIBRARY OF McALESTER, INC.**

* * * * *

WHEREAS, the City of McAlester is responsible for providing a public library building for the community; and

WHEREAS, the current McAlester Public Library is not in a highly visible location;

WHEREAS, the current McAlester Public Library is inadequate in size for the community;

WHEREAS, the current McAlester Public Library lacks adequate parking for patrons;

WHEREAS, the current McAlester Public Library is a multi-floor building that is difficult to monitor;

WHEREAS, the current McAlester Public Library is deficient in outdoor space, which hampers outdoor programming.

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
McALESTER, OKLAHOMA, THAT:**

Section 1. That the McAlester Public Library Advisory Board and the Friends of the Library of McAlester, Inc., are requesting that the City of McAlester support a new public library for the community.

Section 2. That the Friends of the Library of McAlester, Inc., is interested in conducting a fund raising campaign, over a two year period, to build and/or renovate a building for a new public library.

Section 3. That the Friends of the Library of McAlester, Inc., agree to request an extension, beyond the two year fund raising period, from the McAlester City Council, which extension shall not be unreasonably withheld.

Section 4. That the McAlester City Council, as the governing body for the City of McAlester, agrees to accept ownership of a new public library, including parking and landscaping, and to maintain it in the future as the McAlester Public Library, if funding can be obtained by the Friends of the Library of McAlester, Inc., through grants and other funding sources.

**DULY PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF
McALESTER, OKLAHOMA ON THIS ___ DAY OF MAY, 2009.**

**CITY OF McALESTER, OKLAHOMA,
A Municipal Corporation**

**By: _____
Kevin E. Priddle, Mayor**

ATTEST:

Cora Middleton, City Clerk

Friends of the Library of McAlester, Inc.

McAlester Public Library
401 N. 2nd Street
McAlester, OK 74501

Mr. Mark Roath, City Manager
City of McAlester
Municipal Building
McAlester, OK 74501

April 13, 2009

The Friends of the Library of McAlester, Inc. and the McAlester Public Library Advisory Board would like to request the an action be placed on the agenda of the April 28, 2009 meeting of the City Council to pass a resolution regarding the ownership and maintenance of a different building for the McAlester Public Library, if funding can be raised for the purchase and remodeling of the building by efforts by Friends of the Library of McAlester, Inc., grants, and other funding sources.

With appreciation,



Emily Dunagin, President, Friends of the Library of McAlester, Inc.
Don Jones, Chairman, McAlester Public Library Advisory Board

**Friends of the Library
of McAlester, Inc.**

McAlester Public Library
401 N. Second Street
McAlester, Oklahoma 74501

January 26, 2009

Dear Councilman _____,

For more than two decades, the city of McAlester has needed a new library building. With so many other city needs and budget problems, this need has been ignored. But despite these ongoing problems, the need for a new library building must be addressed. The following reasons for our need for a new library are listed in order of the importance to the functioning of the library.

The library building contains more than one floor.

The McAlester Public Library building was constructed in 1968. From the beginning, it posed one significant problem. A cardinal rule of library design is that library buildings of cities with a population under 50,000 cannot have more than one floor because there will not be enough staff members to monitor more than one floor. Our current library was designed with three floors, the library can use essentially only the main floor, which can be monitored by staff members.

The library building is too small.

The functions and space needs of the library have changed dramatically over the last 40 years because of the amount of new material to be housed and new technology, including provision of more than 20 computer stations and non-print media, such as DVD's, MP3s and Playaways, and other new rapidly introduced media listening and viewing devices. The influx of laptop users requires more seating space and electrical outlets. In addition, the library provides many more programs, group meetings, and teen, and childrens' programming than it did 40 years ago. We are constantly short of meeting room space for community use, as well. The west half of the Whiteacre room is separated off and used only for children's programming, which makes it unusable for adult and teen programs. Our Oklahoma Heritage collection is rapidly outgrowing its space. Often, patrons complain that books are not available; this is because books must be discarded or sent to other libraries in the SEPLSO system because our library does not have enough space for adequate shelving.

Our current usable square footage on the main floor is 13,905 sq. ft. (13,065 net sq. ft.). According to the *Models of Public Library Service for Oklahoma*, which was produced by the Oklahoma Department of Libraries in 2003, a library building's square footage requirement is 7/10 of its service population. Our service population is 42,651, Pittsburg County (pop. 44,711) minus Hartshorne (pop. 2,060), which contains a small branch of the Southeastern Public Library System. Population information was obtained from the Oklahoma Department of Commerce Website. This calculation would put our minimum square footage requirements at 29,855 sq ft. or more than twice the usable area that we have now. The California State Library provides building programs of four recently

completed libraries with drawing/service areas similar to ours. These libraries range from 26,000 to 33,000 square feet. These can be accessed on their website, www.library.ca.gov/grants.

The library building is not located in a central or busy location.

Libraries can double their circulation and use just by being highly visible. The library building should be on a street that is frequently used and located near the center of the city.

The Friends of the Library feel that it is desirable to keep the library near downtown to bring increased use to both and to keep our downtown vibrant.

Parking is inadequate.

Because of the expanded programming and use of the library, the current number of parking spaces is inadequate. All parking spaces should be on the same level as the library circulation desk. Fourteen of these 22 parking spaces that are owned by the Masonic Center of McAlester. The City of McAlester rents this parking lot from the Masonic Center. This lot is used by the Masons when they have reunions and special gatherings, leaving the library without parking. Parking requirements for a library serving a drawing area of over 44,000 are a minimum of 85 spaces. Therefore, our current parking is 1/4 the number of spaces we need.

There is not enough outdoor space for outdoor programming.

We do not have adequate outdoor space for children's outdoor programming, especially during the Summer Children's Reading Program, when as many as 200/day attend. We do not have outdoor space for chautauquas and other adult outdoor activities sponsored by the library.

And now for the good news

The Friends of the Library of McAlester, Inc. would like to head up an effort to provide a new library for our city. The McAlester Public Library became a branch of the Southeastern Public Library System of Oklahoma (SEPLSO) in 1968, by vote of the citizens of McAlester. SEPLSO contains 15 libraries in 7 counties. SEPLSO is funded by the counties it serves. The agreement between the cities with libraries in the system is that SEPLSO will own and control the entire live load of a library, books, materials, furniture, etc. and the employees will be SEPLSO employees. The cities are responsible for providing and maintaining the building to house the SEPLSO "branch".

Friends of the Library understands the financial problems of our city. We are offering to be the fund raising agent for a new library building. We believe that we can raise the money to cover the cost of the new building, saving the city 3 to 8 million dollars, for a new or remodeled building. However, a new library building will need to be maintained by the city, as the current library building is. The current library building has many potential uses for the city, including uses that would require less expensive maintenance than the library. The new or remodeled library would be much less expensive to maintain because of "green" technology that will be implemented in remodeling or new construction.

We are asking the city council to sign a resolution that the City of McAlester will own and maintain a new or remodeled library building if the funding from Friends of the Library, grants, and other subsequent funding can be obtained for the project. The Oklahoma Department of Libraries (ODL) has grant money available for new library buildings and assistance in preparing detailed library building programs, but ODL will not proceed without the city's resolution to own and maintain the library building. Also, we are anxious to begin our fund raising efforts, but we cannot approach our potential funding sources for the new library building until we have a resolution that the city will own and maintain it.

A win/win situation!

There is a special reason for this request at this time. A situation has arisen that will affect McAlester for years to come. In 1983, The Boys and Girls Club of McAlester was granted permission by the city to build a building on public park land, Chaddick Park. In 2003, The club built a new gymnasium at Main St. and Hubert Smith Blvd. Currently, it is seeking funding for a new facility at that location to replace its current structure in Chaddick Park. The question is what will become of the Chaddick Park building.

The Club owns the building but has a 99 year lease on the property which is owned by the city. The city must approve any buyer of the building. Whoever is allowed to buy the building will make a tremendous difference in the future of Chaddick Park, its safety and use, and will affect its neighborhood, and downtown. The Boys and Girls Club building has over 27,000 square feet and could be expanded if need arose by adding on to the south and west without taking any more park land and without disturbing the pool and play equipment on the west. Remodeling the building for use as the McAlester Public Library would upgrade the park and neighborhood, bring it more use, and because the library hours extend to 8 pm most days, it would provide a safer more active environment for the park and neighborhood. Also, it would allow the library to expand programming to outdoors. It has more than adequate parking with two small lots on each side of the building and a large lot across Chaddick Street providing more than 100 parking spaces. Additional parking along the south side of Chaddick Street could be used by the library for large events. The win/win situation is that the vacated Boys and Girls Club building would not become a problem for the city, and the library would have a much improved location for square footage requirements all on one floor, community visibility, parking, and outdoor programming. Also, the proximity of the Boys and Girls Club building to downtown would help draw library patrons to downtown merchants.

The Friends of the Library of McAlester, Inc. requests that the City Council pass a resolution to own and maintain the Boys and Girls Club building in Chaddick Park or another new or remodeled building for use as the McAlester Public Library if funding can be obtained by Friends of the Library, grants, and other funding sources.

With appreciation,

Emily Dunagin, President, Friends of the Library of McAlester, Inc.



McAlester City Council

AGENDA REPORT

Meeting Date:	<u>May 12, 2009</u>	Item Number:	<u>5</u>
Department:	<u>Planning and Community Development</u>	Account Code:	<u></u>
Prepared By:	<u>Pete Stasiak</u>	Budgeted Amount:	<u></u>
Date Prepared:	<u>April 28, 2009</u>	Exhibits:	<u>Six</u>

Subject

Consider, and act upon, Land Use Acceptance and accompanying map to grant Use Permitted After Review.

Recommendation

Motion to adopt, Use Permitted after Review, Land Use Acceptance for a Chiropractic Office.

Discussion

The Planning Commission considered this item at the April 21, 2009 meeting. This item is in compliance with the City's Comprehensive Plan. The Planning Commission met in regular session on April 21, 2009 and held a public hearing on U.P. #041 requesting the Use Permitted After Review of the following property: 1501 Wade Watts, Lot 5 in Block 415, South McAlester.

The applicant, Shayne Javersak, stated that he agreed to put the entrance and exit in the alley off of 15th street. In addition, applicant will improve alleyway with 20' wide asphalt the length of his property.

John McNally made a motion to approve this application with the stipulations of putting the entrance and exit in the alley off of 15th Street, was seconded by Primus Moore.

The vote was 7-0 as follows:

AYE: Way, Bolinger, Kanard, Scifres, McNally, Moore, Emmons.

NAY: none

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>PJS</u>	<u>4/28/09</u>
City Manager	<u>MBR</u>	<u>4/29/09</u>

USE PERMITTED AFTER REVIEW

LAND USE ACCEPTANCE

According to the provisions of the McAlester Zoning Ordinance, the following Land Use is hereby approved by the McAlester Planning Commission and the McAlester City Council. Subject to the site plan submitted.

DESIGNATION: Lot 5 in Block 415, South McAlester, Pittsburg County, State of Oklahoma.

LOCATION: 1501 Wade Watts

LAND USE: To be used as a Chiropractic Office & possible rental space.

The issuance of a Building Permit for said Development is hereby authorized by the McAlester City Council.

PLANNING COMMISSION

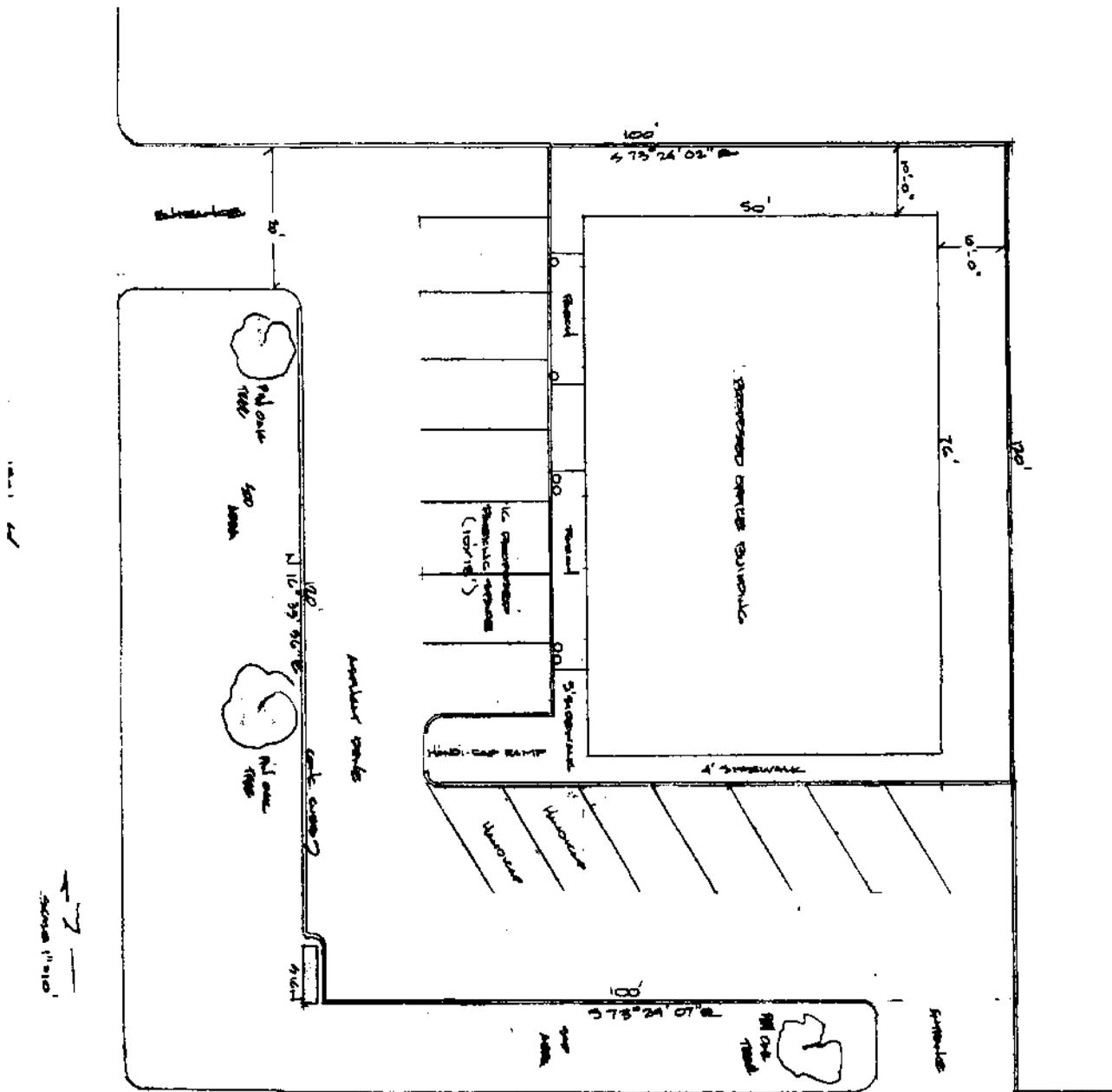
CITY COUNCIL

Chairman

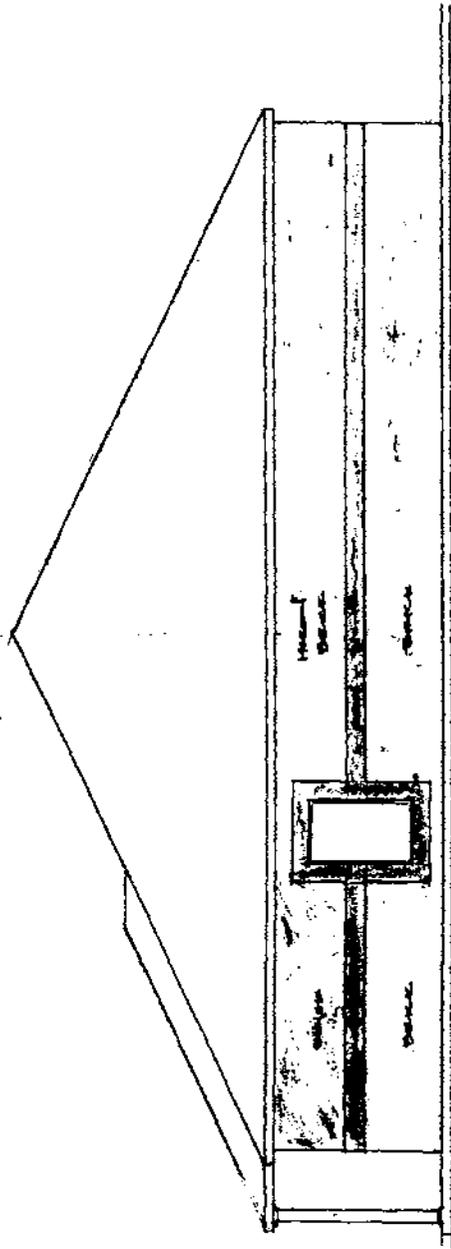
Mayor

Date: _____

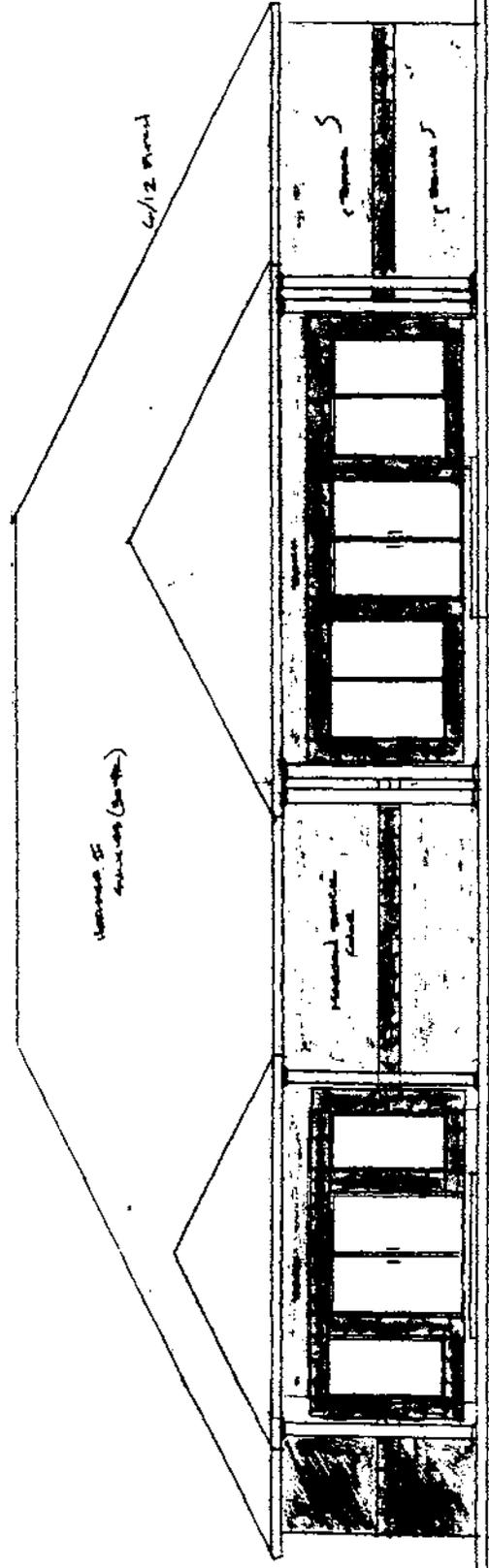
Date: _____



← WACE WATTS (WYANDOTTE)



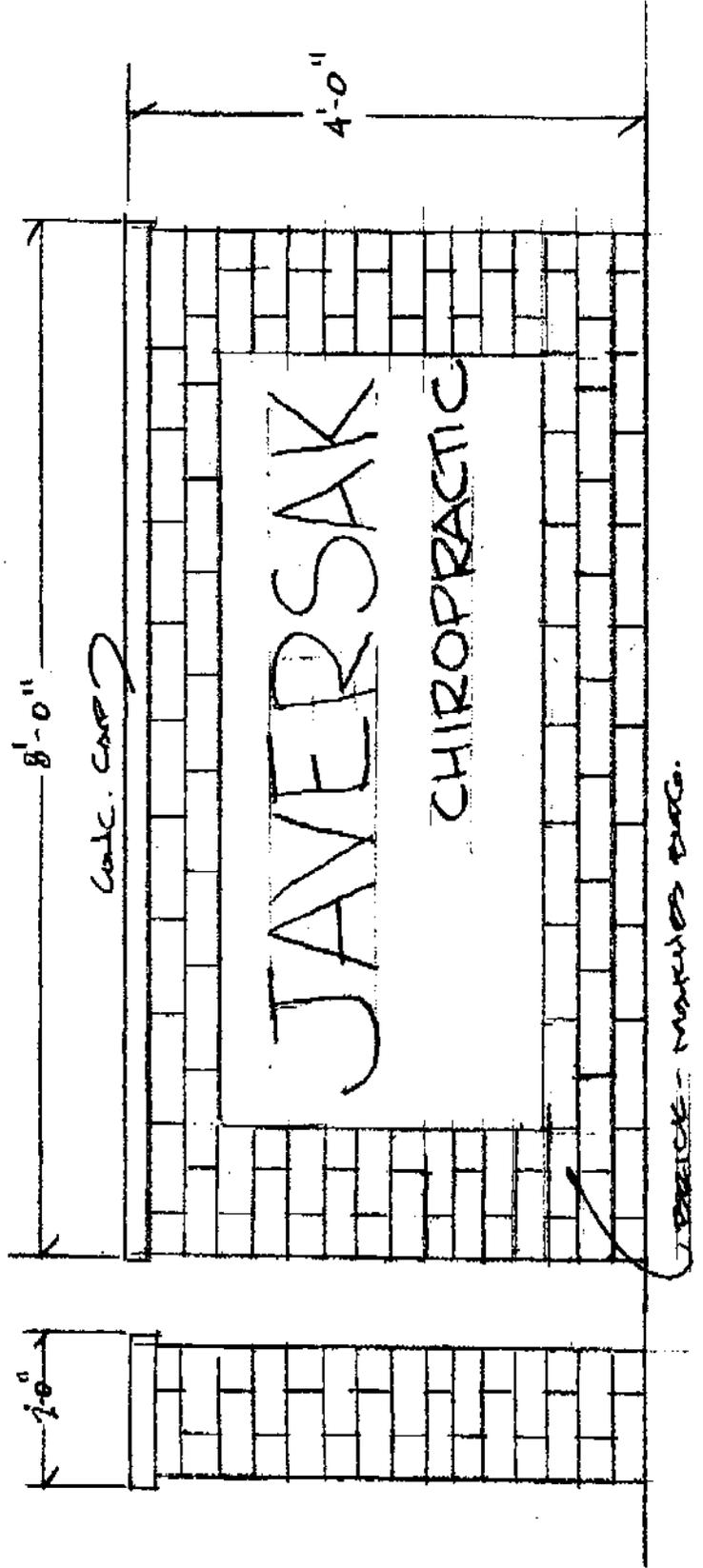
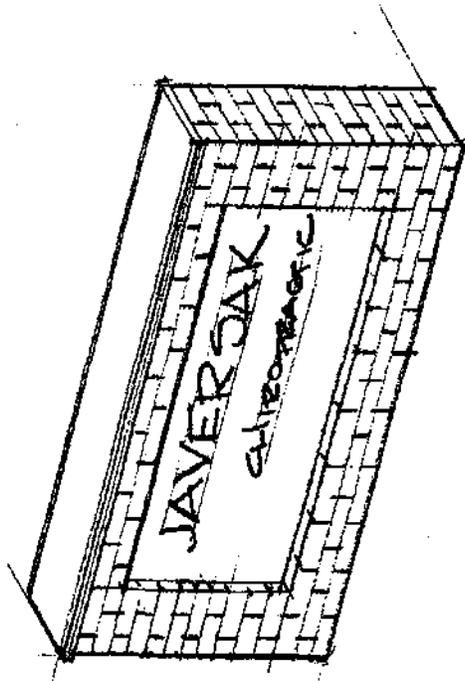
Front (North)



Front (North)

6/12 Pitch

Front (North)





McAlester City Council

AGENDA REPORT

Meeting Date:	<u>May 12, 2009</u>	Item Number:	<u>6</u>
Department:	<u>Planning and Community Development</u>	Account Code:	<u></u>
Prepared By:	<u>Dennis Lalli</u>	Budgeted Amount:	<u></u>
Date Prepared:	<u>May 1, 2009</u>	Exhibits:	<u>Fourteen</u>

Subject

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.

Recommendation

Motion to approve a Resolution declaring certain buildings as dilapidated and subject to removal.

Discussion

Attached hereto is a list of building locations recommended for removal. They are by address, block and lot:

1. 2809 N. Pittsburg, Talawanda Addition Block 2, Lots 1&2
2. 2622 N. Ash (Garage Apartment), Block 118 N.M., Lot 5
3. 203 W. Madison, Block 220, E 33 1/3' of Lots 7&8
4. 719 W. Adams, Block 229, W55' of E60' of Lot 7
5. 524 W. Cherokee, Block 435, Lot 4
6. 1007 E. Seminole, Block 514, Lot 9 & W 5' of S 54' of Lot 10
7. 415 E Wichita, Block 539A, Lot 7 of Subdivision of Lot 2

In addition, attached are photographs of the proposed buildings to be removed.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>PJS</u>	<u>05/01/09</u>
City Manager	<u>MBR</u>	<u>05/06/09</u>

RESOLUTION NO. _____

WHEREAS, the City of McAlester desires to remove all buildings which are dangerous by reason of being dilapidated and a detriment to the welfare of the public and community; and

WHEREAS, the procedure for notification, as outlined in Chapter 18, Article VIII of the McAlester Code of Ordinances has been complied with.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF McALESTER, OKLAHOMA, THAT:

SECTION 1: Those structures listed in exhibit "A" attached and made part of this resolution are determined to be dangerous buildings, and that the welfare of the community will be served by their removal.

SECTION 2: The property owner is given ten (10) days from this date to remove the building.

SECTION 3: The City Manager is authorized to remove structures if not removed in the allowed ten (10) days.

PASSED and APPROVED at a regular meeting of the City Council of the City of McAlester, Oklahoma, and duly signed by the Mayor this 12th day of May, 2009.

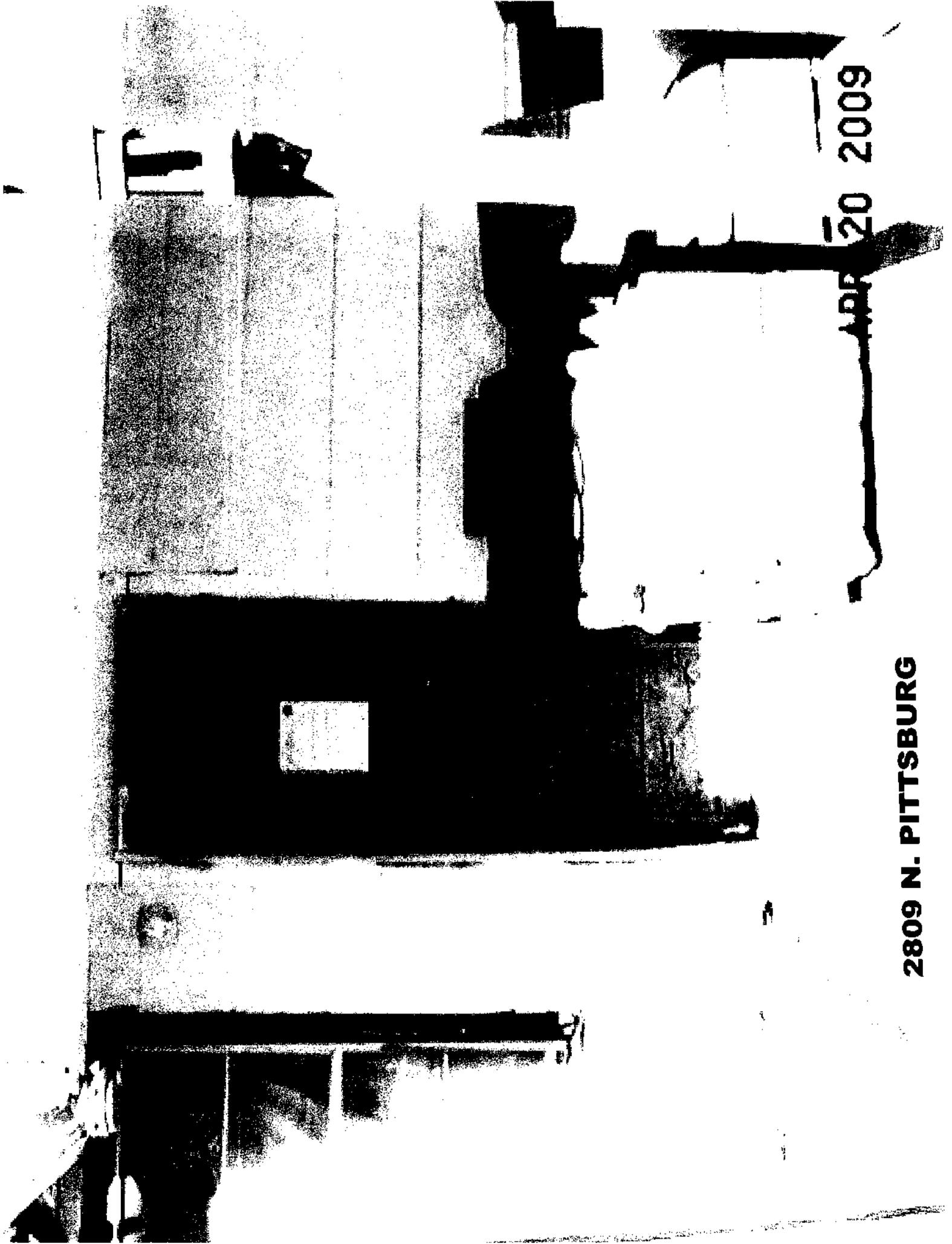
**City of McAlester, OKLAHOMA,
A Municipal Corporation**

Kevin E. Priddle, Mayor

(SEAL)

ATTEST:

Cora Middleton, City Clerk



APR 20 2009

2809 N. PITTSBURG



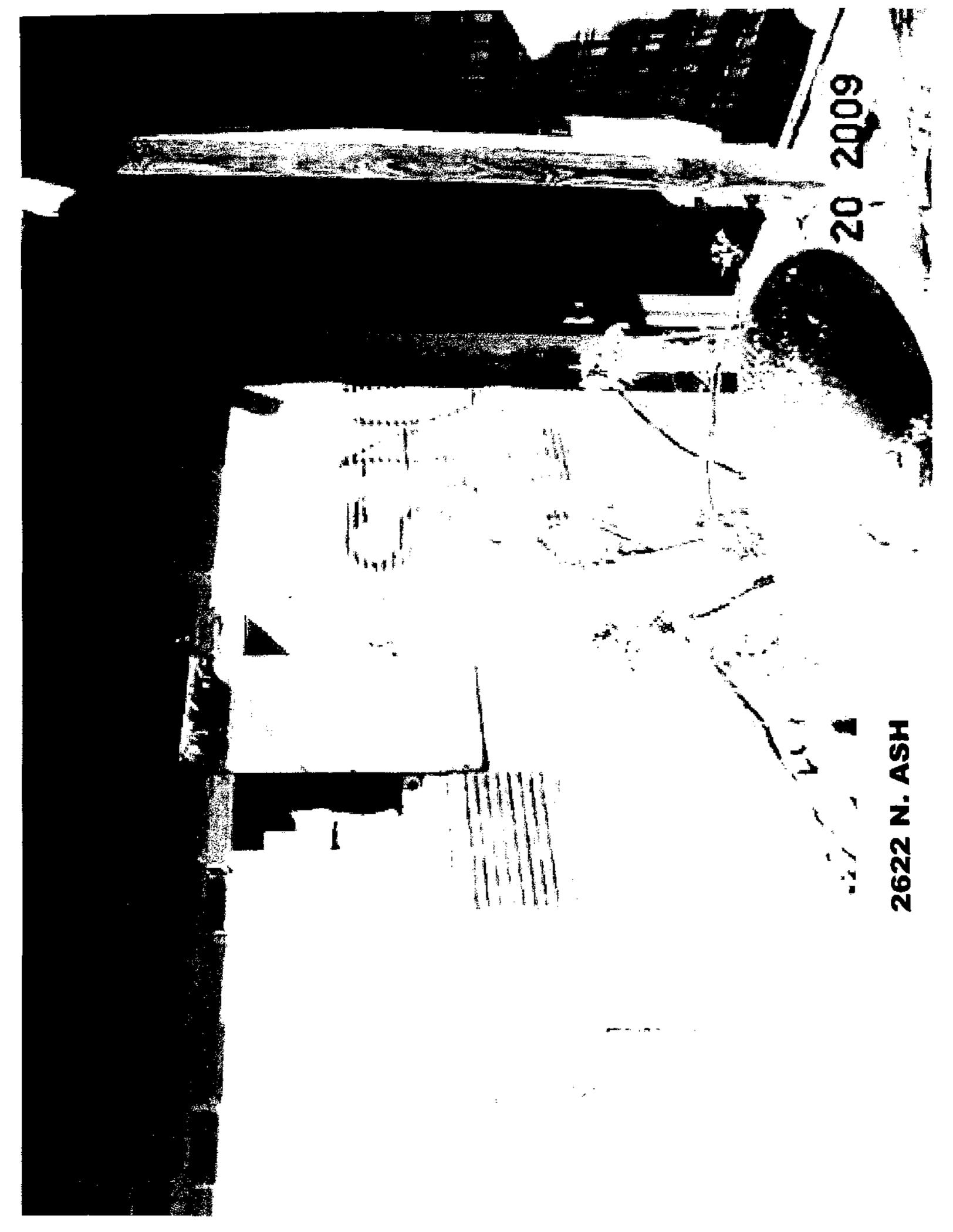
WILLIAM
FRYE

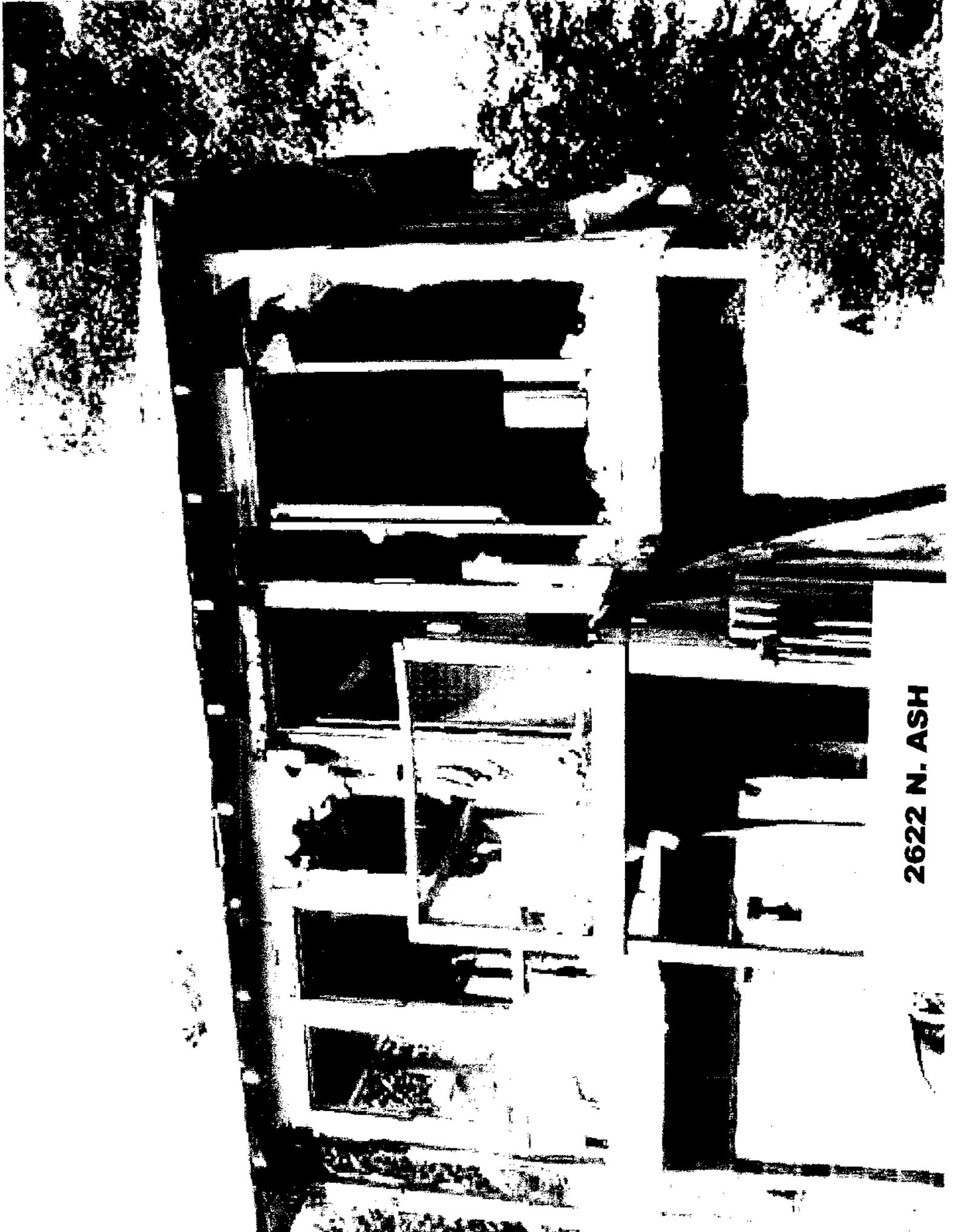
APR 20 2009

2809 N. PITTSBURG

20 2009

2622 N. ASH





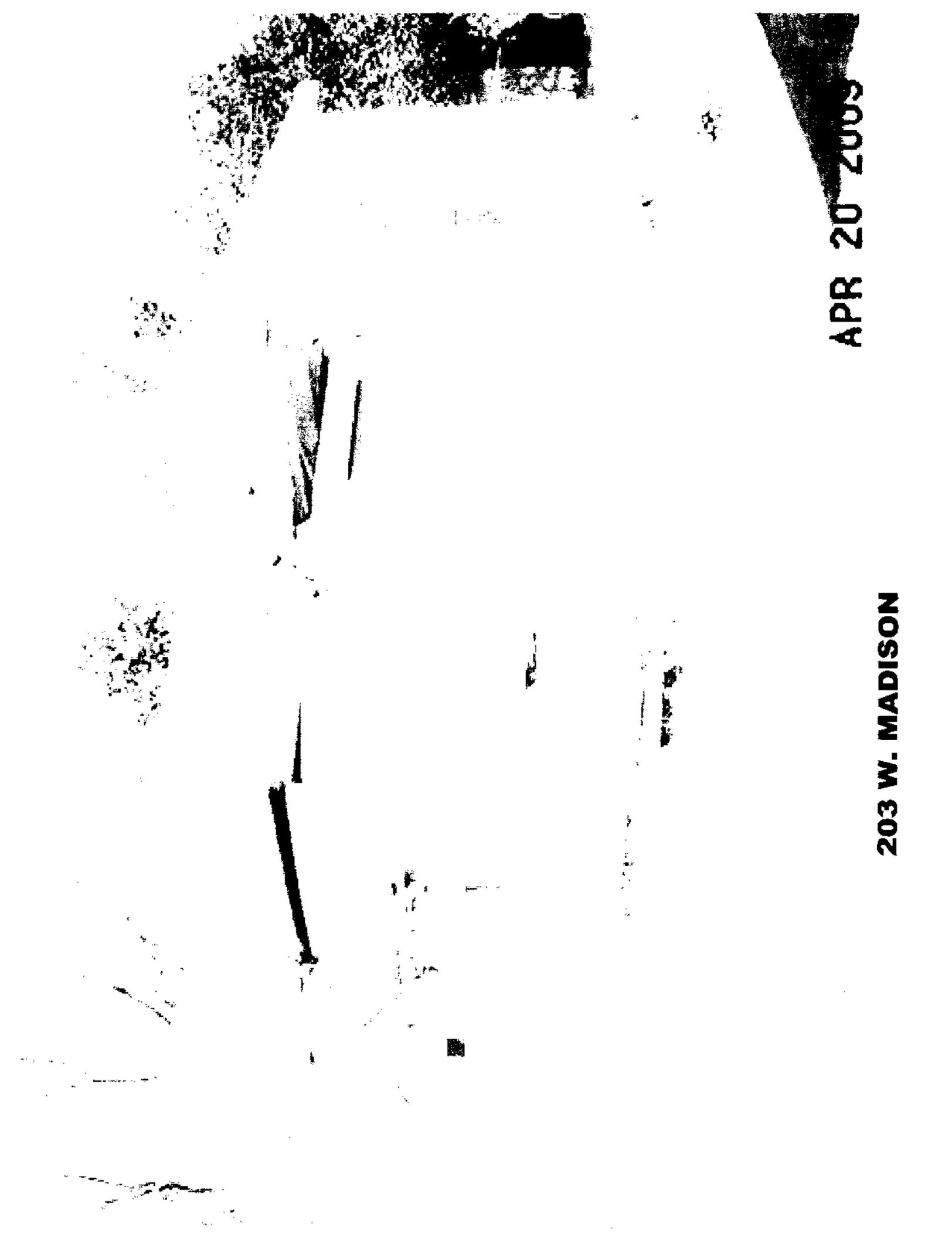
2622 N. ASH

AV



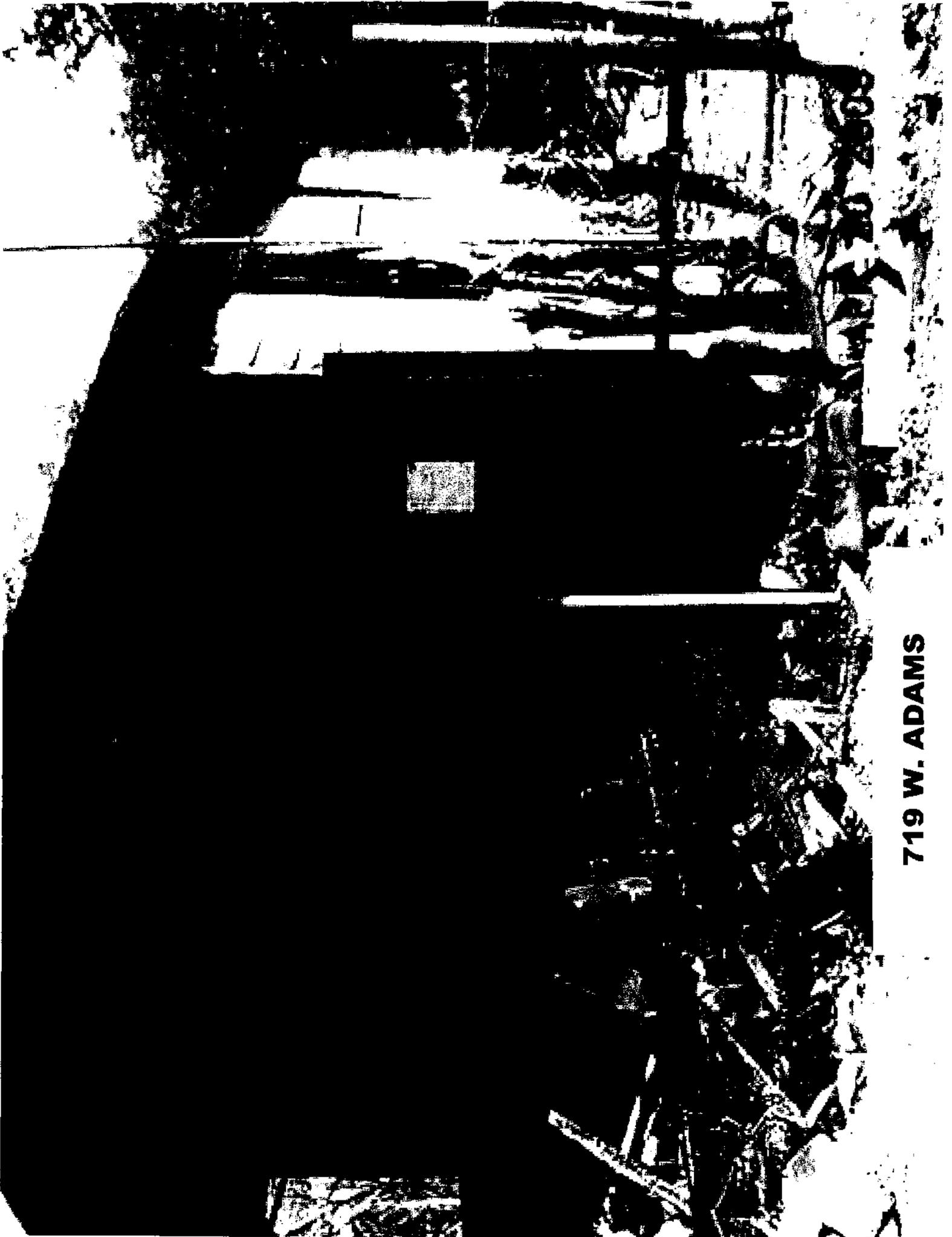
APR 20 2009

203 W. MADISON

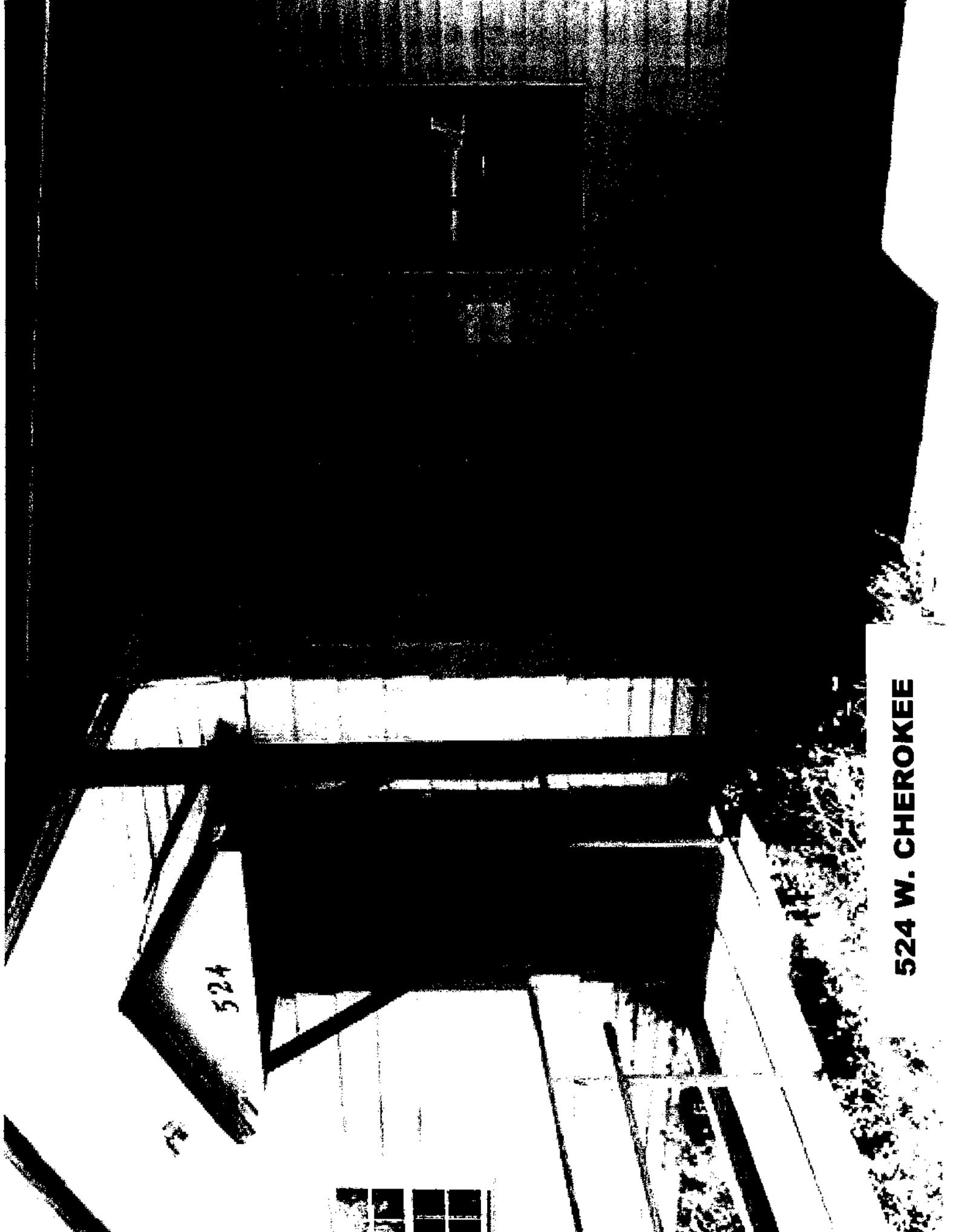


203 W. MADISON

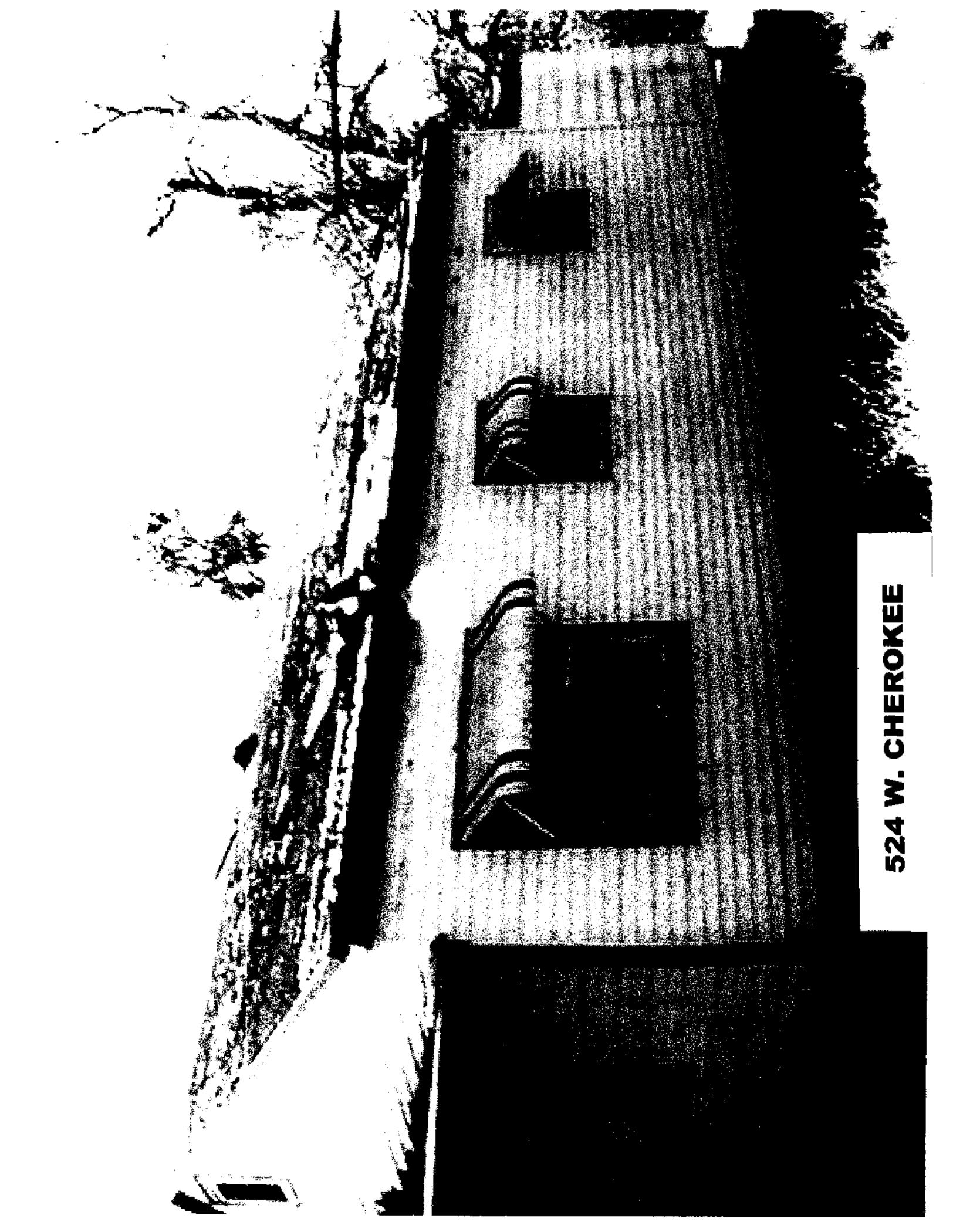
APR 20 2009



719 W. ADAMS



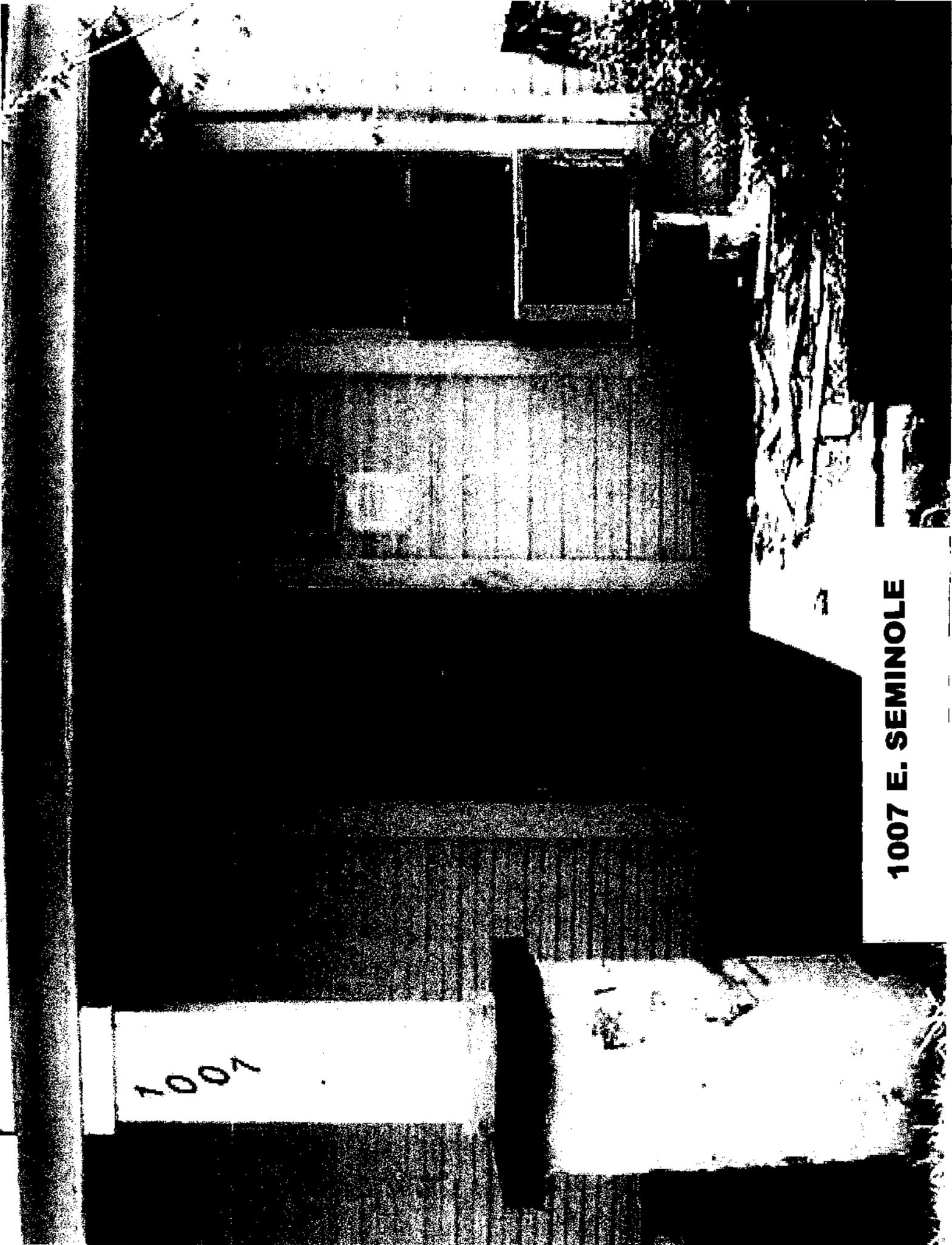
524 W. CHEROKEE



524 W. CHEROKEE

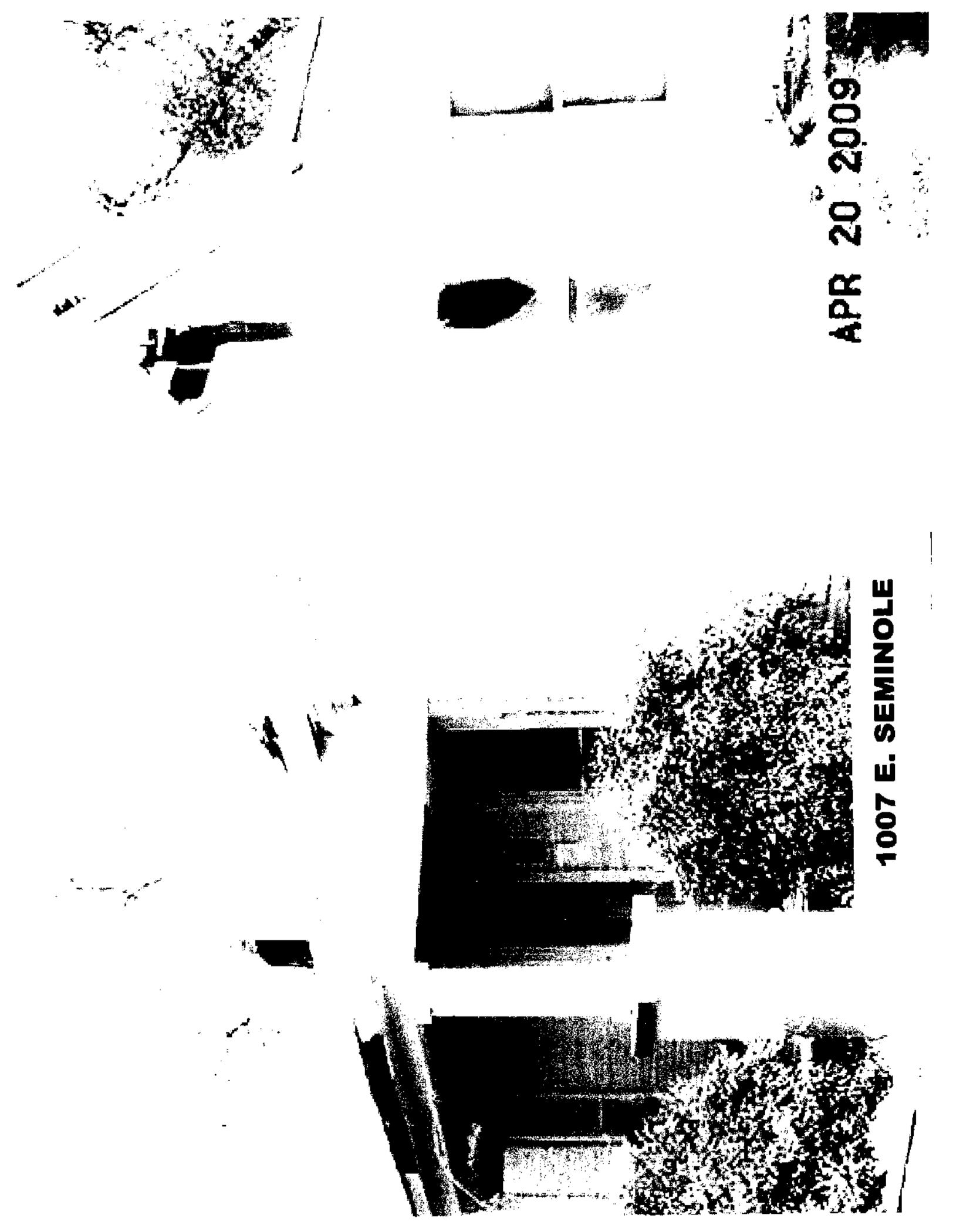
1007

1007 E. SEMINOLE



APR 20 2009

1007 E. SEMINOLE



415 E. WICHITA



415 E. WICHITA



McAlester City Council

AGENDA REPORT

Meeting Date: May 12, 2009 Item Number: 7
Department: Police
Prepared By: Jim Lyles Account Code: _____
Date Prepared: May 3, 3009 Budgeted Amount: _____
Exhibits: Three

Subject

Consider, and act upon, authorizing the Mayor to sign a Deputation Agreement and Addendum for Law Enforcement in the Choctaw Nation of Oklahoma.

Recommendation

Motion to authorize the Mayor to sign an Agreement and Addendum with Choctaw Nation of Oklahoma for deputation of the McAlester Police Department officers.

Discussion

There is a need for the City of McAlester to agree to a cross deputation agreement with the Choctaw Tribal Police. Presently there is no such agreement and there is tribal land located around the city limits of McAlester. We have responded to calls on Indian land before but do so without adequate jurisdiction.

Jim Lyles, Police Chief is recommending approval to enter into a Deputation Agreement with the Choctaw Nation of Oklahoma.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>JL</u>	<u>05/03/09</u>
City Manager	<u>MBR</u>	<u>05/06/09</u>

Deputation Agreement

Whereas, pursuant to the Indian Law Enforcement Reform Act, 25 U.S.C. § 2801, *et seq.*, the Secretary of the Interior, acting through the Bureau of Indian Affairs (BIA), is responsible for providing, or assisting in providing law enforcement in Indian Country; and

Whereas, the Secretary has delegated this authority to the Assistant Secretary – Indian Affairs, and the Assistant Secretary – Indian Affairs has redelegated this authority to the Director of the BIA, who has redelegated it to the Deputy Bureau Director, Law Enforcement Services and Security (OLESS), BIA; and

Whereas, the Assistant Secretary – Indian Affairs is committed to working with tribal governments and tribal law enforcement to strengthen law enforcement in Indian country; and

Whereas, on February 10, 2004, the Assistant Secretary – Indian Affairs articulated policy guidance to the BIA -- as published at 69 Fed. Reg. 6,321 -- to govern the implementation of Special Law Enforcement Commission Deputation Agreements; and

Whereas, this policy expressly lays out issues regarding good faith efforts on behalf of all parties involved in the aforementioned agreements, including as they relate to liability;

It is therefore resolved that the BIA, Office of Law Enforcement Services and Security (OLESS) and the Tribes, the State of Oklahoma, and political subdivisions of the State of Oklahoma, enter into this Deputation Agreement to govern the BIA OLESS's issuance of Special Law Enforcement Commissions, pursuant to the Assistant Secretary – Indian Affairs' Cross-Deputation Agreements, Memoranda of Understanding, Memoranda of Agreement, and Special Law Enforcement Commission Deputation Agreements policy guidance (69 Fed. Reg. 6,321).

This Deputation Agreement is entered into this 28th day of April, 2005, by and between the Tribes, federally recognized Indian tribes, BIA, OLESS, Department of the Interior, and the State of Oklahoma and its political subdivisions, pursuant to the authority of the Indian Law Enforcement Reform Act, 25 U.S.C. § 2801, *et seq.*, related tribal ordinances, and in accordance with the Oklahoma Interlocal Cooperation Act, and the State-Tribal Relations Act, which provide for cooperative agreements to promote better law enforcement services. The Tribes have enacted tribal resolution(s) to authorize(s) the appropriate entity or individual to enter into this Agreement on the Tribe's behalf and to authorize the Tribal Law Enforcement Officers, and/or Officers of the State of Oklahoma, and its political subdivisions, under a BIA Special Law Enforcement Commission (SLEC) issued through the Secretary of the Interior, to enforce federal laws in Indian country. Pursuant to an appropriate tribal resolution, any of the law enforcement agencies will also be authorized to enforce tribal law.

The intent of this Agreement is to provide for the *cross deputation* of law enforcement officers employed by the tribes, the State of Oklahoma, and political subdivisions of the State of Oklahoma, which are a party to this Agreement, and the BIA so that the Law Enforcement officers will be authorized to assist the BIA in its duties to provide law enforcement services and to make lawful

arrests in Indian country within or near the jurisdiction of the Tribe or as described in section 5. In view of the checkerboard areas in Oklahoma, it is the express desire and intent of all parties to this Agreement to allow law enforcement officers to react immediately to observed violations of the law and other emergency situations in and outside of Indian country within the state of Oklahoma.

All parties to this Agreement recognize that when law enforcement officers arrest a criminal suspect, the officers may not know whether the suspect or the victim is an Indian or non-Indian, or whether the arrest or the suspected crime has occurred in Indian country, as defined by 18 U.S.C. § 1151, and that therefore there is great difficulty in determining immediately the proper jurisdiction for the filing of charges. It is further recognized that the official jurisdictional determination will be made by a prosecutor or court from one of the various jurisdictions, not by cross-deputized arresting officers.

The parties further expressly recognize the manifest intent of the Indian Law Enforcement Reform Act to eliminate the uncertainties that previously resulted in the reluctance of various law enforcement agencies to provide services in Indian country for fear of being subjected to tort and civil rights suits as a consequence of the enforcement or carrying out in Indian country of certain federal law. To eliminate such concerns, pursuant to the authority granted by 25 U.S.C. § 2804(a) and (f), Tribal or State Law Enforcement Officers who are deputized by the Bureau of Indian Affairs Special Law Enforcement Commission will be deemed employees of Department of the Interior for purposes of the Federal Tort Claims Act while enforcing or carrying out laws of the United States covered by this deputation agreement, to the extent outlined in this agreement. All parties to this Agreement (the BIA, the Tribes, the State of Oklahoma, and political subdivisions of the State of Oklahoma) therefore agree as follows:

1. Purpose

The purpose of this Agreement is to provide for efficient, effective, and cooperative law enforcement efforts in and around Indian country in the State of Oklahoma, and its terms should be interpreted in that spirit. Accordingly, all parties to this Agreement shall cooperate with each other to provide comprehensive and thorough law enforcement protection, including but not limited to effecting arrests, responding to calls for assistance from all citizens and also from other law enforcement officers, performing investigations, providing technical and other assistance, dispatching, and detention.

This Agreement is not entered into pursuant to the Indian Self-Determination Act and Education Assistance Act, P.L. 93-638, as amended. The Secretary's revocation or termination of this Agreement is subject to the appeal and review procedure provided below.

2. Commissions

A. The BIA as a party to this Agreement may, in its discretion, issue special law enforcement commissions to law enforcement officers of another agency, upon the application of such officers. Any other agency party to this agreement may also commission the officers of any other agency party to this agreement. Such commissions shall grant the officers the same law enforcement authority as that of officers of the entity issuing the commission (unless specifically limited by the terms of the commission), as more specifically described in Section 3 of this Agreement.

When the BIA issues such a commission, it shall provide notice of that commission, including the name of the officer receiving the commission, to any other agencies that are parties to this Agreement or that should be aware of this Agreement. The BIA further has the authority to evaluate the effectiveness of the commissions and to investigate any allegations of misuse of authority. 25 C.F.R. § 12.21. Pursuant to such evaluation the BIA has the authority to revoke a deputation agreement with a law enforcement agency or to revoke an individual officer's SLEC subject to the appeal and review procedures provided below.

B. A commission shall not be granted unless the applicant has complied with all the prerequisites for appointment as a police officer as set forth in 25 C.F.R. Part 12 and with the specific requirements of the commissioning agency. Those prerequisites must include the following:

1. United States citizenship;
2. A high school diploma or equivalent;
3. No conviction for a felony, a misdemeanor which restricts the ability to carry firearms, or other crime involving moral turpitude (including any convictions expunged from an individual's record);
4. Documentation of semi-annual weapons qualifications; and
5. A finding that the applicant is free of any physical, emotional, or mental condition that might adversely affect his or her performance as a police officer.

Further, an officer seeking an SLEC must not have been found guilty of, or entered a plea of *nolo contendere* or its equivalent (such as an *Alford* plea), or guilty to any felonious offense, or any of certain misdemeanor offenses under Federal, State, or tribal law involving crimes of violence, sexual assault, molestation, exploitation, contact, or prostitution, or crimes against persons, or offenses committed against children.

- C. The BIA may further impose any other requirements, including, but not limited to, an orientation course on Federal, tribal, or state criminal procedures.
- D. If requested by the BIA, the applicant's agency shall provide a Federal Bureau of Investigation criminal history background check on the applicant.
- E. If BIA denies an officer a commission, it shall disclose the grounds for such denial in writing to the agency which employs the applicant.
- F. All parties to this agreement may, at any time, suspend or revoke an officer's commission for reasons solely within its discretion. The parties shall notify the officer's agency in writing of the suspension or revocation and the reasons therein and the officers' right to appeal as set forth below. Within ten (10) days after such

notification, that agency shall cause the commission card and any other evidence of the commission to be returned to the issuing party.

- G. If the commissioned officer's agency possesses or comes to possess any information on the officer, which provides grounds for the suspension or revocation of the commission, it shall immediately notify the commissioning party.
- H. A commission issued by the BIA under this agreement shall not be used to invoke any State of Oklahoma authority. Officers holding SLECs who are responding to a call, conducting an investigation, or otherwise exercising their authority shall, in their discretion and in the exercise of sound police judgment, address any potential violations of Federal or Tribal law.

3. Scope of Powers Granted

- A. Tribal, State, and State subdivision law enforcement officers carrying SLECs issued by the BIA pursuant to this Agreement are given the power to enforce:

All Federal laws applicable within Indian country, and specifically the signatory tribes' Indian country, including the General Crimes Act, 18 U.S.C. § 1152, and the Major Crimes Act, 18 U.S.C. § 1153, consistent with the authority conveyed pursuant to Federal law through the issuance of commissions or other delegations of authority. See Appendix A, which includes an **illustrative** list of Federal statutes that officers may be called upon to enforce; this list is **not exhaustive**.

- B. All parties to this Agreement note that the applicability of Federal and tribal laws in Indian country may depend on whether the suspect or the victim is Indian, and the parties agree that nothing in this Agreement makes any law applicable to a certain person or certain conduct where it would not otherwise be applicable. (A qualified immunity defense may still be available in appropriate circumstances notwithstanding this limitation.) Accordingly, the purpose of this Agreement is to provide commissioned Law Enforcement Officers other than BIA Law Enforcement Officers the authority to enforce applicable laws. This includes statutes set forth in the local U.S. Attorney Guidelines as well as all laws and statutes applicable in Indian country as described in Section 3.A and Appendix A.
- C. Nothing in this Agreement limits, alters or conveys any judicial jurisdiction, including the authority to issue warrants for arrest or search and seizure, or to issue service of process. Similarly, nothing in this Agreement is intended to impair, limit, or affect the status of any agency or the sovereignty of any government. Lawful actions pursuant to this federal Agreement and a commission issued under it supersede any contrary Tribal, State, or local law, ordinance, or practice.
- D. This Agreement does not create any rights in third parties. Issuance and revocation of SLECs or other commissions pursuant to this agreement are at the sole discretion of the issuing agency party to this agreement.

4. Uniform, Vehicles and Weapons

- A. BIA policy requires that BIA police officers will as a rule be in duty-appropriate uniforms, which will conform with the parameters outlined in the BIA Law Enforcement Handbook, carry a weapon where required by their duties and, when stationed in marked police vehicles, will operate such marked police vehicles equipped with light bars. This policy is standard for police forces nationwide, and is necessary for the safety of the officer and to communicate the officer's status and authority to members of the public and to those suspected of criminal activities.
- B. Police officers that are temporarily off duty during a shift, or whose duty is temporarily interrupted for any reason are expected to remain in duty-appropriate uniforms, in a marked vehicle, if so stationed, and otherwise prepared for duty so that they are available to respond to emergency calls.
- C. Police officers and their supervisors may make exceptions to these requirements for undercover operations or otherwise on a case-by-case basis, but deviations from this rule are expected to be infrequent and will usually occur for compelling law-enforcement reasons.

5. Travel Outside of Indian Country

- A. The ordinary duty stations of BIA police officers are located within the boundaries of Indian country. In some situations, however, BIA police officers will be required to leave Indian country as a part of or incidental to their duties. This may occur, for example, where they are responding to an incident in another area of Indian country; where they are transporting evidence or suspects to or from locations in Indian country or to or from other police, court, or prison facilities; when they reside off-reservation and are traveling to their duty station or responding to an emergency call; or when they must obtain products or services located off-reservation while on duty or in the normal course of their business day.
- B. When traveling outside of Indian country, BIA police officers retain their status as Federal law enforcement officials. They are therefore expected as a rule to be in uniform and to operate marked police vehicles as set forth in paragraph 4. They may also be armed; may transport evidence; and may exercise the authority of law enforcement officers to maintain control of suspects in such situations. They may also perform comparable incidental Federal police activities outside of Indian country, but will not as a rule conduct investigations or make arrests outside of Indian country, absent exigent circumstances or: (1) a nexus to a crime committed in Indian country, (2) a need to assist a state agency pursuant to this agreement, and (3) communicating and coordinating with the appropriate local or Federal authorities over procedures and methods.

6. Officers Holding SLECs

- A. Officers holding SLECs are treated as BIA police officers for enforcing Federal laws.

They therefore will conform to all requirements and limitations set forth in this agreement, and in particular in paragraphs 4 and 5.

- B. In any situation in which an officer holding an SLEC might receive a call related to a potential Federal offense, that officer will as a rule be in uniform and in a vehicle equipped as set forth in paragraph 4. Such an officer may undertake off-reservation travel as set forth in paragraph 5.
 - C. In any situation in which an officer holding an SLEC is responding to a call that may involve a Federal offense, or undertaking any other duties that relate to or may potentially relate to their Federal functions, he or she will conform to the provisions of this agreement, and in particular those in paragraph 5. The officer will function as a BIA police officer as set forth in paragraph 5, irrespective of the boundaries of the Tribe's reservation or the location of Indian country.
 - D. When an officer holding an SLEC receives an emergency call in circumstances where a Federal offense may exist, he or she will respond in emergency mode and will travel to the site of the call as rapidly as it is possible to do without compromising safety, irrespective of the boundaries of Indian country or his or her present location. He or she will observe the restrictions on the activation of emergency mode and the precautions for the safety of bystanders required in the BIA, OLESS Law Enforcement Handbook and otherwise respond as appropriate and prudent. In instances where the State has criminal jurisdiction in Indian country, and where there is no significant reason to anticipate that a Federal offense may exist with respect to a particular emergency call, Tribal law enforcement officers will respond in accordance with policies and practices set forth under State and local law, but may, in certain circumstances, retain their Federal status.
 - E. When located outside of Indian country, officers holding SLECs may respond to observed violations of Federal law in a public safety emergency as appropriate and prudent. Irrespective of their location, officers holding SLECs may only respond to violations of exclusively State law to the extent consistent with that State's law. Officers carrying SLECs may respond to concurrent violations of State and Tribal or Federal laws to the extent consistent with Tribal or Federal law.
7. Disposition and Custody
- A. Any person arrested by an officer commissioned pursuant to this Agreement shall immediately be brought to the attention of a responsible official of the apparent prosecuting jurisdiction. In order to ascertain the proper prosecuting jurisdiction, the officer shall attempt to determine, where practicable, whether the arrestee is Indian or non-Indian. The official determination of proper jurisdiction, however, will be made by a prosecutor or court, not a law enforcement officer commissioned under this Agreement.
 - B. The agency with whom the arresting officer is employed shall ensure the arrestee

appears before a judge of the appropriate jurisdiction for initial appearance and bond setting within the time guidelines of the tribal, State, or Federal law as may be appropriate.

- C. In the event an Indian detainee or prisoner under the jurisdiction of the Tribe requires medical treatment, the law enforcement agency with custody may transport the detainee or prisoner to the nearest Indian Health Service or the appropriate Tribal health care facility. In such event, tribal or BIA law enforcement officers shall be notified so that necessary protective services may be provided while the detainee or prisoner is admitted at such health facility.

8. Liabilities and Immunities

- A. It is understood and agreed that each agency which is a party to this Agreement, its agents, employees and insurers do not, by virtue of this Agreement, assume any responsibility or liability for the actions of officers commissioned pursuant to this Agreement which are performed outside the scope of their duties.
- B. Notwithstanding subsection A, any Tribal or State Law Enforcement Officers who are deputized by the Bureau of Indian Affairs Special Law Enforcement Commission will only be deemed employees of the Department of the Interior for purposes of the Federal Tort Claims Act (FTCA) while carrying out those laws applicable in Indian country as described in Section 3.A and Appendix A. Therefore, such officer will not be deemed a federal employee under 25 U.S.C. § 2804(f)(1), or for purposes of the Federal Tort Claims Act with respect to the enforcement of any other law except those applicable in Indian country as described in Section 3.A and Appendix A.
- C. Nothing in this Agreement shall be read as waiving or limiting any defenses to claims of liability otherwise available to law enforcement officers, such as the defense of qualified immunity.
- D. Nothing in this Agreement shall be construed as a waiver of any government's sovereign immunity, not otherwise expressly waived by legislative act.
- E. The parties to this Agreement specifically agree to hold each other harmless under this Agreement for any civil claim brought against an officer carrying an SLEC arising out of law enforcement activity, except for actions within the scope of authority delegated by this agreement, provided, however, that this hold harmless provision shall not be applicable to any obligation of the United States arising out of a relationship between the United States and the Tribe not created under this Agreement.
- F. The parties to this Agreement agree that the United States has no obligation under this Agreement to provide legal representation for any constitutional claim for any officer carrying a SLEC except as provided by 28 C.F.R. 50.15(a), such that (1) providing representation would otherwise be in the interest of the United States, and

(1) the event from which the claim arises is within the scope of authority delegated by this agreement.

9. Appeal Procedure

Appeals of termination or revocation of this agreement, or suspension or revocation of a commission issued herein, shall be made to the Associate Director of Operations, BIA, OLESS, which decision shall be the final agency action subject to judicial review under the Administrative Procedure Act (APA), 5 U.S.C. § 551. At the tribe's option, appeal may be taken to the Interior Board of Indian Appeals (IBIA) to the extent it has jurisdiction.

10. Additional Parties

It is understood by the parties to this Agreement that additional agencies with law enforcement responsibilities may join as parties hereto, and that amendment may be made to the terms of this Agreement only with the express agreement of all the parties signatory to this Agreement. Additional parties may join this agreement once a fully executed Addendum has been signed and filed with the Oklahoma Secretary of State.

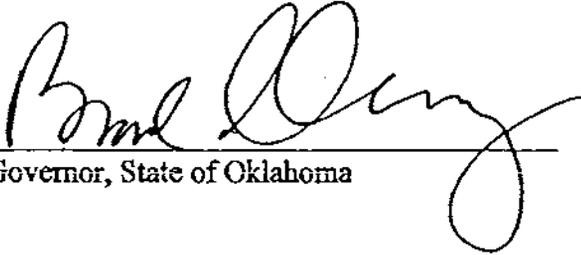
Signatures:



C. Leon Glenn Special Agent in Charge
District II, OLESS-Bureau of Indian Affairs

12-05-05

Date



Governor, State of Oklahoma

12/19/05

Date



Chairman, Joint Committee on State-Tribal Relations

Date

Deputation Agreement Between Office of Law Enforcement Services and Security, Oklahoma and the *Attached* Tribes and Law Enforcement Agencies.

All Federal criminal laws applicable to Indian country, including the General Crimes Act, 18 U.S.C. § 1152, and the Major Crimes Act, 18 U.S.C. § 1153.

All Federal statutes applicable within the signatory tribes Indian country in Oklahoma, **which may include, but are not limited to:**

1. The Indian country liquor laws, where applicable (18 U.S.C. §§ 1154, 1155, 1156, and 1161),
2. Counterfeiting Indian Arts and Crafts Board Trade-mark (18 U.S.C. § 1158),
3. Misrepresentation of Indian produced goods and products (18 U.S.C. § 1159),
4. Property damaged in committing offense (18 U.S.C. § 1160),
5. Embezzlement and theft from Indian tribal organizations (18 U.S.C. § 1163),
6. Destroying boundary and warning signs (18 U.S.C. § 1164),
7. Hunting, trapping or fishing on Indian land (18 U.S.C. § 1165),
8. Theft from gaming establishments on Indian land (18 U.S.C. § 1167),
9. Theft by officers or employees of gaming establishments on Indian land (18 U.S.C. § 1168),
10. Reporting of child abuse (18 U.S.C. § 1169),
11. Felon in possession of a firearm (18 U.S.C. § 922(g)),
12. Youth Handgun Safety Act (18 U.S.C. § 922(x) (2)),
13. Possession of a firearm while subject to protective order 18 U.S.C. § 922(g) (8)),
14. Interstate domestic violence - Crossing a state, foreign, or Indian country border (18 U.S.C. § 2261(a) (1)),
15. Interstate domestic violence - Causing the crossing of a state, foreign, or Indian country border (18 U.S.C. § 2261(a) (2)),
16. Interstate violation of protective order - Crossing a state, foreign, or Indian country border (18 U.S.C. § 2262),
17. Illegal trafficking in Native American human remains and cultural items (18 U.S.C. § 1170),
18. Lacey Act violations (16 U.S.C. § 3371, *et seq.*),
19. Archaeological Resource Protection Act violations (16 U.S.C. § 470ee),
20. Controlled substances - Distribution or possession (21 U.S.C. §§ 841(a) (1), 844),
21. Unauthorized taking of trees (18 U.S.C. § 1853),
22. Unauthorized setting of fire (18 U.S.C. § 1855),
23. Assault of a Federal officer (18 U.S.C. § 111), and
24. Bribery of tribal official (18 U.S.C. § 666(a) (2)).

This list is not exhaustive.

CITY ADDENDUM
ADDITION OF CITY TO
DEPUTATION AGREEMENT
FOR LAW ENFORCEMENT IN THE

CHOCTAW NATION OF OKLAHOMA
TRIBE [NATION]

The undersigned City of McALESTER hereby joins into
the Deputation Agreement for Law Enforcement in the Choctaw Nation Tribe
[Nation), effective on _____, 2009

Mayor/ Chairman of City Council

Date

Chief of Police

Date

Lloyd Miller

From: Jim Lyles
To: Lloyd Miller
Cc:
Subject: Fw: Cross-Deputation Agreements BIA/Choctaw National of Oklahoma for 2009
Attachments:

Sent: Mon 5/4/2009 8:28 AM

----- Original Message -----

From: William Ervin <ervinlaw@sbcglobal.net>
To: Jim Lyles
Cc: Mark Roath
Sent: Thu Apr 23 15:11:56 2009
Subject: Cross-Deputation Agreements BIA/Choctaw National of Oklahoma for 2009

Dear Chief Lyles:

I have received the Deputation Agreement submitted by the Choctaw Nation and BIA to extend the 2005 Cross Deputation Agreement with the City for 2009. The addendum by which the City of McAlester joins with the Choctaw Nation and BIA in this agreement is in proper legal form and will accomplish the intended purpose stated in the agreement. I specifically reviewed the agreement to determine if there were any changes from the 2008 agreement and found none. It is ready to be approved by the City Council and signed, sealed and attested by the Mayor, City Clerk and yourself.

Sincerely,

WILLIAM J. ERVIN



McAlester City Council

AGENDA REPORT

Meeting Date: May 12, 2009 Item Number: 8
Department: City Manager
Prepared By: Mark B. Roath Account Code: _____
Date Prepared: May 6, 2009 Budgeted Amount: _____
Exhibits: One

Subject

Consider, and act upon, authorizing the Mayor to sign an Engagement Letter with Crawford and Associates, P.C., for the period from July 1, 2009 through June 30, 2010.

Recommendation

Motion to authorize the Mayor to sign an Engagement Letter with Crawford and Associates, P.C.

Discussion

Annually, Crawford and Associates, P.C., submits an Engagement Letter for City Council consideration and possible approval, which covers accounting services that they may provide the City during the term of the agreement.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>05/06/09</u>

April 28, 2009

Mr. Mark B. Roath, City Manager
City of McAlester
P.O. Box 578
McAlester, OK 74502-0578

Dear Mr. Roath:

Crawford & Associates (the Firm) is pleased that the City of McAlester (the City) continues to express its confidence in our firm and our municipal government expertise. We look forward to a continued long and successful relationship as an integral financial management resource to the City of McAlester's management and governing body.

We are prepared to provide a full range of accounting and consulting services to the City of McAlester contingent upon approval of the City Manager. The purpose of this engagement letter is to identify the scope of available accounting and consulting services from the Firm, the specific services anticipated to be provided at this time, and confirm the terms of our engagement.

Scope of Services

The scope of accounting and consulting services that can be provided to the City are outlined below. While this listing includes a range of services available from the Firm, the specific services anticipated to be provided at the current time are separated below from those additional other services that are available from the Firm and can be provided upon specific request.

Anticipated Services to be Provided at This Time

Assistance with Annual Financial Statement Preparation (for Restricted Use by External Auditors)
General Accounting and Advisory Assistance

Other Available Services that can be Provided upon Specific Request

Budget Preparation and Amendment Assistance
Capital Asset Records and Accounting Assistance
Information Technology System Assistance
Internal Control Policies and Procedures Assistance
Labor Relations Consulting
Laws and Regulations Compliance Assistance
Investigation of Allegations or Concerns
Tax and Other Regulatory Report Assistance

In compliance with our professional standards regarding independence, we will not provide any audit or other attestation services, as defined by professional standards, to the City in conjunction with these accounting and consulting services.

The City's Responsibilities

The City's management and governing body is, and will continue to be, solely responsible for establishing and maintaining an effective accounting and internal control system, including, without limitation, systems designed to assure fair presentation of the City's financial statements and compliance with policies, procedures, and applicable laws and regulations.

City management and the governing body will also be responsible for establishing the scope of our accounting and consulting services and providing the resources allocated to the work; such responsibility includes determining the nature, scope, and extent of the accounting and consulting services to be performed by the Firm, providing sufficient appropriation for the estimated cost of these services, providing overall direction and oversight for each service, and reviewing and accepting the results of the work.

Our engagement involves providing assistance in the preparation of draft annual financial statements, including supplementary information for the restricted use by management in providing such draft financial statements to the City's external auditor. As provided for in Section 100, paragraphs 24-27, of the Standards for Accounting and Review Services of the American Institute of Certified Public Accountants (AICPA) we will not issue a compilation report in conjunction with these draft financial statements, and instead, we will use this engagement letter as documentation and confirmation of your understanding of the services to be performed and the limitations on the use of such draft financial statements. In this regard, by signing this engagement letter, City management acknowledges its understanding and acceptance of the following:

- That the nature and limitations of the financial statement preparation services to be performed will be limited to a compilation of the financial statements from the City's accounting records for restricted use only by the external auditor in conjunction with the financial statement audit;
- That a compilation is limited to presenting, in the form of financial statements, information that is the representation of City management; and the work performed by the Firm in compiling the draft annual financial statements cannot be relied upon to disclose errors, fraud, or illegal acts.
- That the financial statements will not be audited by the Firm and no opinion or any other form of assurance on the financial statements will be provided by the Firm;
- That City management has knowledge about the nature of the procedures to be applied and the basis of accounting and assumptions to be used in the preparation of the financial statements;
- That the compiled financial statements are not to be used by any third parties for any purpose (the financial statement auditor is not considered to be a third party).

Management is ultimately responsible for the fair presentation of such statements and management will make such representations to the external auditors.

CRAWFORD & ASSOCIATES, P.C.

The Firm's Responsibilities

The Firm is responsible for providing the accounting and consulting services requested, as defined in the Scope of Services section of this letter in accordance with the applicable professional standards of the AICPA. The Firm may also report or otherwise communicate to City management any recommendations, if determines necessary, resulting from the accounting and consulting services provided.

As mentioned in the preceding section, since our engagement involves assistance in the preparation of draft annual financial statements, including supplementary information, for the restricted use by management in providing such financial statements to the external financial statement auditor, we will follow the guidance set forth in AICPA AR Section 100, paragraphs 24-27, and will mark each page of the draft financial statements as "Restricted for Management's Use Only". Therefore, we will not issue a compilation report in conjunction with those draft financial statements, and will rely on City management's understanding of the services to be performed and the limitations on the use of such financial statements.

Access to Working Papers and Reports

Any working papers prepared by the Firm in connection with performing the accounting and consulting services are the property of the Firm. Upon request, copies of any or all working papers and reports that the Firm considers to be nonproprietary will be provided to management of the City. The City may make such copies available to its external auditors and to regulators in the exercise of their statutory oversight of the City. Such copies may not be made available to any other third party without the prior written consent from the Firm.

Fees and Costs

Fees and out-of-pocket expenses for this engagement will be billed as the work progresses and payable upon receipt of our invoices. Out-of-pocket expenses include such costs incurred by the Firm in providing the services including travel, lodging, telecommunications, printing, document reproduction, and the like. Our fees for these services will be billed at our standard hourly rates, as follows, for the individual performing such services based on the actual number of hours of work, including travel time, performed by that individual.

Standard Hourly Rates:

- Firm Chairman Emeritus \$200
- Firm President \$200
- Shareholders/Partners \$125
- Accounting & Consulting Staff \$90
- Clerical Staff \$30

Because the Firm has no direct control over the type and number of services requested by the City during the term of this engagement, nor does the Firm have control over the quality of the City's accounting system or records, potential turnover of City staff, or the City staffing levels, resources, or capabilities, it is impractical for us to provide an accurate amount of hours that will be required for the services requested or a not-to-exceed limit on fees and expenses charged. We will rely on the City to provide us with a copy of approved purchase orders, containing estimated fees and expenses, monitor the cumulative fees and expenses charged, and notify us if and when the cumulative amount approaches the total appropriated level estimated.

CRAWFORD & ASSOCIATES, P.C.

The City agrees to provide sufficient appropriation for all services requested prior to the services being performed. For purposes of purchase order preparation, we will be glad to provide the City with an estimated range of fees and expenses upon request.

The term of this engagement is a period from July 1, 2009 through June 30, 2010. The Firm may perform additional services upon receipt of a formal request from the City with terms and conditions that are acceptable to the City and the Firm.

The agreements and undertakings of the City and the Firm contained in this engagement letter, shall survive the completion or termination of this engagement.

Acceptance

Please indicate your acceptance of this agreement by signing in the space provided below and returning this engagement letter to us. A duplicate copy of this engagement letter is provided for your records. We look forward to continuing our professional relationship with the City of McAlester.

Respectfully submitted and agreed to by,

Crawford & Associates, P.C.

Crawford and Associates, P.C.

Accepted and Agreed to for the City of McAlester:

By: _____

Title: _____

Date: _____



McAlester City Council

AGENDA REPORT

Meeting Date: May 12, 2009 Item Number: 9
Department: City Manager
Prepared By: Mark B. Roath Account Code: _____
Date Prepared: May 6, 2009 Budgeted Amount: _____
Exhibits: One

Subject

Consider, and act upon, a Resolution establishing the position of part-time Electrical Inspector within the City's Classification and Compensation Plan.

Recommendation

Motion to approve a Resolution establishing a part-time electrical inspector position and setting a salary for said position.

Discussion

The City Administration has determined that it is in the best interest of the City to fill the vacant position of electrical inspector with a part-time employee in lieu of a full-time employee.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>PJS</u>	<u>05/06/09</u>
City Manager	<u>MBR</u>	<u>05/06/09</u>

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF McALESTER, OKLAHOMA
ESTABLISHING THE POSITION OF PART-TIME ELECTRICAL
INSPECTOR WITHIN THE CITY'S CLASSIFICATION AND CO-
MPENSATION PLAN.**

WHEREAS, the City of McAlester budgeted for a full-time Electrical Inspector for Fiscal Year 2008-2009;

WHEREAS, the City Council has determined that in order to operate the Building Division, within the Planning and Community Development Department, an Electrical Inspector position is necessary;

WHEREAS, the City Council has further determined that it is in the best interest of the Building Division, within the Planning and Community Development Department, to establish the position of part-time Electrical Inspector within the City's Classification and Compensation Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR THE CITY COUNCIL OF THE CITY OF McALESTER, OKLAHOMA, THAT:

- Section 1. The position of part-time Electrical Inspector is established within the City's Classification and Compensation Plan.
- Section 2. The part-time Electrical Inspector pay grade and step shall be 120-17.
- Section 3. All resolutions and parts of resolutions in conflict herewith are hereby rescinded.

PASSED AND APPROVED at a regular meeting of the City Council of the City of McAlester, Oklahoma, and duly signed by the Mayor this 12th day of May, 2009.

**CITY OF McALESTER, OKLAHOMA
A Municipal Corporation**

By _____
Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk



McAlester City Council

AGENDA REPORT

Meeting Date: May 12, 2009 **Item Number:** 10
Department: City Manager
Prepared By: Mark B. Roath **Account Code:** _____
Date Prepared: May 7, 2009 **Budgeted Amount:** _____
Exhibits: One

Subject

Consider, and act upon, a Resolution authorizing the sale of certain real property located in the City of McAlester, County of Pittsburg, State of Oklahoma, to the Choctaw Nation of Oklahoma.

Recommendation

Motion to approve a Resolution selling the "King Ranch Property" to the Choctaw Nation of Oklahoma for the amount of \$1,425,000.00.

Discussion

The City Attorney, Mr. William J. Ervin, has prepared a Resolution authorizing the sale of the above described property. The Resolution is attached for City Council review, and possible action.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>05/07/09</u>

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF MCALESTER, COUNTY OF PITTSBURG, STATE OF OKLAHOMA, TO THE CHOCTAW NATION OF OKLAHOMA.

* * * * *

WHEREAS, the City of McAlester, Oklahoma, heretofore on or about the 19th day of July 2004, did acquire title to certain real property also known as the "King Ranch Property" by virtue of a valid quit claim deed, executed and delivered by the McAlester Foundation, Inc. an Oklahoma Corporation. Said real property being more particularly described as

SURFACE ONLY:

A tract of land in the SE/4 of Section 24, Township 5 North, Range 14 East and in Lots 3 and 4 of Section 19 Township 5 North, Range 15 East of the Indian Base and Meridian, Pittsburg County, State of Oklahoma, more particularly described as follows:

Beginning at the Northeast corner of the SE/4 of said Section 24; thence South 89 degrees, 3 minutes, 30 seconds West along the North line of the SE/4 of said Section 24 a distance of 1,329.05 feet; thence South 1 degree, 9 minutes, 47 seconds East a distance of 1,324.48 feet; thence South 1 degree, 12 minutes, 23 seconds East a distance of 205.94 feet; thence North 89 degrees, 10 minutes, 16 seconds East a distance of 1,299.79 feet, thence South 5 degrees, 21 minutes, 10 seconds West a distance of 1,115.75 feet to a point on the South line of the SE/4 of said Section 24, thence North 88 degrees, 43 minutes, 6 seconds East along the South line of the SE/4 of said Section 24 a distance of 157 feet to the Southwest corner of said Lot 4, thence North 88 degrees, 43 minutes, 46 seconds East along the South line of said Lot 4 a distance of 1,319.72 feet to the Southeast corner of said Lot 4, thence North 1 degree, 4 minutes, 21 seconds West along the East line of said Lot 4 and Lot 3 a distance of 2,294.44 feet to a point 346.50 feet South of the Northeast corner of said Lot 3, thence South 88 degrees, 44 minutes, 10 seconds West a distance of 1,324.45 feet to a point on the West line of said Lot 3, thence North 1 degree, 11 minutes, 26 seconds West along the West line of said Lot 3 a distance of 346.50 feet to the point of beginning, said described tract containing 118.76 acres, more or less.

; and

WHEREAS, said Real Property was acquired for the Purposes of "Economic Development" from funds of the City of McAlester dedicated for such purposes; and

WHEREAS, it is hereby determined that the present sale of the above described Real Property enhances and promotes the ability of the City of McAlester, Oklahoma to meet its "Economic Development" goals, and that the subject Property should be sold to the Choctaw Nation of Oklahoma for the sum of One Million Four Hundred Twenty-Five Thousand Dollars and No Cents (\$ 1,425,000.00).

WHEREAS, it is further determined that the subject sale is in the economic best interests of the City of McAlester, Oklahoma, is commercially reasonable, and is fiscally responsible.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA:

SECTION 1: That the above described real property be sold to the Choctaw Nation of Oklahoma in exchange for the sum of One Million Four Hundred Twenty-Five Thousand Dollars and No Cents (\$ 1,425,000.00).

SECTION 2: That the City Attorney is hereby authorized and empowered to review, prepare and approve all documents and instruments legally necessary and appropriate to consummate the above referenced sale.

SECTION 3: That the Mayor is hereby authorized to execute and deliver all documents and instruments of transfer necessary and appropriate to complete and close the above referenced sale of real property.

PASSED and **APPROVED** this ____ day of May, 2009 upon motion by _____, seconded by _____, by the following vote:

AYE:

NAY:

**CITY OF MCALESTER, OKLAHOMA
A Municipal Corporation**

By: _____
Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton
City Clerk

CERTIFICATE OF CITY CLERK

I, the undersigned City Clerk of the City of McAlester, Oklahoma, hereby certify that the foregoing is a true, correct and complete copy of a Resolution adopted by the City Council of said City at a meeting held on the date therein stated as the same appears in the Minutes of said meeting on file in my office as a part of the official records thereof.

City Clerk, City of McAlester, Oklahoma

(SEAL)

Council Chambers
Municipal Building
April 28, 2009

The McAlester Airport Authority met in a Regular session on Tuesday, April 28, 2009, at 6:00 P.M. after proper notice and agenda was posted April 23, 2009.

Present: Chris Fiedler, Donnie Condit, John Browne, Haven Wilkinson, Buddy Garvin, Sam Mason, William J. Ervin, Jr. & Kevin E. Priddle
Absent: None
Presiding: Kevin E. Priddle, Chairman

A motion was made by Mr. Mason and seconded by Mr. Browne to approve the following:

- **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)* In the amount of \$1,218.80.

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

AYE: Trustees Fiedler, Condit, Browne, Wilkinson, Garvin, Mason & Chairman Priddle
NAY: None

Chairman Priddle declared the motion carried.

There being no further business to come before the Authority, Mr. Mason moved for the meeting to be adjourned, seconded by Mr. Browne. The vote was taken as follows:

AYE: Trustees Fiedler, Condit, Browne, Wilkinson, Garvin, Mason & Chairman Priddle
NAY: None

Chairman Priddle declared the motion carried.

Kevin Priddle, Chairman

ATTEST:

Cora Middleton, Secretary

Council Chambers
Municipal Building
April 28, 2009

The McAlester Public Works Authority met in a Regular session on Monday, April 28, 2009, at 6:00 P.M. after proper notice and agenda was posted April 23, 2009.

Present: Chris Fiedler, Donnie Condit, John Browne, Haven Wilkinson Buddy Garvin, Sam Mason, William J. Ervin. Jr. & Kevin E. Priddle
Absent: None
Presiding: Kevin E. Priddle, Chairman

A motion was made by Mr. Fiedler and seconded by Mr. Browne to approve the following:

- **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)* In the amount of \$131,311.09.
- **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.**

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

AYE: Trustees Wilkinson, Garvin, Mason, Fiedler, Condit, Browne & Chairman Priddle
NAY: None

Chairman Priddle declared the motion carried.

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

AYE: Trustees Wilkinson, Garvin, Mason, Fiedler, Condit, Browne & Chairman Priddle
NAY: None

Chairman Priddle declared the motion carried.

ATTEST:

Kevin Priddle, Chairman

Cora Middleton, Secretary