



# McAlester City Council

## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, June 23, 2009 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

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

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

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

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

#### **CALL TO ORDER**

*Announce the presence of a Quorum.*

#### **INVOCATION & PLEDGE OF ALLEGIANCE**

- Scott Walker, Shared Blessings

#### **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 Minutes from the June 2, 2009, Special Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- B. **Approval of Minutes from the June 9, 2009, Regular Meeting of the McAlester City Council.** *(Cora Middleton, City Clerk)*
- C. **Mayor's Monthly Financial Report for May, 2009.** *(Kevin E. Priddle, Mayor)*
- D. **Approval of Claims for June 10, 2009 through June 23, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*

## **ITEMS REMOVED FROM CONSENT AGENDA**

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## **PRESENTATION**

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- **Pride In McAlester – Yard of the Month**

## **PUBLIC HEARING**

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*All persons interested in any ordinance listed under Scheduled Business shall have an opportunity to be heard in accordance with Article 2, Section 2.12(b) of the City Charter.*

1. **Public Hearing: An Ordinance 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.**
2. **Public Hearing: An Ordinance adopting the budget of the City of McAlester, Oklahoma for the Fiscal Year 2009/2010; providing for a severability clause; and declaring an emergency.**

## **SCHEDULED BUSINESS**

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1. **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 budget for fiscal year 2008/2009.

2. **Consider, and act upon, an Ordinance adopting the budget of the City of McAlester, Oklahoma for the Fiscal Year 2009/2010; providing for a severability clause; and declaring an emergency.** *(Mark B. Roath, City Manager)*

### Executive Summary

This agenda item involves an Ordinance adopting the budget for fiscal year 2009/2010.

3. **Consider, and act upon, a Resolution authorizing a pay increase for City employees outside the official non-uniform pay plan of the City of McAlester, Oklahoma.** *(Mark B. Roath, City Manager)*

### Executive Summary

This agenda item involves a pay increase for those non-uniform employees that are outside the official pay plan of the City of McAlester.

4. **Consider, and act upon, authorizing the Mayor to sign a Memorandum of Understanding with the Fraternal Order of Police, Lodge No. 97 related to making pension contributions on a certain portion of holiday pay for various members of the bargaining unit. (Mark B. Roath, City Manager)**

Executive Summary

This agenda item involves pension contributions on a certain portion of holiday pay for various members of the bargaining unit.

5. **Consider, and act upon, authorizing the Mayor to sign a Renewal Letter with United Healthcare, in the amount of \$1,540,332, for the period of July 1, 2009 to June 30, 2010. (Mark B. Roath, City Manager)**

Executive Summary

This agenda item involves the renewal of employee health insurance.

6. **Consider, and act upon, authorizing the Mayor to sign a contract with Pride In McAlester, Inc., in the amount of \$60,000. (Mark B. Roath, City Manager)**

Executive Summary

This agenda item involves a contract with Pride In McAlester, Inc.

7. **Consider, and act upon, award of bid to Bravo Construction Inc., for the construction of 14<sup>th</sup> St. & Village Blvd. Utility Extensions and authorizing the Mayor to sign a construction contract, after review and approval by the City Attorney's Office, with Bravo Construction Inc., in the amount of \$228,068.19.**

Executive Summary

This agenda item involves a bid award and contract with Bravo Construction Inc.

8. **Review of the City of McAlester Citizen Participation Plan for 2009. (Peter Stasiak, Planning and Community Development Director)**

Executive Summary

This agenda item involves a review of the 2009 Citizen Participation Plan of the City of McAlester.

9. **Consider, and act upon, a Resolution of the City of McAlester for Fiscal Year 2009 affirming the cities commitment to facilitate and administer funds from the Oklahoma Department of Commerce if awarded. (Peter Stasiak, Planning and Community Development Director)**

Executive Summary

This agenda item involves a Resolution affirming the cities commitment to facilitate and administer funds from the ODOC.

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

Executive Summary

This agenda item involves a Resolution declaring certain buildings dilapidated.

11. **Consider, and act upon, an Addendum to a lease with the Girl Scouts Tiak Council approved on December 13, 2005, for Cheney Park. (Cora Middleton, City Clerk)**

Executive Summary

This agenda item involves changing the legal name of the local Girl Scout group named on the lease.

12. **Discussion, and action, to place on file the Hotel Tax Report for Fiscal Year 2007/2008, performed by Crawford and Associates, P.C. (Sam Mason, Councilmember)**

Executive Summary

This agenda item involves an audit of the hotel tax revenues generated by hotels and motels within the corporate limits of McAlester.

**NEW BUSINESS**

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

**CITY MANAGER'S REPORT**

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**REMARKS AND INQUIRIES BY CITY COUNCIL**

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RECESS COUNCIL MEETING

**CONVENE AS McALESTER AIRPORT AUTHORITY**

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*Majority of a Quorum required for approval*

- **Approval of Minutes from the June 9, 2009, Regular Meeting of the McAlester Airport Authority. (Cora Middleton, City Clerk)**
- **Confirm action taken on City Council Agenda Item D regarding the Claims for the period of June 10, 2009 through June 23, 2009. (Sherry Alessi, Assistant Chief Financial Officer)**
- **Confirm action taken on City Council Agenda Item 1 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)**
- **Confirm action taken on City Council Agenda Item 2 an Ordinance adopting the budget of the City of McAlester, Oklahoma for the Fiscal Year 2009/2010; providing for a severability clause; and declaring an emergency. (Mark B. Roath, City Manager)**
- **Confirm action taken on City Council Agenda Item 5 authorizing the Mayor to sign a Renewal Letter with United Healthcare, in the amount of \$1,540,332, for the period of July 1, 2009 to June 30, 2010. (Mark B. Roath, City Manager)**

ADJOURN MAU.

**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

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*Majority of a Quorum required for approval*

- **Approval of Minutes from the June 9, 2009, Regular Meeting of the McAlester Public Works Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item D regarding the Claims for the period of June 10, 2009 through June 23, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item 1 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)*
- **Confirm action taken on City Council Agenda Item 2 an Ordinance adopting the budget of the City of McAlester, Oklahoma for the Fiscal Year 2009/2010; providing for a severability clause; and declaring an emergency.** *(Mark B. Roath, City Manager)*
- **Confirm action taken on City Council Agenda Item 5 authorizing the Mayor to sign a Renewal Letter with United Healthcare, in the amount of \$1,540,332, for the period of July 1, 2009 to June 30, 2010.** *(Mark. B. Roath, City Manager)*

ADJOURN MPWA.

#### **CONVENE AS McALESTER RETIREMENT TRUST AUTHORITY**

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*Majority of a Quorum required for approval*

- **Approval of Minutes from the June 9, 2009, Regular Meeting of the McAlester Retirement Trust Authority.** *(Cora Middleton, City Clerk)*
- **Approval of Retirement Benefit Payments for the period of July, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)*
- **Confirm action taken on City Council Agenda Item 2 an Ordinance adopting the budget of the City of McAlester, Oklahoma for the fiscal year 2009/2010; providing for a severability clause; and declaring an emergency.** *(Mark B. Roath, City Manager)*
- **Confirm action taken on City Council Agenda Item 5 authorizing the Mayor to sign a Renewal Letter with United Healthcare, in the amount of \$1,540,332, for the period of July 1, 2009 to June 30, 2010.** *(Mark. B. Roath, City Manager)*

ADJOURN MPWA.

RECONVENE COUNCIL MEETING.

**ADJOURNMENT**

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**CERTIFICATION**

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

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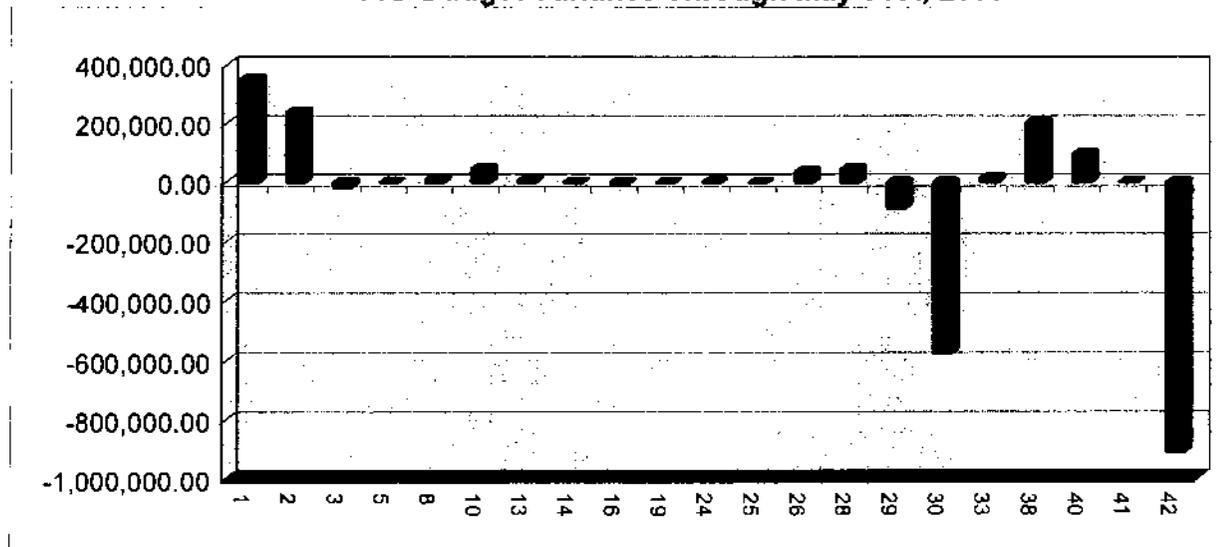
**Cora M. Middleton, City Clerk**

## Revenue Recap Through May 31st, 2009

Month: 11

Fund	Fund Name	Annual Budget	Monthly Budget	Current Period	Monthly Variance From Budget	YTD Actual	YTD Budget	YTD Variance From Budget
1	General Fund	14,600,599.50	1,216,716.63	1,183,712.59	-33,004.03	13,734,731.30	13,383,882.88	350,848.43
2	MPWA	9,369,528.89	780,794.07	844,238.20	63,444.13	8,828,077.78	8,588,734.82	239,342.96
3	Airport Authority	217,196.19	18,099.88	6,363.56	-11,736.12	181,984.47	199,096.51	-17,112.04
5	Parking Authority	4,560.00	380.00	300.00	-80.00	5,130.00	4,180.00	950.00
8	Nutrition	254,317.18	21,193.10	36,174.12	14,981.02	242,294.70	233,124.08	9,170.62
10	Wellness Center	549,824.00	45,818.67	0.00	-45,818.67	549,823.57	504,005.33	45,818.24
13	Juvenile Fine/Reserve	7,784.00	648.67	1,262.00	613.33	12,864.00	7,135.33	5,728.67
14	COPS /Grant	13,500.00	1,125.00	0.00	-1,125.00	11,050.00	12,375.00	-1,325.00
16	Revolving Evidence	10,525.00	877.08	2,252.96	1,375.88	3,476.62	9,647.92	-6,171.30
19	Fire Improvement Grnt	0.00	0.00	0.00	0.00	0.00	0.00	0.00
24	Airport Grant	356,170.00	29,680.83	0.00	-29,680.83	328,362.00	326,489.17	1,872.83
25	Airport Hangars	0.00	0.00	0.00	0.00	0.00	0.00	0.00
26	Educational Fund	1,050,693.00	87,557.75	78,507.02	-9,050.73	999,840.13	963,135.25	36,704.88
28	SE EXPO Ctr/Tourism	738,050.00	61,504.17	56,182.95	-5,321.22	721,152.45	676,545.83	44,606.62
29	E-911	798,000.00	66,500.00	64,611.37	-1,888.63	643,687.22	731,500.00	-87,812.78
30	Economic Development	1,899,193.00	158,266.08	93,095.39	-65,170.69	1,166,109.79	1,740,926.92	-574,817.13
33	CDBG Grants Fund	159,000.00	13,250.00	0.00	-13,250.00	159,000.00	145,750.00	13,250.00
38	Dedicated Sales Tax-M	4,102,106.00	341,842.17	312,454.77	-29,387.40	3,965,221.44	3,760,263.83	204,957.61
40	Emergency Fund	237,736.36	19,811.36	10,186.35	-9,625.01	314,222.82	217,925.00	96,297.82
41	CIP Fund	5,000.00	416.67	7.00	-409.67	5,282.17	4,583.33	698.84
42	Dept of Trea/Equitable	1,000,000.00	83,333.33	0.00	-83,333.33	7,174.52	916,666.67	-909,492.15
<b>Total:</b>		<b>35,373,783.12</b>	<b>2,947,815.26</b>	<b>2,689,348.28</b>	<b>-258,466.98</b>	<b>31,879,484.98</b>	<b>32,425,967.86</b>	<b>-546,482.88</b>

**YTD Budget Variance Through May 31st, 2009**

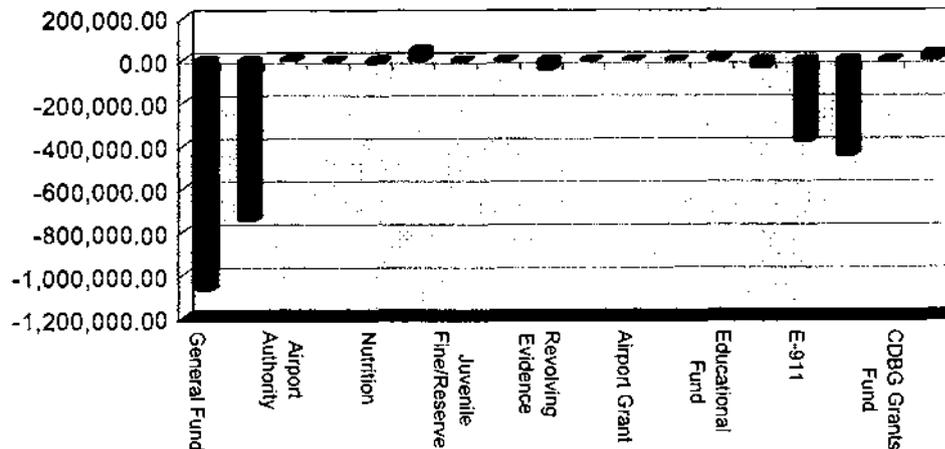


## Expense Recap Through May 31st, 2009

Month: 11

Fund	Fund Name	Annual Budget	Monthly Budget	Current Period	Monthly Variance From Budget	YTD Actual	YTD Budget	YTD Variance From Budget
1	General Fund	14,444,764.82	1,203,730.40	1,142,733.70	-60,996.70	12,176,344.80	13,241,034.42	-1,064,689.62
2	MPWA	9,297,136.97	774,761.41	545,674.50	-229,086.91	7,777,393.67	8,522,375.56	-744,981.89
3	Airport Authority	217,296.07	18,108.01	13,363.55	-4,744.46	201,475.70	199,188.08	2,287.64
5	Parking Authority	4,560.00	380.00	109.10	-270.90	1,875.49	4,180.00	-2,304.51
8	Nutrition	254,316.68	21,193.06	19,781.84	-1,411.22	219,551.64	233,123.62	-13,571.98
10	Wellness Center	549,824.00	45,818.67	0.00	-45,818.67	549,823.57	504,005.33	45,818.24
13	Juvenile Fine/Reserve	7,784.00	648.67	292.67	-356.00	5,094.01	7,135.33	-2,041.32
14	COPS /Grant	13,500.00	1,125.00	0.00	-1,125.00	13,176.95	12,375.00	801.95
16	Revolving Evidence	95,165.00	7,930.42	0.00	-7,930.42	46,470.36	87,234.58	-40,764.22
19	Fire Improvement Grnt	0.00	0.00	0.00	0.00	0.00	0.00	0.00
24	Airport Grant	356,170.00	29,680.83	0.00	-29,680.83	326,086.00	326,489.17	-403.17
25	Airport Hangars	0.00	0.00	0.00	0.00	0.00	0.00	0.00
26	Educational Fund	863,484.50	71,957.04	53,543.12	-18,413.92	806,133.18	791,527.46	14,605.72
28	SE EXPO Ctr/Tourism	835,401.65	69,616.80	60,251.57	-9,365.23	728,685.39	765,784.85	-37,099.46
29	E-911	794,980.13	66,248.34	22,973.40	-43,274.94	348,647.61	728,731.79	-380,084.18
30	Economic Development	1,577,583.44	131,465.29	85,409.89	-46,055.40	998,620.48	1,446,118.15	-447,497.67
33	CDBG Grants Fund	159,000.00	13,250.00	0.00	-13,250.00	140,520.46	145,750.00	-5,229.54
38	Dedicated Sales Tax-M	3,182,496.50	265,208.04	270,894.93	5,686.89	2,944,842.91	2,917,288.46	27,554.45
40	Emergency Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00
41	CIP Fund	37,500.00	3,125.00	0.00	-3,125.00	30,283.94	34,375.00	-4,091.06
42	Dept. of Treas/Equitab	342,000.00	28,500.00	0.00	-28,500.00	0.00	313,500.00	-313,500.00
<b>Total:</b>		<b>33,032,963.76</b>	<b>2,752,746.98</b>	<b>2,215,028.27</b>	<b>-537,718.71</b>	<b>27,315,026.16</b>	<b>30,280,216.78</b>	<b>-2,965,190.62</b>

**YTD Budget Variance Through May 31st, 2009**

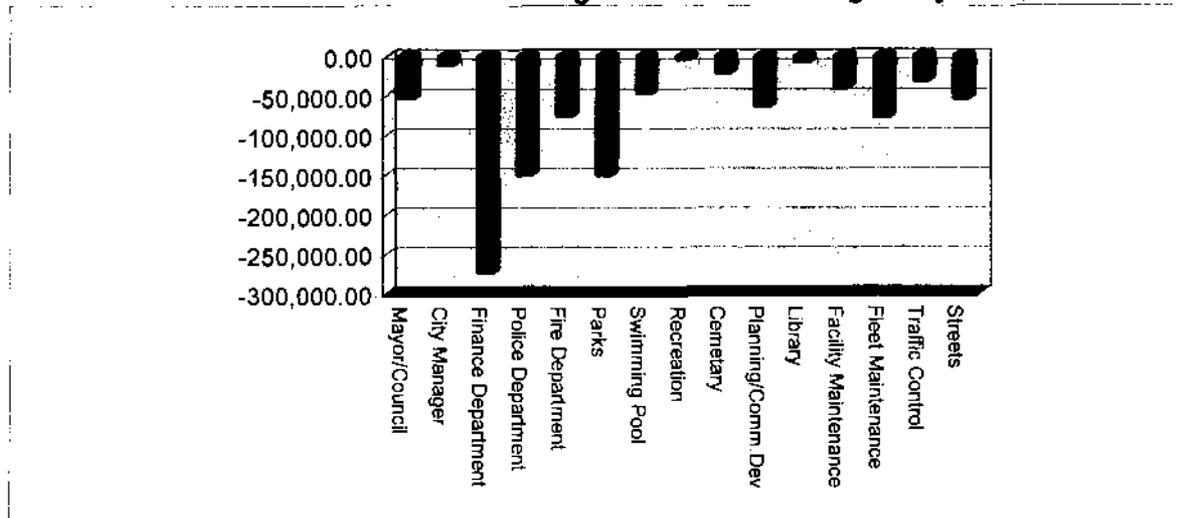


## General Fund Expense Recap Through May 31st, 2009

Month: 11

Dept	Fund Name	Annual Budget	Monthly Budget	Current Period	Monthly Variance From Budget	YTD Actual	YTD Budget	YTD Variance From Budget
Legislat	Mayor/Council	299,616.56	24,968.05	18,339.19	-6,628.86	220,946.92	274,648.51	-53,701.59
Admin	City Manager	314,272.39	26,189.37	26,513.65	324.28	276,707.47	288,083.02	-11,375.55
Admin	Finance Department	2,773,023.44	231,085.29	188,267.15	-42,818.14	2,268,449.74	2,541,938.15	-273,488.41
Police	Police Department	3,723,510.75	310,292.56	360,305.20	50,012.64	3,263,475.89	3,413,218.19	-149,742.30
Fire	Fire Department	3,057,471.27	254,789.27	241,247.72	-13,541.55	2,726,653.55	2,802,682.00	-76,028.45
Comm.Serv.	Parks	926,168.13	77,180.68	65,701.53	-11,479.15	698,168.38	848,987.45	-150,819.07
Comm.Serv.	Swimming Pool	153,716.75	12,809.73	6,373.46	-6,436.27	93,648.80	140,907.02	-47,258.22
Comm.Serv.	Recreation	168,879.63	14,073.30	12,653.13	-1,420.17	150,451.01	154,806.33	-4,355.32
Comm.Serv.	Cemetary	307,521.62	25,626.80	24,099.62	-1,527.18	259,841.79	281,894.82	-22,053.03
Plan Comm.Dev	Planning/Comm.Dev	382,917.60	31,909.80	24,965.95	-6,943.85	286,650.72	351,007.80	-64,357.08
Public Works	Library	54,498.39	4,541.53	3,454.72	-1,086.81	42,024.03	49,956.86	-7,932.83
Public Works	Facility Maintenance	227,797.37	18,983.11	15,544.83	-3,438.28	168,286.19	208,814.26	-40,528.07
Public Works	Fleet Maintenance	998,867.09	83,238.92	67,233.69	-16,005.23	838,018.49	915,628.17	-77,609.68
Public Works	Traffic Control	205,669.79	17,139.15	12,206.38	-4,932.77	157,118.41	188,530.64	-31,412.23
Public Works	Streets	850,834.04	70,902.84	75,827.48	4,924.64	725,903.41	779,931.20	-54,027.79
<b>Total:</b>		<b>14,444,764.82</b>	<b>1,203,730.40</b>	<b>1,142,733.70</b>	<b>12,081.54</b>	<b>12,176,344.80</b>	<b>13,241,034.42</b>	<b>-1,064,689.62</b>

**General Fund YTD Budget Variance Through May 31st, 2009**

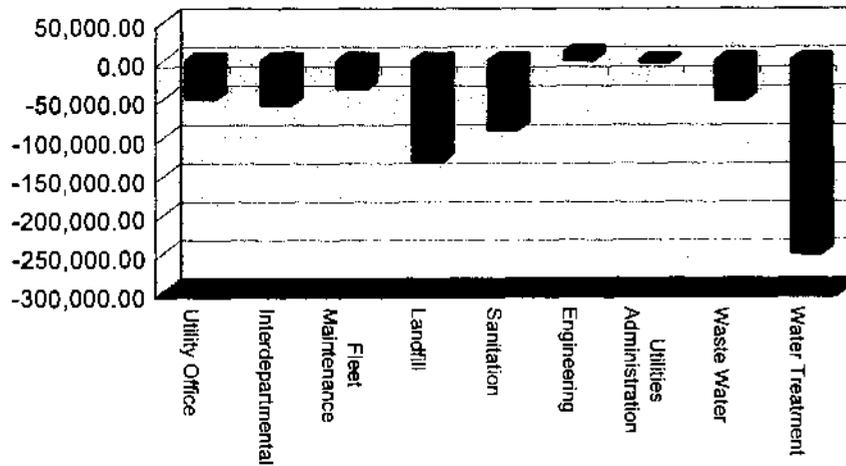


## MPWA Fund Expense Recap Through May 31st, 2009

Month: 11

Dept	Fund Name	Annual Budget	Monthly Budget	Current Period	Monthly Variance From Budget	YTD Actual	YTD Budget	YTD Variance From Budget
Administrative	Utility Office	364,098.33	30,341.53	30,021.24	-320.29	283,907.87	333,756.80	-49,848.93
Administrative	Interdepartmental	3,272,136.50	272,678.04	209,430.49	-63,247.55	2,941,896.24	2,999,458.46	-57,562.22
Public Works	Fleet Maintenance	439,000.00	36,583.33	11,193.77	-25,389.56	365,762.95	402,416.67	-36,653.72
Public Works	Landfill	611,630.13	50,969.18	31,978.21	-18,990.97	430,787.93	560,660.95	-129,873.02
Public Works	Sanitation	658,906.03	54,908.84	44,458.31	-10,450.53	514,489.85	603,997.19	-89,507.34
Engineering	Engineering	466,612.49	38,884.37	47,039.93	8,155.56	437,786.48	427,728.12	10,058.36
Utilities	Utilities Administration	128,499.22	10,708.27	10,796.07	87.80	115,065.81	117,790.95	-2,725.14
Utilities	Waste Water	786,393.90	65,532.83	62,005.54	-3,527.29	669,242.66	720,861.08	-51,618.42
Utilities	Water Treatment	1,939,905.82	161,658.82	59,030.82	-102,628.00	1,527,399.48	1,778,247.00	-250,847.52
Utilities	Utility Maintenance	629,954.55	52,486.21	39,720.12	-12,776.09	491,054.40	577,458.34	-86,403.94
<b>Total:</b>		<b>9,297,136.97</b>	<b>774,761.41</b>	<b>545,674.50</b>	<b>-229,086.91</b>	<b>7,777,393.67</b>	<b>8,522,375.56</b>	<b>-744,981.89</b>

**MPWA YTD Budget Variance Through May 31st, 2009**



REVENUE SUMMARY

AS OF: MAY 31ST, 2009

REVENUES

ACCOUNT	ANNUAL BUDGET	CURRENTMT PERIOD	Y-T-D ACTUAL	PERC. BUDGET	BUDGET BALANCE	Y-T-D ENCUMB.	ENCUMB. BALANCE
<b>01 -GENERAL FUND</b>							
TAXES	10,289,348.00	775,201.77	9,510,088.15	92.43	779,259.85	0.00	779,259.85
LICENSES AND PERMITS	110,515.00	7,418.00	98,837.02	89.43	11,677.98	0.00	11,677.98
GRANTS	24,000.00	2,285.31	16,470.45	68.63	7,529.55	0.00	7,529.55
CHARGES FOR SERVICES	995,404.00	81,785.58	1,084,447.42	108.95	( 89,043.42)	0.00	( 89,043.42)
FINES AND FORFEITURES	623,000.00	67,627.96	770,687.47	123.71	( 147,687.47)	0.00	( 147,687.47)
MISCELLANEOUS	465,153.00	74,961.97	335,451.76	72.12	129,701.24	0.00	129,701.24
TRANSFERS	2,093,179.50	174,432.00	1,918,749.03	91.67	174,430.47	0.00	174,430.47
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 01 -GENERAL FUND	14,600,599.50	1,183,712.59	13,734,731.30	94.07	865,868.20	0.00	865,868.20
<b>02 -MPWA</b>							
GRANTS	95,678.00	0.00	105,169.99	109.92	( 9,491.99)	0.00	( 9,491.99)
CHARGES FOR SERVICES	8,261,065.00	635,076.56	7,921,855.79	95.89	339,209.21	0.00	339,209.21
MISCELLANEOUS	6,000.30	120.00	327.49	5.46	5,672.81	0.00	5,672.81
TRANSFERS	1,006,785.59	209,041.64	800,724.51	79.53	206,061.08	0.00	206,061.08
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 02 -MPWA	9,369,528.89	844,238.20	8,828,077.78	94.22	541,451.11	0.00	541,451.11
<b>03 -AIRPORT AUTHORITY</b>							
CHARGES FOR SERVICES	154,960.00	6,363.56	119,648.47	77.21	35,311.53	0.00	35,311.53
MISCELLANEOUS	1,200.19	0.00	1,300.00	108.32	( 99.81)	0.00	( 99.81)
TRANSFERS	61,036.00	0.00	61,036.00	100.00	0.00	0.00	0.00
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 03 -AIRPORT AUTHORITY	217,196.19	6,363.56	181,984.47	83.79	35,211.72	0.00	35,211.72
<b>05 -PARKING AUTHORITY</b>							
CHARGES FOR SERVICES	4,560.00	300.00	5,130.00	112.50	( 570.00)	0.00	( 570.00)
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 05 -PARKING AUTHORITY	4,560.00	300.00	5,130.00	112.50	( 570.00)	0.00	( 570.00)
<b>07 -CAPITAL OUTLAY LEASE/LOAN</b>							
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 07 -CAPITAL OUTLAY LEASE/LO	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>08 -NUTRITION</b>							
GRANTS	74,272.00	6,174.12	70,728.70	95.23	3,543.30	0.00	3,543.30
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TRANSFERS	180,045.18	30,000.00	171,566.00	95.29	8,479.18	0.00	8,479.18
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 08 -NUTRITION	254,317.18	36,174.12	242,294.70	95.27	12,022.48	0.00	12,022.48



CITY OF MCALLESTER  
REVENUE SUMMARY  
AS OF: MAY 31ST, 2009

REVENUES

ACCOUNT	ANNUAL BUDGET	CURRENTNT PERIOD	Y-T-D ACTUAL	PERC. BUDGET	BUDGET BALANCE	Y-T-D ENCUMB.	ENCUMB. BALANCE
<b>26 -EDUCATIONAL FUND</b>							
TAXES	1,044,193.00	78,113.69	988,425.31	94.66	55,767.69	0.00	55,767.69
MISCELLANEOUS	6,500.00	393.33	11,414.82	175.61	4,914.82	0.00	4,914.82
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 26 -EDUCATIONAL FUND	1,050,693.00	78,507.02	999,840.13	95.16	50,682.51	0.00	50,682.51
<b>28 -SE EXPO CTR/TOURISM FUND</b>							
TAXES	600,000.00	36,821.98	565,842.23	94.31	34,157.77	0.00	34,157.77
CHARGES FOR SERVICES	138,050.00	17,235.97	153,174.07	110.96	15,124.07	0.00	15,124.07
MISCELLANEOUS	0.00	2,125.00	2,136.15	0.00	2,136.15	0.00	2,136.15
TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 28 -SE EXPO CTR/TOURISM FUND	738,050.00	56,182.95	721,152.45	97.71	16,897.55	0.00	16,897.55
<b>29 -E-911</b>							
TAXES	798,000.00	64,611.37	643,687.22	80.66	154,312.78	0.00	154,312.78
TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 29 -E-911	798,000.00	64,611.37	643,687.22	80.66	154,312.78	0.00	154,312.78
<b>30 -ECONOMIC DEVELOPMENT</b>							
TAXES	1,017,193.00	78,113.69	988,425.31	97.17	28,767.69	0.00	28,767.69
MISCELLANEOUS	182,000.00	14,981.70	177,684.48	97.63	4,315.52	0.00	4,315.52
TRANSFERS	700,000.00	0.00	0.00	0.00	700,000.00	0.00	700,000.00
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 30 -ECONOMIC DEVELOPMENT	1,899,193.00	93,095.39	1,166,109.79	61.40	733,083.21	0.00	733,083.21
<b>33 -CDBG GRANTS FUND</b>							
GRANTS	79,500.00	0.00	79,500.00	100.00	0.00	0.00	0.00
TRANSFERS	79,500.00	0.00	79,500.00	100.00	0.00	0.00	0.00
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 33 -CDBG GRANTS FUND	159,000.00	0.00	159,000.00	100.00	0.00	0.00	0.00
<b>38 -DEDICATED SALES TAX-MPWA</b>							
TAXES	4,089,106.00	312,454.77	3,953,701.35	96.69	135,404.65	0.00	135,404.65
MISCELLANEOUS	13,000.00	0.00	11,520.09	88.62	1,479.91	0.00	1,479.91
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 38 -DEDICATED SALES TAX-MPWA	4,102,106.00	312,454.77	3,965,221.44	96.66	136,884.56	0.00	136,884.56
<b>40 -EMERGENCY FUND</b>							
MISCELLANEOUS	36,052.36	1,886.97	64,002.56	177.53	27,950.20	0.00	27,950.20
TRANSFERS	201,684.00	8,299.38	250,220.26	124.07	48,536.26	0.00	48,536.26
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 40 -EMERGENCY FUND	237,736.36	10,186.35	314,222.82	132.17	76,486.46	0.00	76,486.46

REVENUE SUMMARY

AS OF: MAY 31ST, 2009

REVENUES

ACCOUNT	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	PERC. BUDGET	BUDGET BALANCE	Y-T-D ENCUMB.	ENCUMB. BALANCE
41 -CIP FUND							
MISCELLANEOUS	5,000.00	7.00	5,282.17	105.64	( 282.17)	0.00	( 282.17)
TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 41 -CIP FUND	5,000.00	7.00	5,282.17	105.64	( 282.17)	0.00	( 282.17)
42 -FEDERAL FORFEITURE FUND							
FINES AND FORFEITURES	1,000,000.00	0.00	7,174.52	0.72	992,825.48	0.00	992,825.48
9 NOT USED	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL 42 -FEDERAL FORFEITURE FUND	1,000,000.00	0.00	7,174.52	0.72	992,825.48	0.00	992,825.48
GRAND TOTAL REVENUES	35,373,783.12	2,689,348.28	31,879,484.98	90.12	3,494,298.14	0.00	3,494,298.14

REVENUE SUMMARY

AS OF: MAY 31ST, 2009

REVENUES-ALL FUNDS PROOF

ACCOUNT	ANNUAL BUDGET	CURRENTT PERIOD	Y-T-D ACTUAL	PERC. BUDGET	BUDGET BALANCE	Y-T-D ENCUMB.	ENCUMB. BALANCE
01 -GENERAL FUND	14,600,599.50	1,183,712.59	13,734,731.30	94.07	865,868.20	0.00	865,868.20
02 -MPWA	9,369,528.89	844,238.20	8,828,077.78	94.22	541,451.11	0.00	541,451.11
03 -AIRPORT AUTHORITY	217,196.19	6,263.56	181,984.47	83.79	35,211.72	0.00	35,211.72
05 -PARKING AUTHORITY	4,560.00	300.00	5,130.00	112.50	( 570.00)	0.00	( 570.00)
07 -CAPITAL OUTLAY LEASE/	0.00	0.00	0.00	0.00	0.00	0.00	0.00
08 -NUTRITION	254,317.18	36,174.12	242,294.70	95.27	12,022.48	0.00	12,022.48
10 -WELLNESS CENTER	549,824.00	0.00	549,823.57	100.00	0.43	0.00	0.43
13 -JUVENILE FINE/RESERVE	7,784.00	1,262.00	12,864.00	165.26	( 5,080.00)	0.00	( 5,080.00)
14 -C. G. P. S. /GRANT	13,500.00	0.00	11,050.00	81.85	2,450.00	0.00	2,450.00
16 -STATE FORFEITURE FUND	10,525.00	2,252.96	3,476.62	33.03	7,048.38	0.00	7,048.38
19 -FIRE IMPROVEMENT GRNT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
24 -AIRPORT GRANT	356,170.00	0.00	328,362.00	92.19	27,808.00	0.00	27,808.00
25 -AIRPORT HANGARS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
26 -EDUCATIONAL FUND	1,050,693.00	78,507.02	999,840.13	95.16	50,852.87	0.00	50,852.87
28 -SE EXPO CTR/TOURISM F	738,050.00	56,182.95	721,152.45	97.71	16,897.55	0.00	16,897.55
29 -E-911	798,000.00	64,611.37	643,687.22	80.66	154,312.78	0.00	154,312.78
30 -ECONOMIC DEVELOPMENT	1,899,193.00	93,095.39	1,166,109.79	61.40	733,083.21	0.00	733,083.21
33 -CDBG GRANTS FUND	159,000.00	0.00	159,000.00	100.00	0.00	0.00	0.00
38 -DEDICATED SALES TAX-M	4,102,106.00	312,454.77	3,965,221.44	96.66	136,884.56	0.00	136,884.56
40 -EMERGENCY FUND	237,736.36	10,186.35	314,222.82	132.17	( 76,486.46)	0.00	( 76,486.46)
41 -CIP FUND	5,000.00	7.00	5,282.17	105.64	( 282.17)	0.00	( 282.17)
42 -FEDERAL FORFEITURE FU	1,000,000.00	0.00	7,174.52	0.72	992,825.48	0.00	992,825.48
<b>GRAND TOTAL REVENUES</b>	<b>35,373,783.12</b>	<b>2,689,348.28</b>	<b>31,879,484.98</b>	<b>90.12</b>	<b>3,494,298.14</b>	<b>0.00</b>	<b>3,494,298.14</b>

CITY OF MCALISTER  
DEPARTMENT EXPENSE SUMMARY  
AS OF: MAY 31ST, 2009

ACCOUNT	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	PERC. BUDGET	BUDGET BALANCE	Y-T-D ENCUMB.	ENCUMB. BALANCE
<b>01-GENERAL FUND</b>							
<b>LEGISLATIVE DEPARTMENT</b>							
MAYOR/COUNCIL	46,871.13	403.72	29,896.26	63.78	16,974.87	633.12	16,341.75
CITY CLERK	72,050.43	5,741.32	65,360.75	90.72	6,689.68	36.70	6,652.98
LEGAL	180,695.00	12,194.15	125,689.91	69.56	55,005.09	0.00	55,005.09
TOTAL LEGISLATIVE DEPARTMENT	299,616.56	18,339.19	220,946.92	73.74	78,669.64	669.82	77,999.82
<b>CITY MANAGER</b>							
CITY MANAGER	183,946.04	16,366.72	166,113.89	90.31	17,832.15	230.00	17,602.15
PERSONNEL	130,326.35	10,146.93	110,593.58	84.86	19,732.77	152.51	19,580.26
TOTAL CITY MANAGER	314,272.39	26,513.65	276,707.47	88.05	37,564.92	382.51	37,182.41
<b>FINANCE DEPARTMENT</b>							
FINANCE	219,267.58	29,255.19	128,916.52	58.79	90,351.06	200.00	90,151.06
MUNICIPAL COURT	276,278.91	19,879.19	218,738.34	79.17	57,540.57	2,566.34	54,974.23
INTERDEPARTMENTAL	2,100,841.18	133,304.25	1,811,570.77	86.23	289,270.41	3,160.01	286,110.40
INFORMATION TECHNOLOGY	176,635.77	5,828.52	109,224.11	61.84	67,411.66	33,366.37	34,045.29
TOTAL FINANCE DEPARTMENT	2,773,023.44	188,267.15	2,268,449.74	81.80	504,573.70	39,292.72	465,280.98
<b>POLICE DEPARTMENT</b>							
CID	823,254.37	79,739.36	743,212.39	90.28	80,041.98	492.96	79,549.02
PATROL	2,649,506.36	261,081.15	2,307,408.67	87.09	342,097.69	10,207.35	331,890.34
ANIMAL CONTROL	95,617.62	7,879.80	78,837.52	82.45	16,780.10	168.00	16,612.10
COMMUNICATIONS	155,132.40	11,604.89	134,017.31	86.39	21,115.09	0.00	21,115.09
TOTAL POLICE DEPARTMENT	3,723,510.75	360,305.20	3,263,478.89	87.65	460,034.86	10,868.31	449,166.55
<b>FIRE DEPARTMENT</b>							
FIRE DEPARTMENT	3,057,471.27	241,247.72	2,726,653.55	89.18	330,817.72	9,446.69	321,371.03
TOTAL FIRE DEPARTMENT	3,057,471.27	241,247.72	2,726,653.55	89.18	330,817.72	9,446.69	321,371.03
<b>COMMUNITY SERVICES DEPARTMENT</b>							
PARKS	917,168.13	65,701.53	698,168.38	76.12	218,999.75	40,598.48	178,401.27
SWIMMING POOL	158,716.75	6,373.46	93,648.80	59.00	65,067.95	31,282.68	33,785.27
RECREATION	172,879.63	12,653.13	150,451.01	87.03	22,428.62	0.00	22,428.62
CEMETARY	307,521.62	24,099.62	259,841.79	84.50	47,679.83	75.00	47,604.83
TOTAL COMMUNITY SERVICES DEPARTMENT	1,556,286.13	108,827.74	1,202,109.98	77.24	354,176.15	71,956.16	282,219.99
<b>PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT</b>							
CODES	382,917.60	24,965.95	286,650.72	74.86	96,266.88	2,370.78	93,896.10
TOTAL PLANNING AND COMMUNITY DEVEL	382,917.60	24,965.95	286,650.72	74.86	96,266.88	2,370.78	93,896.10
<b>PUBLIC WORKS DEPARTMENT</b>							
LIBRARY	54,498.39	3,454.72	42,024.03	77.11	12,474.36	4,584.47	7,889.89
FACILITY MAINTENANCE	227,797.37	15,544.83	168,286.19	73.88	59,511.18	8,914.06	50,597.12
FLEET MAINTENANCE	998,867.09	67,233.69	838,018.49	83.90	160,848.60	11,661.28	149,187.32
TRAFFIC CONTROL	205,669.79	12,206.38	157,118.41	76.39	48,551.38	10,036.72	38,514.66
STREETS	850,834.04	75,827.48	725,903.41	85.32	124,930.63	42,525.10	82,405.53
TOTAL PUBLIC WORKS DEPARTMENT	2,337,666.68	174,267.10	1,931,350.53	82.62	406,316.15	77,721.63	328,594.52

## DEPARTMENT EXPENSE SUMMARY

AS OF: MAY 31ST, 2009

ACCOUNT	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	PERC. BUDGET	BUDGET BALANCE	Y-T-D ENCUMB.	ENCUMB. BALANCE
TOTAL 01-GENERAL FUND	14,444,764.82	1,142,733.70	12,176,344.80	84.30	2,268,420.02	212,708.62	2,055,711.40
02-MFWA							
FINANCE DEPARTMENT							
UTILITY OFFICE	364,098.33	30,021.24	283,907.87	77.98	80,190.46	613.36	79,577.10
INTERDEPARTMENTAL	3,272,136.50	209,430.49	2,941,896.24	89.91	330,240.26	45,099.55	285,140.71
TOTAL FINANCE DEPARTMENT	3,636,234.83	239,451.73	3,225,804.11	88.71	410,430.72	45,712.91	364,717.81
PUBLIC WORKS DEPARTMENT							
FLEET MAINTENANCE	439,000.00	11,193.77	365,762.95	83.32	73,237.05	31,151.49	42,085.56
LANDFILL	611,630.13	31,978.21	430,787.93	70.43	180,842.20	144,502.12	36,340.08
SANITATION	636,792.03	44,458.31	514,489.85	80.79	122,302.18	761.54	121,540.64
TOTAL PUBLIC WORKS DEPARTMENT	1,687,422.16	87,630.29	1,311,040.73	77.69	376,381.43	176,415.15	199,966.28
ENGINEERING DEPARTMENT							
ENGINEERING	488,726.49	47,039.93	437,786.48	89.58	50,940.01	1,214.26	49,725.75
TOTAL ENGINEERING DEPARTMENT	488,726.49	47,039.93	437,786.48	89.58	50,940.01	1,214.26	49,725.75
UTILITIES DEPARTMENT							
UTILITIES ADMIN DEPT	128,499.22	10,796.07	115,065.81	89.55	13,433.41	400.00	13,033.41
WASTE WATER	786,393.90	62,005.54	669,242.66	85.10	117,151.24	36,520.37	80,630.87
WATER TREATMENT	1,939,905.82	59,030.82	1,527,399.48	78.74	412,506.34	136,166.06	276,340.28
UTILITY MAINTENANCE	629,954.55	39,720.12	491,054.40	77.95	138,900.15	17,929.88	120,970.27
TOTAL UTILITIES DEPARTMENT	3,484,753.49	171,552.55	2,802,762.35	80.43	681,991.14	191,016.31	490,974.83
TOTAL 02-MFWA	9,297,136.97	545,674.50	7,777,393.67	83.65	1,519,743.30	414,358.63	1,105,384.67
OTHER FUNDS							
03 -AIRPORT AUTHORITY	217,296.07	13,363.55	201,475.70	92.72	15,020.37	525.00	15,295.37
05 -PARKING AUTHORITY	4,560.00	109.10	1,875.49	41.13	2,684.51	0.00	2,684.51
08 -NUTRITION	254,316.68	19,781.84	219,551.64	86.33	34,765.04	574.55	34,190.49
10 -WELLNESS CENTER	549,824.00	0.00	549,823.57	100.00	0.43	0.00	0.43
13 -JUVENILE FINE/RESERVE	7,784.00	292.67	5,094.01	65.44	2,689.99	0.00	2,689.99
14 -C.O.P.S./GRANT	13,500.00	0.00	13,176.95	97.61	323.05	0.00	323.05
16 -STATE FORFEITURE FUND	95,165.00	0.00	46,470.36	48.83	48,694.64	0.00	48,694.64
19 -FIRE IMPROVEMENT GRANT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
24 -AIRPORT GRANT	356,170.00	0.00	326,086.00	91.55	30,084.00	0.00	30,084.00
25 -AIRPORT HANGARS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
26 -EDUCATIONAL FUND	863,484.50	53,543.12	806,133.18	93.36	57,351.32	0.00	57,351.32
28 -SE EXPO CTR./TOURISM F	835,401.65	60,251.57	728,685.39	87.23	106,716.26	50,627.26	56,089.00
29 -E-911	794,980.13	22,973.40	348,647.61	43.86	446,332.52	149,435.28	296,897.24
30 -ECONOMIC DEVELOPMENT	1,577,583.44	85,409.89	998,620.48	63.30	578,962.96	23,800.00	555,162.96
33 -CDBG GRANTS FUND	159,000.00	0.00	140,520.46	88.38	18,479.54	0.00	18,479.54
38 -DEDICATED SALES TAX-M	3,182,496.50	270,894.93	2,944,842.91	92.53	237,653.59	0.00	237,653.59
40 -EMERGENCY FUND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
41 -CIP FUND	37,500.00	0.00	30,283.94	80.76	7,216.06	0.00	7,216.06
42 -FEDERAL FORFEITURE FU	342,000.00	0.00	0.00	0.00	342,000.00	0.00	342,000.00

CITY OF MCALESTER  
DEPARTMENT EXPENSE SUMMARY  
AS OF: MAY 31ST, 2009

ACCOUNT	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	PERC. BUDGET	BUDGET BALANCE	Y-T-D ENCUMB.	ENCUMB. BALANCE
TOTAL OTHER FUNDS	9,291,061.97	526,620.07	7,361,287.69	79.23	1,929,774.28	224,962.09	1,704,812.19
GRAND TOTAL EXPENDITURES	33,032,963.76	2,215,028.27	27,315,026.16	82.69	5,717,937.60	852,029.34	4,865,908.26

CITY OF MCALESTER  
DEPARTMENT EXPENSE SUMMARY  
AS OF: MAY 31ST, 2009

ACCOUNT	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	PERC. BUDGET	BUDGET BALANCE	Y-T-D ENCUMB.	ENCUMB. BALANCE
<b>PROOF TOTALS</b>							
01 -GENERAL FUND	14,444,764.82	1,142,733.70	12,176,344.80	84.30	2,268,420.02	212,708.62	2,055,711.40
02 -MFWA	9,297,136.97	545,674.50	7,777,393.67	83.65	1,519,743.30	414,358.63	1,105,384.67
03 -AIRPORT AUTHORITY	217,296.07	13,363.55	201,475.70	92.72	15,820.37	525.00	15,295.37
05 -PARKING AUTHORITY	4,560.00	109.10	1,875.49	41.13	2,684.51	0.00	2,684.51
08 -NUTRITION	254,316.68	19,781.84	219,551.64	86.33	34,765.04	574.55	34,190.49
10 -WELLNESS CENTER	549,824.00	0.00	549,823.57	100.00	0.43	0.00	0.43
13 -JUVENILE FINE/RESERVE	7,784.00	292.67	5,094.01	65.44	2,689.99	0.00	2,689.99
14 -C.O.P.S./GRANT	13,500.00	0.00	13,176.95	97.61	323.05	0.00	323.05
16 -STATE FORFEITURE FUND	95,165.00	0.00	46,470.36	48.83	48,694.64	0.00	48,694.64
19 -FIRE IMPROVEMENT GRNT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
24 -AIRPORT GRANT	356,170.00	0.00	326,086.00	91.55	30,084.00	0.00	30,084.00
25 -AIRPORT HANGARS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
26 -EDUCATIONAL FUND	863,484.50	53,543.12	806,133.18	93.36	57,351.32	0.00	57,351.32
28 -SE EXPO CTR/TOURISM F	835,401.65	60,251.57	728,685.39	87.23	106,716.26	50,627.26	56,089.00
29 -E-911	794,980.13	22,973.40	348,647.61	43.86	446,332.52	149,435.28	296,897.24
30 -ECONOMIC DEVELOPMENT	1,577,583.44	85,409.89	998,628.48	63.30	578,962.96	23,800.00	555,162.96
33 -CDBG GRANTS FUND	159,000.00	0.00	140,520.46	88.38	18,479.54	0.00	18,479.54
38 -DEDICATED SALES TAX-M	3,182,496.50	270,894.93	2,944,842.91	92.53	237,653.59	0.00	237,653.59
40 -EMERGENCY FUND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
41 -CIP FUND	37,500.00	0.00	30,283.94	80.76	7,216.06	0.00	7,216.06
42 -FEDERAL FORFEITURE FU	342,000.00	0.00	0.00	0.00	342,000.00	0.00	342,000.00
<b>GRAND TOTAL EXPENDITURES</b>	<b>33,032,963.76</b>	<b>2,215,028.27</b>	<b>27,315,026.16</b>	<b>82.69</b>	<b>5,717,937.60</b>	<b>852,029.34</b>	<b>4,865,908.26</b>

Council Chambers  
Municipal Building  
June 2, 2009

The McAlester City Council met in Special session on Tuesday, June 2, 2009, at 6:00 P.M. after proper notice and agenda was posted, May 26, 2009, at 3:16 P.M.

**CALL TO ORDER**

Mayor Priddle called the meeting to order.

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

**ROLL CALL**

Council Roll Call was as follows:

Present: Chris Fiedler, Donnie Condit, Haven Wilkinson, Buddy Garvin, Sam Mason & Mayor Priddle

Absent: John Browne

Presiding: Kevin E. Priddle, Mayor

Staff Present: Mark Roath, City Manager; Pete Stasiak, Planning & Community Development Director and Cora Middleton, City Clerk

**SCHEDULED BUSINESS**

**1. Approval of Claim for June 2, 2009. (Sherry Alessi, Assistant Chief Financial Officer)**

Mr. Roath explained that this payment in the amount of \$26,299.00 was a Worker's Compensation Court ordered payment with a deadline of June 5, 2009 and to meet that requirement this had to be addressed before the next regular meeting. He commented that the total settlement was for \$36,125.00 which included the amount for consideration tonight and attorney's fees.

Councilman Fiedler moved for approval of the claim in the amount of \$26,299.00. The motion was seconded by Councilman Wilkinson. There was no discussion and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

Councilman Fiedler moved to adjourn the Special meeting and convene the Workshop to discuss the Proposed Budget for fiscal year 2009-2010. The motion was seconded by Councilman Condit. There was no discussion and the vote was taken as follows:

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

Mayor Priddle declared the motion carried and the Special Meeting was adjourned and the Workshop convened at 6:06 P.M.

### Workshop

#### **1. Discussion on Proposed Annual Operating Budget and Capital Program Budget for FY 2009/2010.**

City Manager Roath addressed the Council to review the Proposed Annual Operating Budget and Capital Program Budget for the FY 2009/2010. Mr. Roath reviewed the schedule for adopting the budget for the Council. He stated that the State and the City's Charter required the Budget be adopted seven (7) days prior to the end of the current fiscal year, which would be June 23, 2009. He added that since the Charter also required the Budget be adopted by Ordinance, that ordinance would have to be posted by June 16, 2009. Manager Roath then informed the Council that the Public Hearing for the proposed Budget would be held on June 9, 2009. Mr. Roath then reviewed the proposed budget for the Council commenting that unlike prior years, this proposed budget showed a "beginning fund balance" for each fund. He indicated that the various groups that the Council had previously funded were entered at the same level of funding as in the previous fiscal year's budget, unless their requests had been received early enough to enter that amount into the proposal before it was submitted to the Council.

There was a lengthy discussion among the Council regarding various aspects of the proposed budget. During the discussion, Councilman Fiedler commented that the Sunbelt Classic may request an additional \$1,000.00 for a total of \$7,000.00. He asked if the Municipal Court would need any updates for the Incode software in the coming year. Councilman Fiedler inquired if the Oklahoma Highway Patrol would loan an intoxilyzer to the Police Department. He asked if the City had received payment for the grass rig that was sold to the City of Krebs. Councilman Fiedler asked if the City had received any payment for the replacement of the traffic lights at the intersection of Main Street and Washington. Councilman Mason asked that O.I.L. submit a legitimate reason to continue their contract at the \$24,000.00 funding level. Mayor Priddle inquired about the process and timing to replace police officers when a vacancy developed. He asked what the comprehensive study would include. Councilman Condit asked if the monies in the Street Division included repairs on Mallard. Vice-Mayor Garvin commented that the City should purchase a boring machine to alleviate the numerous street cuts and asked if this suggestion could be researched. Manager Roath informed the Council that he would research the requests and submit the information to them as soon as he had it.

The Council also discussed the landfill equipment and what was actually needed at the landfill to properly manage it. Manager Roath commented that he had received a letter from DEQ indicating that the expected life of the landfill was now at 1.04 years. He suggested that this topic would need to be addressed by the Council in the very near future.

There was a brief discussion among the Council and Mr. Roath concerning the proposed overpass at Comanche and U.S. 69 Highway and the movement of utilities in that area.

Councilman Fiedler inquired about funds in escrow pertaining to Lowe's. There was a brief discussion regarding a proposed pay increase for the non-uniformed personnel.

Manager Roath informed the Council of the time constraints that the City was under for the adoption of the Budget and the limitations that he was confronted with. He suggested that the Council meet again on Thursday so this would give him time to make adjustments if necessary.

Mayor Priddle moved for the Workshop to recess and reconvene on Thursday, June 4, 2009. 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 & Mayor Priddle

NAY: None

Mayor Priddle declared the motion carried, and the meeting was recessed at 8:20 P.M.

Thursday, June 4, 2009

Council Roll Call was as follows:

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

Absent: None

Presiding: Kevin E. Priddle, Mayor

Staff Present: Mark Roath, City Manager; Pete Stasiak, Planning & Community Development Director and Cora Middleton, City Clerk

Councilman Wilkinson moved to reconvene the Special Meeting and continue the discussion on the Proposed Annual Operating Budget and Capital Program Budget for FY 2009/2010. The motion was seconded by Councilman Condit. There was no 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 and the Special Meeting was reconvened at 6:00 P.M.

Councilman Mason gave the invocation and led the Pledge of Allegiance.

Manager Roath distributed the information to the Council in response to their inquiries at the Tuesday meeting. Mr. Roath and the Council then reviewed the following budget items. Main

Street Program was to be funded equally out of both the Economic Development Fund and the Expo/Tourism Fund at \$30,000.00.

J.T. Collier addressed the Council explaining why Pride In McAlester had requested \$60,000.00 for the 2009/2010 Fiscal Year. The Council discussed this request and decided that Pride In McAlester would be funded at \$60,000.00 from Economic Development and Tourism equally. Pittsburg County Emergency Management requested \$40,000.00 and the Council decided to fund it out of the General Fund through the Council's section. The Council next discussed the request from the Sunbelt Classic and decided that it would be funded at \$7,000.00 out of the General Fund through the Council's section. Mayor Priddle reported that the Council had received a detailed letter from O.I.L. and after its review the Council concurred that it would be funded at \$24,000.00 from the General Fund. The next two (2) items discussed were the Crime Stoppers group and the Community Tree Board. After a brief discussion, the Council agreed to fund the two (2) groups at \$2,500.00 each out of General Fund.

Councilman Mason requested that the policy on partnering with groups for use of the Expo Center be brought back before the Council to be readdressed. The Council discussed leaving \$5,000.00 in the partnering account and addressing that item as they received requests.

The next item for discussion was the funding of MEDS. After a brief discussion Manager Roath suggested that the Council fund MEDS at the current level and then after the agreement had been renegotiated they could amend the budget if they chose to. There was a brief discussion concerning the Pittsburg County Expo Authority.

The Council then reviewed their particular additions to the budget as follows:

Vice-Mayor Garvin asked that an Animal Control employee be available on Saturdays. He asked that the tennis court at Mullen Park be included in the resurfacing and that a Maintenance Building be constructed at the landfill. Mayor Priddle commented that he would like the I.T. Division to begin developing a plan for improvements and advancements to the City's information system. Councilman Fiedler commented that the City Garage needed updated equipment. He stated that the communication shack behind Buffalo Water Tower needed to be moved to protect the electronics housed inside and he asked that a forced main system be considered at the Expo. Councilman Fiedler added that bike routes would be a good addition to the City. He added that he would like to see as many purchases as possible made locally when repairs or construction was performed. Councilman Browne stated that he would like to see tin horns installed in the Third Ward ditches to help prevent erosion. He would like to see Second Street repaired and Seneca between Sixth and Third Streets repaired. The drain on River Oaks was sinking and needed to be repaired. There was a problem with the sidewalk in front of Jefferson School and the railroad crossings at "A" and "D" streets needed to be repaired. He then stated that he would like to see development at Hereford Lane. Councilman Wilkinson asked if the Budget was going to be adopted at the Division or Line item level. He inquired on the status of the old CIP projects and if the Economic Development projects that were not finished could be finished in the 2009/2010 fiscal year. He commented that the softball complex needed a levy to control flooding. He asked about the status of the discussion concerning the

golf course. He noted that the barrier between the Health Department and the Cemetery needed to be improved and finally he inquired about the status of the Hotel/Motel tax increase. Councilman Mason and Manager Roath briefly discussed the lagoon at the Expo Center.

Mayor Priddle remarked that the entrance into Taylor Industrial Park needed to be improved. He commended the staff for work that had been done.

Councilman Mason commented that he was satisfied with the preparation of this year's budget and the reserve fund. He added that the number one issue was water quality.

Manager Roath commented that he felt this Budget offered some things for the community and he was cautiously optimistic about the next year.

There being no further discussion among the Council, Councilman Browne moved for adjournment. The motion was seconded by Councilman Wilkinson. 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 and the meeting was adjourned at 7:53 P.M.

\_\_\_\_\_  
Kevin E. Priddle, Mayor

ATTEST:

\_\_\_\_\_  
Cora Middleton, City Clerk

The McAlester City Council met in regular session on Tuesday, June 9, 2009, at 6:00 P.M. after proper notice and agenda was posted, June 4, 2009, at 4:05 P.M.

**CALL TO ORDER**

Mayor Priddle called the meeting to order.

**INVOCATION & PLEDGE OF ALLEGIANCE**

- **Kay Crawford, Pastor, Harvest Church**

**ROLL CALL**

Council Roll Call was as follows:

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

Absent: None

Presiding: Kevin E. Priddle, Mayor

Staff Present: Mark Roath, City Manager; Jim Lyles, Police Chief; Mel Priddy, Community Services Direction; Pete Stasiak, Planning & Community Development Director; William J. Ervin, Jr., City Attorney and Cora Middleton, City Clerk

**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.*

- Approval of Minutes from the May 19, 2009, Special Meeting of the McAlester City Council. (Cora Middleton, City Clerk)**
- Approval of Minutes from the May 26, 2009, Regular Meeting of the McAlester City Council. (Cora Middleton, City Clerk)**
- Concur with Mayor's reappointment of Karl Scifres to the Planning Commission for a term that expires May, 2012. (Kevin E. Priddle, Mayor)**
- Concur with Mayor's reappointment of Karen Stobaugh to the Planning Commission for a term that expires May, 2012. (Kevin E. Priddle, Mayor)**

- E. Concur with Mayor's reappointment of Primus Moore to the Planning Commission for a term that expires May, 2012. (Kevin E. Priddle, Mayor)**
- F. Concur with Mayor's reappointment of Robert Way to the Planning Commission for a term that expires May, 2012. (Kevin E. Priddle, Mayor)**
- G. Concur with Mayor's reappointment of Susan Kanard to the Board of Adjustment for a term that expires March, 2012. (Kevin E. Priddle, Mayor)**
- H. Accept, and place on file, the Oklahomans for Independent Living Report for January, February, March and April, 2009. (Mike Ward, Executive Director)**
- I. Accept, and place on file, the Oklahoma Department of Environmental Quality Permit No. SL000061090388 for the 14<sup>th</sup> Street and Village Boulevard Sanitary Sewer Line Extension. (David Medley, Utilities Director)**
- J. Accept, and place on file, the Oklahoma Department of Environmental Quality Permit No. WL000061090387 for the 14<sup>th</sup> Street Water Line Extension. (David Medley, Utilities Director)**
- K. Approval of Claims for May 27, 2009 through June 9, 2009. (Sherry Alessi, Assistant Chief Financial Officer) In the following amounts: General Fund - \$93,946.2; Nutrition - \$574.55; SE Expo Ctr/Tourism Fund - \$30,262.47; E-911 - \$769.89 and Economic Development - \$36,582.50.**

Councilman Wilkinson moved for approval of the consent agenda. 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**

None

**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.*

Councilman Fiedler moved to open the Public Hearing to consider the proposed Annual Operating Budget for FY 2009/2010, and to consider an Ordinance relating to the imposition of a City Excise Tax (Sales Tax) of One Percent (1%); providing that said Excise Tax shall replace a one percent (1%) Excise Tax presently being levied; providing for the use of the proceeds of said Excise Tax; providing for the effective date and stated termination date of said Excise Tax. The motion was seconded by Councilman Browne. There was no 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 and the Public Hearing was opened at 6:05 P.M.

- **Public Hearing: The proposed Annual Operating Budget for FY 2009/2010.**

Steve Harrison addressed the Council expressing his concerns about the proposed FY 2009/2010 Operating Budget. He commented that it was very optimistic and this could lead to a shortfall during the coming year if the sales tax receipts were not as projected. He stated that personnel costs were still very high and that the requested MEDS funding would increase from 33% in the past years to 92% for the next year. He also reminded the Council that the Emergency Fund did not allow transfers for Budget shortfalls.

- **Public Hearing: An Ordinance relating to the imposition of a City Excise Tax (Sales Tax) of One Percent (1%); providing that said Excise Tax shall replace a one percent (1%) Excise Tax presently being levied; providing for the use of the proceeds of said Excise Tax; providing for the effective date and stated termination date of said Excise Tax.**

Steve Harrison addressed the Council regarding the proposal concerning this particular Ordinance and how he did not feel it met the criteria he had requested be used in the creation of this Ordinance.

There were no other comments from the audience or the Council. Councilman Fiedler moved to close the Public Hearing and the motion was seconded by Councilman Browne. 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 closed at 6:17 P.M.

### **SCHEDULED BUSINESS**

1. **Presentation on the status of Pride-In-McAlester.** (*J.T. Collier, President of Pride-in-McAlester, Presenter*)

*Executive Summary*

*This agenda item involves Pride-in-McAlester's past, present and future.*

Councilman Wilkinson moved to open the floor for the presentation on the status of Pride-In-McAlester. The motion was seconded by Vice-Mayor Garvin.

Before the vote, J.T. Collier introduced Mark Wilkett, Treasurer for Pride In McAlester and commented that Mr. Wilkett would provide the Council with a report of their past accomplishments.

Mr. Wilkett briefly explained the projects that Pride In McAlester had undertaken in the previous year, their success with each of them and how they planned to proceed in the future by expanding on many of those projects. He acknowledged the long hours that the volunteers had contributed to each of the projects and informed Councilman Browne that Pride In McAlester was looking into starting a recycling program.

There was no action taken on the presentation.

- 2. Presentation, and then accept and place on file, a formal report by the Americans with Disabilities Act Board.** (*Joel Duncan, Chair of the Americans with Disabilities Act Board, Presenter*)

Executive Summary

*This agenda item involves a report on Board activities related to the Americans with Disabilities Act.*

Councilman Mason moved to open the floor for the presentation of the formal report by the Americans with Disabilities Act Board. The motion was seconded by Councilman Condit.

Before the vote, Mike Ward reviewed the ADA Board's activities of the past year. He stated that repairs or upgrades had been done to the Library, City Hall and various sidewalks and the Komar Park parking lot. He explained that almost all of the allocated funds for the year had been spent and after the beginning of the next fiscal year the Board would begin choosing which of the areas needed the most urgent repairs.

Councilman Mason moved to accept and place on file, a formal report by the Americans with Disabilities Act Board. The motion was seconded by Councilman Browne.

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.

- 3. 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 City property, referred to as "King Ranch" property, to the Choctaw Nation of Oklahoma for the sum of \$1,425,000.*

Councilman Browne moved to approve 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. The motion was seconded by Councilman Fiedler.

Before the vote, Mayor Priddle reviewed this item for the Council citing three possible options that were available to them. Those options were as follows: 1. Sell the property entirely; 2. Sell a portion of the property and 3. Do not sell any of the property. He stated that there were some

questions he had that had not been asked at the earlier meeting. He clarified that only land placed in trust by the Choctaw Nation would be taken off of the tax rolls.

Councilman Browne and Vice-Mayor Garvin disagreed with selling only a portion of the land because the City would still have property that it could not afford to develop. Vice-Mayor Garvin asked if Manager Roath had received responses from any of the communities contacted about the impact that the Choctaw Nation had on their cities. Mr. Roath replied he had received answers from three communities and none of them indicated there had been an adverse effect on their communities from the Choctaw Nations' involvement in their communities. He then read from a letter he had received from the City of Durant, which is as follows:

"June 9, 2009

Mr. Buddy Garvin, Vice-Mayor  
City of McAlester  
P.O. Box 578  
McAlester, OK 74502

Dear Mr. Garvin,

This letter is in reference to the Choctaw Nation of Oklahoma and their partnership on infrastructure with the City of Durant. The Choctaw Nation is one of the greatest assets we have in Durant. The thousands of people they bring to the community to spend money with other businesses in town as well as contractors and employees has resulted in Durant having continued sales tax growth.

I feel the Choctaw Nation is one of the utmost resources any city could have; an opportunity that communities in other parts of the country would pay to get. For the Choctaw Nation to invest in your City would be in the best interest not only of every business in McAlester, but all of Southeast Oklahoma.

Sincerely,

James H. Dunegan, City Manager

JHD/lis"

There was a lengthy discussion among the Council, Manager Roath and various members of the audience concerning the repercussions of selling the entire piece of property, what the funds from the sale could be used for, if the Choctaw Nation would be interested in purchasing only a portion of the property, if there was a plan on how to use the proceeds from the sale of any or all of this property and how the Council seems to be too hesitant to make decisions. Councilman Wilkinson commented that the funds from this sale could go along way in helping to develop Taylor Industrial Park. Councilman Mason commented that the Council had engaged Tim Wynn to evaluate this property and they had received possible uses.

Mayor Priddle reviewed the vacant City owned property at Taylor Park. He commented that the City had land but it needed to be developed. He stated that this could be tabled and request that

the Assistant Chief come speak to the Council or we could take the vote and see what the outcome of that vote was.

Councilman Browne moved to sell the entire property to the Choctaw Nation. The motion was seconded by Vice-Mayor Garvin.

Before the vote, Steve Harrison addressed the Council regarding the information provided by Pete Stasiak and he asked that the Council review this information before they voted on this item. J. T. Collier commented that the Council had not heard what the staff recommended and he felt this required further investigation before the vote.

Mayor Priddle asked for Manager Roath's opinion.

Mr. Roath stated that he only knew his opinion and the City could entertain selling a portion to the Choctaw Nation at this time and they could proceed with their project. Then the Council and staff could review and plan the best use of the remaining property. He commented an advantage could be that, the revenue could be used on remaining property or other Economic Development projects. He added that short term planning process would allow the City review projected uses of the property.

Mr. Stasiak commented that the Choctaws deserved an answer. They had immediate needs and they are good for the community. He went further to state that the City needed a strategic plan and that would help pull the community together. He added that he believed there were opportunities for this property and the community was ready for larger retail development and a plan would tell us where.

Mayor Priddle commented that the City could sell a portion of the property, hang on to the rest and see if it fit into the City's long range plan.

Mel Stubbings addressed the Council stating that we were obligated to respond to the Choctaw Nation and the need for a plan was obvious. He added that retail development was not like industrial development. This land was near the airport which made it a valuable asset.

Mr. Ervin informed the Council that since this item dealt with Economic Development, the Charter would require a super majority of five (5), not just a simple majority, to approve the sale.

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

AYE: Councilman Wilkinson, Garvin, Fiedler & Browne

NAY: Councilman Mason, Condit & Mayor Priddle

Mayor Priddle declared the motion failed.

Mayor Priddle moved for the Council to authorize him, the Vice-Mayor, the City Manager and City Attorney to negotiate with the Choctaw Nation what their specific needs were and to move

forward with a plan to sell a portion of the property. The motion was seconded by Councilman Condit. There was no further 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.

Councilman Garvin asked that one year from today he would like to see where they actually were with this project.

Mayor Priddle commended the Council for their ability to work through a very difficult matter cordially.

- 4. Consider, and act upon, an Ordinance relating to the imposition of a City Excise Tax (Sales Tax) of One Percent (1%); providing that said Excise Tax shall replace a one percent (1%) Excise Tax presently being levied; providing for the use of the proceeds of said Excise Tax; providing for the effective date and stated termination date of said Excise Tax; providing for severability of provisions; and containing other provisions related thereto. (Kevin E. Priddle, Mayor, Sam Mason, Councilmember and John Browne, Councilmember)**

Executive Summary

*This agenda item involves replacement of the Ordinance that sets forth the one cent sales tax presently be levied to correct ambiguities in the current legislation.*

**ORDINANCE NO. 2325**

**AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, RELATING TO THE IMPOSITION OF A CITY EXCISE TAX (SALES TAX) OF ONE PERCENT (1%) (IN ADDITION TO ANY AND ALL OTHER EXCISE TAXES NOW IN FORCE; PROVIDED THAT SAID EXCISE TAX SHALL REPLACE AND SUPERCEDE A ONE PERCENT (1%) EXCISE TAX PRESENTLY BEING LEVIED PURSUANT TO ORDINANCE NO. 1166 OF THE CITY, AS HERETOFORE AMENDED, AND AS MOST RECENTLY AMENDED PURSUANT TO ORDINANCE NO. 2144 OF THE CITY), SAID EXCISE TAX TO BE LEVIED UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM ALL SALES TAXABLE UNDER THE OKLAHOMA SALES TAX CODE; PROVIDING FOR THE USE OF THE PROCEEDS OF SAID EXCISE TAX; PROVIDING FOR THE EFFECTIVE DATE AND STATED TERMINATION DATE OF SAID EXCISE TAX; PROVIDING FOR SUBSISTING STATE PERMITS; PROVIDING FOR PAYMENT OF TAX; PROVIDING THAT THE TAX IS IN ADDITION TO TAXES CURRENTLY LEVIED, EXCEPT AS PROVIDED ABOVE; INCORPORATING CERTAIN PROVISIONS OF PRIOR CITY ORDINANCES; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE ARE CUMULATIVE AND IN ADDITION TO ANY AND ALL TAXING PROVISIONS OF OTHER CITY ORDINANCES; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.**

Councilman Browne moved to approve ORDINANCE NO. 2325, the motion was seconded by Councilman Condit.

Before the vote, Mr. Ervin explained that previously his office had issued an opinion that the original sales tax ordinance had not been specific enough. He stated that this ordinance would not extend, add or change the sales tax. It would only clarify the purpose of the tax.

There was a lengthy discussion among the Council, Mr. Ervin and Manager Roath regarding the usages of the excess monies if this was approved by the citizens, how the language had been tightened up to be more specific and how the committee had prioritized the identified areas that this money could be used .

Councilman Browne stressed the fact that this was not a new tax.

Steve Harrison addressed the Council to point out some corrections that he felt needed to be made to the Ordinance.

Mayor Priddle moved for approval of ORDINANCE NO. 2325 with the recommended corrections to the wording. The motion was seconded by Councilman Fiedler. There was no further 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 Resolution calling for an election regarding a One Percent (1%) Excise Tax (Sales Tax); providing that said Excise Tax shall replace a One Percent (1%) Excise Tax presently being levied; and containing other provisions relating thereto. (Kevin E. Priddle, Mayor, Sam Mason, Councilmember and John Browne, Councilmember)**

Executive Summary

*This agenda item involves the calling of an election to consider replacing the present one cent sales tax.*

Councilman Browne moved for approval of RESOLUTION NO. 09-08, calling for an election regarding a One Percent (1%) Excise Tax (Sales Tax); providing that said Excise Tax shall replace a One Percent (1%) Excise Tax presently being levied; and containing other provisions relating thereto. The motion was seconded by Councilman Wilkinson.

Before the vote, Mr. Ervin stated that language within the Resolution would need to be changed as was with ORDINANCE NO. 2325.

Steve Harrison addressed the Council regarding the termination date and that it needed to be changed.

Mayor Priddle moved to approval of RESOLUTION NO. 09-08, with the noted corrections and change to the termination date of the sales tax. The motion was seconded by Councilman Mason. There was no further discussion, and the vote was seconded by Councilman Mason.

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

Mayor Priddle declared the motion carried.

6. **Consider, and act upon, a Resolution calling for an election regarding submitting to the registered qualified electors the question of approval or rejection of the creation of indebtedness by the McAlester Public Works Authority, Oklahoma as the beneficiary thereof; and containing other provisions relating thereto. (Kevin E. Priddle, Mayor; Sam Mason, Councilmember and John Browne, Councilmember)**

Executive Summary

*This agenda item involves the calling of an election to decide whether to allow the City to incur indebtedness for certain capital improvements.*

Councilman Condit moved for approval of RESOLUTION NO. 09-09, calling for an election regarding submitting to the registered qualified electors the question of approval or rejection of the creation of indebtedness by the McAlester Public Works Authority, Oklahoma as the beneficiary thereof; and containing other provisions relating thereto. The motion was seconded by Councilman Wilkinson.

Before the vote, Mayor Priddle explained that he, Councilmen Mason and Browne in conjunction with the Bond Counsel, the City Attorney and the City Manager had developed a resolution to seek approval from the voters to exceed the debt limitation set forth in the City Charter. And that the purpose behind this resolution was to allow the City to seek Federal stimulus funds for water and wastewater improvements.

Manager Roath commented that if this were approved it would allow the City to incur debt through stimulus funds with low interest rate loans and grants. He stressed that these funds were given out on a first come basis and even if the voters approved the proposal the funds could already be distributed.

Councilman Browne commented that not all members of the committee supported the proposal but supported the citizens' right to vote on the proposal. Vice-Mayor Garvin asked that if this should be approved by the voters and the City did receive these funds that Manager Roath stay on top of how these funds were spent.

Steve Harrison again addressed the Council about corrections that needed to be made to the Resolution.

Mayor Priddle clarified the motion was to approve RESOLUTION NO. 09-09, calling for an election regarding submitting to the registered qualified electors the question of approval or rejection of the creation of indebtedness by the McAlester Public Works Authority, Oklahoma as the beneficiary thereof; and containing other provisions relating thereto and to verify the figures within the Resolution. 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.

**7. Consider, and act upon, a Resolution amending the City's Non-Uniform Pay Plan and/or other benefits. (Donnie Condit, Councilmember and John Browne, Councilmember)**

Executive Summary

*This agenda item involves an increase to the non-uniform pay plan and/or other benefits.*

Councilman Browne moved for approval of RESOLUTION NO. 09-10, amending the City's Non-Uniform Pay Plan and/or other benefits. The motion was seconded by Councilman Condit.

Before the vote, Manager Roath explained that Councilman Condit and Browne had approached him to submit for Council consideration a non-uniform pay raise. He explained that in the coming budget there were no raises included. He reviewed the two (2) options submitted for Council consideration and he recommended option 1 that would give the non-uniformed employees a 4% pay increase retroactive to July 1, 2008. He added that if this option was approved he would submit a budget amendment at the June 23<sup>rd</sup> meeting to allow this expenditure.

Mayor Priddle moved to approve RESOLUTION NO. 09-10, amending the City's Non-Uniform Pay Plan and/or other benefits, selecting option 1 to give the non-uniformed employees a 4% pay increase retroactive to July 1, 2008. The motion was seconded by Councilman Condit.

Before the vote, there was a brief discussion between Councilman Mason, Fiedler and Mr. Roath regarding how this would affect step increases, revenue, what would happen if the revenues did not cover the expenditures and how it would affect employees that had topped out.

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.

**8. Discussion, and possible action, regarding goals for the City in general, and each ward in particular. (John Browne, Councilmember)**

Executive Summary

*This agenda item involves a general discussion on short and long-range goals for the City.*

Councilman Browne moved to open the floor for discussion regarding goals for the City in general, and each ward in particular. The motion was seconded by Councilman Fiedler.

Before the vote, Councilman Browne commented that the Council seemed to take a shotgun approach to doing things and because of the length of the agenda he would be willing to table this to a later date.

Mayor Priddle commented that this would be a good topic for a work shop. He added that he did not think this would require a motion or second to table. There was no vote taken.

**9. Consider, and act upon, a proposal by Midwest Employers Casualty Company regarding excess workers compensation insurance. (Mark B. Roath, City Manager)**

Executive Summary

*This agenda item involves a one-year policy for excess worker's compensation insurance.*

Vice-Mayor Garvin moved to approve the proposal by Midwest Employers Casualty Company regarding excess workers compensation insurance. The motion was seconded by Councilman Wilkinson.

Before the vote, Manager Roath reported that the Jordan Carris Agency, in McAlester, had handled this policy for a number of years and that United Safety and Claims handled the worker compensation claims. He stated that in turn, Midwest Employers Casualty Company was the reinsurer for the workers compensation claims over \$300,000.00. He explained that this policy was for one year beginning July 1, 2009 in the amount of \$49,622.00.

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.

**10. Consider, and act upon, awarding a bid to Xybix Systems to purchase three dispatch sit-to-stand workstations in the amount of \$28,028. (Jim Lyles, Police Chief)**

Executive Summary

*This agenda item involves a bid to purchase three dispatch workstations for the E-911 Center.*

Councilman Browne moved to authorize awarding a bid to Xybix Systems to purchase three dispatch sit-to-stand workstations in the amount of \$28,028. The motion was seconded by Councilman Wilkinson.

Before the vote, Chief Lyles expressed his appreciation to Lisa Sutterfield, 911 Coordinator, for the work she had put into getting the 911 system up and running.

Ms. Sutterfield explained that in April of 2009, the Police Department advertised for sit-to-stand workstations for the remodeled 911 dispatch center. Four bids packages had been sent out to vendors and three bids had been received and opened on May 21, 2009. These bids had been reviewed by the Police Administration with the lowest bid being received from Xybix Systems in the amount of \$27,002.00. She added that Xybix Systems had met the minimum requirements of the bid specifications. She commented that optional equipment that needed to be purchased was task lighting for each workstation which had an additional cost of \$1,026.00 and this brought the total bid to \$28,028.00. She stated that Police Administration recommended that the bid be awarded to Xybix Systems. Ms. Sutterfield explained that the workstations would raise or lower as the dispatcher needed to adjust his or her area.

There was no further 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.

11. **Consider, and act upon, authorizing the Mayor to sign a Personal Service Agreement with Larry Cox for Hay Baling on McAlester Water Shed and the Southside Industrial Park in the amount of \$1,780. (Mel Priddy, Community Services Director)**

Executive Summary

*This agenda item involves a hay baling contract for certain City property.*

Councilman Mason moved to authorize the Mayor to sign a Personal Service Agreement with Larry Cox for Hay Baling on McAlester Water Shed and the Southside Industrial Park in the amount of \$1,780. The motion was seconded by Councilman Browne.

Before the vote, Mel Priddy addressed the Council commenting that this may need to be tabled since part of this agreement included the "King Ranch" property. Manager Roath recommended that the Council consider and then amend the agreement if necessary.

Councilman Mason stated that the areas affected by this agreement could be negotiated with the Choctaw Nation. He reminded the Council that a Certificate of Insurance was required at the same time the payment was received.

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.

12. **Consider, and act upon, authorizing the Mayor to sign a Master Agreement, including Managed Internet Services, with AT&T Corporation regarding ISP T1's. (Mark B. Roath, City Manager)**

Executive Summary

*This agenda item involves an AT&T rate change for the City's T1 lines.*

Councilman Browne moved to authorize the Mayor to sign a Master Agreement, including Managed Internet Services, with AT&T Corporation regarding ISP T1's. The motion was seconded by Councilman Fiedler.

Before the vote, Manager Roath explained that this was an AT&T promotional offer that would allow for the City to reduce its two (2) T1 line costs by \$372.50 per month or \$13,410.00 over a three (3) year contract term.

Councilman Mason asked if one Council could bind another Council for three (3) years. Mr. Ervin stated that the Council could require the agreement be ratified annually.

Mayor Priddle restated the motion as to authorize the Mayor to sign a Master Agreement, including Managed Internet Services, with AT&T Corporation regarding ISP T1's with annual ratification.

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.

- 13. Consider, and act upon, authorizing the Mayor to sign an Agreement with SimplexGrinnell regarding fire alarm testing and inspection in the amount of \$4,117.41. (Harold Steward, Fire Chief)**

Executive Summary

*This agenda item involves the inspection and testing of the City's fire alarms.*

Councilman Wilkinson moved to authorize the Mayor to sign an Agreement with SimplexGrinnell regarding fire alarm testing and inspection in the amount of \$4,117.41. The motion was seconded by Councilman Condit.

Before the vote, Manager Roath explained that this was for fire alarm inspections for a year.

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.

- 14. Consider, and act upon, authorizing the Mayor to sign an Agreement with Pitney Bowes relating to a Digital Mailing System for a monthly amount of \$1,099. (Cora Middleton, City Clerk)**

Executive Summary

*This agenda item involves the City's mail machine.*

Councilman Browne moved to authorize the Mayor to sign an Agreement with Pitney Bowes relating to a Digital Mailing System for a monthly amount of \$1,099. The motion was seconded by Councilman Fiedler.

Before the vote, Manager Roath explained that the City currently rents the mail system for \$1243.00 per month from Pitney Bowes and this proposal involved upgrading the mail system and lowering the monthly cost to \$1,009.00 and/or a \$1,728.00 savings per year.

There was no further 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.

**NEW BUSINESS**

None

**CITY MANAGER'S REPORT**

Manager Roath stated that he did not have any comments.

**REMARKS AND INQUIRIES BY CITY COUNCIL**

Councilman Fiedler commented on the vandalism at Oak Hill Cemetery and urged the citizens to contact Crime Stoppers or the Police Department if they had any information pertaining to this incident.

Councilmen Condit and Mason did not have any comments for this meeting.

Councilman Browne thanked the employees for the job they do and he was extremely happy that the Council could help them out tonight.

Councilman Wilkinson commented that he wanted to congratulate his girlfriend, Catherine "Katie" Yandell, for graduating from LPN school.

Vice-Mayor Garvin mentioned that there were some recurring burglaries in Fifth Ward and he asked that all the citizens be watchful of their neighborhoods. He announced that the construction of a new hardware store had started and he wanted to inform the citizens.

Mayor Priddle thanked the Council for all the effort they put into the meetings.

**RECESS COUNCIL MEETING**

Mayor Priddle asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Browne moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Fiedler 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 Regular Meeting was recessed at 8:15 P.M.

**RECONVENE COUNCIL MEETING**

The Regular Meeting was reconvened at 8:17 P.M.

Mayor Priddle asked for a motion to go into Executive Session. Councilman Condit moved to recess the Regular Meeting for an Executive Session to discuss employment relating to the City Manager and City Clerk in accordance with Title 25, Sec. 307.B.1. and to discuss negotiations concerning employees and representatives of employee groups: FOP and IAFF in accordance

with Title 25, Sec. 307.B.2. The motion was seconded by Councilman Browne. There was no 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 and the Regular Meeting was recessed at 8:17 P.M.

### **EXECUTIVE SESSION**

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*Recess into Executive Session in compliance with Title 25, Section 307(B), et.seq. Oklahoma Statutes, to wit:*

- Section 307 (B) (1) – Discussion of employment relating to the City Manager and City Clerk.
- Section 307 (B) (2) – Discussion of negotiations concerning employees and representatives of employee groups: FOP and IAFF.

### **RECONVENE INTO OPEN SESSION**

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*Take any action as a result from Executive Session.*

The Regular Meeting was reconvened at 9:54 P.M. Mayor Priddle reported that the Council had recessed the Regular Meeting for an Executive Session to discuss employment relating to the City Manager and City Clerk in accordance with Title 25, Sec. 307.B.1. and to discuss negotiations concerning employees and representatives of employee groups: FOP and IAFF in accordance with Title 25, Sec. 307.B.2. Only those matters were discussed, no action was taken and the Council returned to open session at 9:54 P.M., and this constituted the Minutes of the Executive Session.

### **ADJOURNMENT**

There being no further business to come before the Council, Councilman Condit moved for the meeting to be adjourned, seconded by Councilman Fiedler. 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 meeting was adjourned at 9:55 P.M.

\_\_\_\_\_  
Kevin E. Priddle, Mayor

ATTEST:

\_\_\_\_\_  
Cora Middleton, City Clerk

**CLAIMS FROM JUNE 10, 2009  
THRU  
JUNE 23, 2009**

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-A00026	AT & T LONG DISTANCE					
		I-08-24818	01 -5215315	TELEPHONE UTI LONG DISTANCE BILL	046404	192.33
01-A00028	"A" PLUS LAWN SERVICE					
		I-08-25099	01 -5542308	CONTRACTED SE MONTHLY MOWING CONTRACT	046416	1,250.00
01-A00170	ADA PAPER CO.					
		I-235564	01 -5548203	REPAIRS & MAI MAINTENANCE SUPPLIES	046418	196.92
01-A00229	ADVANTAGE TRUCK ACCESSO					
		I-29756	01 -5862203	REPAIRS & MAI DIRECT FIT CONVERTER	046419	670.00
01-A00267	AIRGAS					
		I-106915745	01 -5431202	OPERATING SUP RENTAL FEE OXYGEN TANKS	046420	119.60
		I-106915747	01 -5542206	CHEMICALS MONTHLY RENTAL ON BOTTLES	046420	43.20
		I-106915747A	01 -5543206	CHEMICALS MONTHLY RENTAL ON BOTTLES	046420	85.06
01-A00354	ALLFORD, IVESTER & GREE					
		I-08-25084	01 -5214302	CONSULTANTS CITY VS TANDEM TECH	046421	382.68
01-A00429	ALTEC NATIONAL SERVICE					
		I-9492968	01 -5863203	REPAIR & MAIN HOLDING CARTRIDGE	046422	100.81
01-A00500	AMERICAN MUNICIPAL SERV					
		I-4058	01 -5213337	COLLECTION SE COLLECTIONS - APRIL	046423	154.19
01-A00747	AT&T					
		I-08-25080	01 -5215315	TELEPHONE UTI 91842318025801 - TRUNK CA	046405	998.88
01-A00751	ATWOODS					
		I-3223303	01 -5862203	REPAIRS & MAI BLANKET PO FOR SM PARTS	046426	37.99
		I-3278617	01 -5548203	REPAIRS & MAI MAINTENANCE MATERIALS	046426	64.54
		I-3286271	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046426	10.15
		I-3286531	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046426	53.95
		I-3289349	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046426	3.59
		I-3292117	01 -5862203	REPAIRS & MAI BLANKET PO FOR SM PARTS	046426	89.96
		I-3292840	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046426	95.94
		I-3294497	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046426	9.85
		I-3294647	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046426	109.72
		I-3296674	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046427	10.96
		I-3297296	01 -5862203	REPAIRS & MAI BLANKET PO FOR SM PARTS	046427	12.99
		I-3297520	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046427	29.94
		I-3298793	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046427	8.99
		I-3299276	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046427	130.96
		I-3305651	01 -5548203	REPAIRS & MAI MAINTENANCE MATERIALS	046427	131.61
01-A00770	AUTO PARTS CO					
		I-839082	01 -5548316	REPAIRS & MAI BATTERIES FOR TORNADO SIR	046428	178.90
		I-842042	01 -5862203	REPAIRS & MAI RACK & PINSION FOR PD 45	046429	121.11

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-B00110	BARRETT'S AUTO PRODUCTS					
		I-36653	01 -5865218	STREET REPAIR GLOVES FOR STREET DEPT	046430	90.00
01-B00150	BEALES GOODYEAR TIRES					
		I-160165	01 -5862203	REPAIRS & MAI BLANKET PO FOR TIRE	046431	15.00
		I-161371	01 -5862203	REPAIRS & MAI BLANKET PO FOR TIRE	046431	84.00
		I-163154	01 -5862203	REPAIRS & MAI BLANKET PO FOR TIRE	046431	128.00
01-B00180	BEMAC SUPPLY					
		I-S1455873.001	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046433	64.83
		I-S1456019.001	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046433	86.33
		I-S1456042.001	01 -5548203	REPAIRS & MAI MATERIALS FOR MAINTENANCE	046433	79.68
		I-S1456241.001	01 -5548203	REPAIRS & MAI MATERIALS FOR MAINTENANCE	046433	43.10
		I-S1458354.001	01 -5548203	REPAIRS & MAI MATERIALS FOR MAINTENANCE	046433	86.55
		I-S1458510.001	01 -5548203	REPAIRS & MAI MATERIALS FOR MAINTENANCE	046433	4.40
01-B00194	BENJAMIN MOORE					
		I-029435	01 -5863203	REPAIR & MAIN HANDICAPPED PAINT-DOWNTOW	046435	99.90
01-B00375	BLUE VALLEY WATER					
		I-5693	01 -5543202	OPERATING SUP POOLS CONCESSION	046437	323.50
01-B00490	BRIGGS PRINTING					
		I-551150-6	01 -5211202	OPERATING SUP 1 BOX ENVELOPES	046438	76.00
01-B00570	BUCK WILSON BODY SHOP 1					
		I-1465	01 -5215323	DAMAGES REPAIR TO 98 FORD PU	046439	608.23
01-B00640	BSN SPORTS					
		I-93136458	01 -5542204	SMALL TOOLS REPLACEMENT ROLLERS	046440	175.43
01-C00046	C D W GOVERNMENT, INC					
		I-PDR4238	01 -5225401	COMPUTER TECH 17" PRIVACY SCREENS	046441	336.90
		I-PDR4238	01 -5225401	COMPUTER TECH 19" PRIVACY SCREENS	046441	148.22
01-C00100	CLEET					
		I-08-25031	01 -5213336	FEES LAW ENFORCEMENT TRAIN	046442	4,365.80
01-C00245	CATHEY & ASSOCIATES, L.					
		I-23153	01 -5548316	REPAIRS & MAI STEEL DOOR REPLACEMENT	046443	825.00
01-C00320	CENTERPOINT ENERGY ARKL					
		I-08-24995	01 -5215314	GAS UTILITY 23458219 - 315 E. KREBS	046406	14.12
		I-08-24995	01 -5215314	GAS UTILITY 68551878 - 303 W SPRINGER	046406	11.00
		I-08-24995	01 -5215314	GAS UTILITY 13134275 - 802 E HARRISON	046406	46.56
		I-08-24995	01 -5215314	GAS UTILITY 6722714 - CITY HALL	046406	176.41
		I-08-24995	01 -5215314	GAS UTILITY 6723530 - OAKHILL CEMETER	046406	21.36
		I-08-24995	01 -5215314	GAS UTILITY 6722680 - LIBRARY	046406	42.79
		I-08-24995	01 -5215314	GAS UTILITY 6722672 - FIRE STATION #3	046406	15.65

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00320	CENTERPOINT ENERGY ARKL		continued			
		I-08-24995	01 -5215314	GAS UTILITY 6722367 - 1701 E CARL ALB	046406	89.93
		I-08-24995	01 -5215314	GAS UTILITY 6723555 - STIPE CENTER	046406	289.61
		I-08-25072	01 -5215314	GAS UTILITY 68712934 - 1600 E COLLEGE	046406	11.26
		I-08-25072	01 -5215314	GAS UTILITY 6723571 - MAINTENANCE SHO	046406	59.93
		I-08-25130	01 -5215314	GAS UTILITY 4432118 - FIRE STATION #2	046444	31.42
		I-08-25130	01 -5215314	GAS UTILITY 13134275 - 802 E HARRISON	046444	15.65
01-C00339	CERTIFIED LABORATORIES					
		I-506741	01 -5862203	REPAIRS & MAI STEAM CLEANER SOAP	046445	982.02
01-C00430	CHIEF FIRE & SAFETY CO.					
		I-155950	01 -5431316	REPAIRS & MAI REP & MAINT ON VEHICLES	046447	182.14
		I-157766	01 -5431316	REPAIRS & MAI OPERATING SUPPLIES	046447	95.00
		I-158045	01 -5431316	REPAIRS & MAI OPERATING SUPPLIES	046447	64.00
01-C00463	CITY MANAGERS ASSOCIATI					
		I-08-25107	01 -5210331	EMPLOYEE TRAV CMAO DUES	046448	425.00
01-C00534	CLINT SELF CONCRETE CON					
		I-24878	01 -5542202	OPERATING SUP CATCH CAN	046449	1,500.00
01-C00646	COMPTON ELECTRIC					
		I-1318	01 -5542316	REPAIRS & MAI REPAIR BALL FIELDS LIGHTS	046450	747.62
01-D00006	D & D ELEVATOR INC					
		I-11285	01 -5548203	REPAIRS & MAI REPAIR ON LIBRARY ELEVATO	046451	2,996.95
01-D00143	DAVE'S FITNESS PLUS					
		I-0609-17	01 -5321330	DUES 12 MONTH MEMBERSHIP FEE	046452	1,250.00
01-D00231	DELANE ARRINGTON					
		I-5-4-2009	01 -5548331	EMPLOYEE TRAV USE OF PERSONAL VEHICLE	046453	145.75
01-D00540	DOLESE BROTHERS					
		I-45264	01 -5865218	STREET REPAIR #4 SCREENINGS	046455	360.73
		I-45807	01 -5865218	STREET REPAIR 1 1/2" CRUSH RUN GRAVEL	046455	376.68
		I-45808	01 -5865218	STREET REPAIR #4 SCREENINGS	046455	1,642.97
		I-46412	01 -5865218	STREET REPAIR 1 1/2" CRUSH RUN GRAVEL	046455	582.69
		I-47516.	01 -5865218	STREET REPAIR 1 1/2" CRUSH RUN GRAVEL	046455	443.71
		I-48003	01 -5865218	STREET REPAIR 1 1/2" CRUSH RUN GRAVEL	046455	892.84
		I-48555	01 -5865218	STREET REPAIR 1 1/2" CRUSH RUN GRAVEL	046455	1,164.93
		I-49164	01 -5865218	STREET REPAIR 1 1/2" CRUSH RUN GRAVEL	046455	1,432.43
		I-49800	01 -5865218	STREET REPAIR 1 1/2" CRUSH RUN GRAVEL	046455	888.24
		I-50341	01 -5865218	STREET REPAIR 1 1/2" CRUSH RUN GRAVEL	046455	510.30
		I-8-00579-09	01 -5865218	STREET REPAIR CONCRETE FOR STREET CUTS	046455	697.50
		I-8-00587-09	01 -5865218	STREET REPAIR CONCRETE FOR STREET CUTS	046455	1,862.25
		I-8-00604-09	01 -5865218	STREET REPAIR CONCRETE - STREET REPAIRS	046455	1,241.50
		I-8-00618-09	01 -5865218	STREET REPAIR CONCRETE FOR STREET CUTS	046455	628.00

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-D00540	DOLESE BROTHERS		continued			
		I-8-00632-09	01 -5865218	STREET REPAIR CONCRETE FOR STREET REPAI	046456	465.00
		I-8-00642-09	01 -5865218	STREET REPAIR CONCRETE FOR STREET CUTS	046456	620.75
		I-8-00662-09	01 -5865218	STREET REPAIR CONCRETE FOR STREET CUTS	046456	2,005.50
		I-8-00684-09	01 -5865218	STREET REPAIR CONCRETE FOR STREET CUTS	046456	279.65
		I-8-00685-09	01 -5865218	STREET REPAIR CONCRETE FOR STREET CUTS	046456	86.55
01-D00765	DUN RIGHT FENCEING					
		I-147369	01 -5865218	STREET REPAIR REPLACE 2 TERM POST	046457	250.00
01-E00206	EMBLEM ENTERPRISES INC.					
		I-435311	01 -5321202	OPERATING SUP PATCHES	046458	445.00
		I-435311	01 -5321202	OPERATING SUP PATCHES - SHIPPING	046458	14.42
01-F00037	FASTENAL					
		I-OKMCA79689	01 -5863203	REPAIR & MAIN ELECTRIC JACKHAMMER	046460	1,554.50
01-F00201	FLAMECO FIRE & SAFETY,					
		I-14931	01 -5321202	OPERATING SUP RECHARGE FIRE EXT.	046461	15.00
01-G00010	G & C RENTAL CENTER, IN					
		I-9034	01 -5542202	OPERATING SUP RENTAL OF LIFT	046463	75.00
01-G00055	G.FARNEY & ASSOCIATES,					
		I-21200	01 -5543203	REPAIRS & MAI NEW DRAINS & ELEC CUT-OFF	046464	7,422.68
01-G00130	GALL'S INC./DYNA MED					
		I-5986808600014	01 -5321316	REPAIRS & MAI FLASHLIGHT BULBS, BATTERI	046465	1,031.77
		I-5987033400022	01 -5321316	REPAIRS & MAI FLASHLIGHT BULBS, BATTERI	046465	51.86
01-G00260	GEORGE HALIBURTON					
		I-430897	01 -5652318	ABATEMENTS CONTRACT MOWING	046467	1,475.50
		I-430897	01 -5652318	ABATEMENTS MOWER FEE	046467	35.00
01-G00310	GIB'S TRANSMISSION, INC					
		I-1526	01 -5862203	REPAIRS & MAI TORQUE CONVERTER - G-7	046468	1,825.00
01-G00490	GRISSOM IMPLEMENT INC					
		I-83561	01 -5542202	OPERATING SUP DRIVE BELT FOR MOWERS	046470	178.00
01-H00290	HUMPHREY PLUMBING, INC.					
		I-7984	01 -5542319	MISCELLANEOUS REPLUMB RESTROOMS @ MULLE	046474	1,450.00
		I-7984A	01 -5542319	MISCELLANEOUS LABOR/MATERIAL-HOOKUP PLB	046474	1,118.35
		I-8151	01 -5543316	REPAIRS & MAI REPAIR BROKE URINAL	046474	287.94
01-I00060	I I M C					
		I-08-25028	01 -5212330	DUES & SUBSCR BAL. OF APP FEE-CMC PROGR	046475	50.00
01-I00110	IMPRESS OFFICE SUPPLY					

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-I00110	IMPRESS OFFICE SUPPLY		continued			
		I-028242	01 -5211202	OPERATING SUP OFFICE SUPPLIES	046476	99.00
		I-028255	01 -5321202	OPERATING SUP SUPPLIES	046476	11.92
		I-028263	01 -5321202	OPERATING SUP SUPPLIES	046476	2.51
		I-028288	01 -5321202	OPERATING SUP SUPPLIES	046476	7.80
		I-028296	01 -5211202	OPERATING SUP OFFICE SUPPLIES	046476	96.97
01-I00140	INDIAN NATION WHOLESALE					
		I-4912669	01 -5543202	OPERATING SUP CANDY FOR CONCESSIONS	046477	761.81
		I-4919532	01 -5542202	OPERATING SUP CONCESSION SUPPLIES	046477	1,106.98
01-J00326	JIM MIZE					
		I-08-25097	01 -5542308	CONTRACTED SE UMPIRE FEES - 13 GAMES	046479	260.00
01-J00338	JOB CONSTRUCTION CO INC					
		I-025861	01 -5865218	STREET REPAIR ASPHALT FOR PATCHING STRE	046480	325.73
		I-025862	01 -5865218	STREET REPAIR ASPHALT FOR PATCHING STRE	046480	190.81
		I-025863	01 -5865218	STREET REPAIR ASPHALT FOR PATCHING STRE	046480	424.63
		I-025864	01 -5865218	STREET REPAIR ASPHALT FOR PATCHING STRE	046480	161.25
01-J00340	JIM WOOD REFRIGERATION					
		I-09-10321	01 -5542316	REPAIRS & MAI REPAIR WALK IN FREEZER	046481	383.12
		I-10373	01 -5545202	OPERATING SUP CONDENSER MOTOR FOR AIR	046481	310.00
01-J00435	JORDAN CARRIS AGENCY					
		I-3634	01 -5431202	OPERATING SUP BOND FOR NOTARY PUBLIC	046483	30.00
01-K00232	KIEFER					
		I-11523684	01 -5543206	CHEMICALS CHEMICAL TEST KITS	046488	23.75
		I-11523810	01 -5543203	REPAIRS & MAI MAINTENANCE SUPPLIES	046488	170.81
		I-11524761	01 -5543203	REPAIRS & MAI MAINTENANCE SUPPLIES	046488	547.64
		I-11527007	01 -5543202	OPERATING SUP REPL LIFE GUARD STANDS	046488	2,150.00
		I-11527007A	01 -5543203	REPAIRS & MAI MAINTENANCE SUPPLIES	046488	550.00
		I-11529460	01 -5543206	CHEMICALS CHEMICAL TEST KITS	046488	71.80
		I-11530320	01 -5543202	OPERATING SUP LIFE GUARD SUITS	046488	42.95
		I-11532704	01 -5543202	OPERATING SUP LIFE GUARD SUITS	046488	115.91
01-L00067	LABORATORY CONSULTANT S					
		I-023986	01 -5653348	DRUG TESTING MONTHLY RANDOM DRUG TEST	046489	50.00
		I-024043	01 -5653348	DRUG TESTING MONTHLY RANDOM DRUG TEST	046489	100.00
01-L00078	LAMBERT MECHANICAL INC					
		I-090233	01 -5545203	REPAIRS & MAI REPAIRS ON LIBRARY AIR	046490	255.00
		I-090259	01 -5545203	REPAIRS & MAI AIR COMPRESSOR FOR LIBRAR	046490	3,200.00
		I-090356	01 -5545203	REPAIRS & MAI REPAIRS ON LIBRARY AIR	046490	290.00
01-L00275	LEONARD & RINEER, P.C.					
		I-08-25013	01 -5214302	CONSULTANTS PROFESSIONAL SERVICES	046493	1,209.46

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VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-100325	LIBERTY FLAGS INC					
		I-49778	01 -5431202	OPERATING SUP 4 AMERICAN & OKLA FLAGS	046494	100.76
01-100380	LOCKE SUPPLY CO.					
		I-10315393-00	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046495	87.39
		I-10318868-00	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046495	10.54
		I-10458630-00	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046495	11.95
		I-10507906-00	01 -5548203	REPAIRS & MAI SUPPLIES FOR REPAIRS	046495	223.33
01-100428	LOWE'S CREDIT SERVICES					
		C-11148	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046496	17.38-
		I-01075	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046496	60.90
		I-01397.	01 -5431203	REPAIRS & MAI SUPPLIES TO REPAIR ROOF	046496	87.20
		I-01975	01 -5548203	REPAIRS & MAI REPAIR MATERIALS	046496	12.64
		I-06031	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046497	18.96
		I-06668	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046497	83.88
		I-06706	01 -5548203	REPAIRS & MAI REPAIR MATERIALS	046497	38.55
		I-08602	01 -5548204	SMALL TOOLS TOOLS FOR MAINTENANCE	046497	23.90
		I-08625	01 -5548203	REPAIRS & MAI REPAIR MATERIALS	046497	340.66
		I-09409.	01 -5548203	REPAIRS & MAI REPAIR MATERIALS	046497	10.80
		I-09435.	01 -5548204	SMALL TOOLS TOOLS FOR MAINTENANCE	046497	572.24
		I-11149	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046498	1.72
		I-76586	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046498	382.50
01-M00083	MARGARET MCMORROW - LOV					
		I-08-25012	01 -5214302	CONSULTANTS FOP PROFESSIONAL SERVICES	046499	109.44
		I-08-25012	01 -5214302	CONSULTANTS IAFF PROFESSIONAL SERVICE	046499	1,052.00
01-M00340	MHM RESOURCES INC.					
		I-125AI0114165	01 -5653348	DRUG TESTING FSA & FLEX MONTHLY FEE	046500	105.00
01-M00448	MICHAEL PARHAM					
		I-897412	01 -5542203	REPAIRS & MAI REPAIR PARK RESTROOMS	046501	577.00
01-M00480	MILLER GLASS					
		I-8644	01 -5542202	OPERATING SUP HINGES TO HANG DOORS	046502	132.00
01-M00531	MISSISSIPPI TOOL					
		I-2233000	01 -5863203	REPAIR & MAIN FIRST AID KITS FOR TC TRU	046504	167.92
		I-2233000	01 -5863203	REPAIR & MAIN 3 GAL WATER CANS	046504	96.10
		I-2233000	01 -5863203	REPAIR & MAIN FIRST AID KITS FOR TC - F	046504	32.08
01-M00570	MOORE MEDICAL CORP.					
		I-95690064	01 -5431202	OPERATING SUP MEDICAL SUPPLIES	046505	245.61
		I-95736833	01 -5431202	OPERATING SUP MEDICAL SUPPLIES	046505	249.20
01-MC0140	MCALESTER PAINT & SUPPL					
		I-028450	01 -5542202	OPERATING SUP SUPPLIES FOR REPAIRS	046508	19.04
		I-028612	01 -5542202	OPERATING SUP SUPPLIES FOR REPAIRS	046508	37.50

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VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-MC0140	MCALESTER PAINT & SUPPL		continued			
		I-029544-1	01 -5542202	OPERATING SUP SUPPLIES FOR REPAIRS	046508	243.46
01-MC0148	MC ALESTER VISION CENTE					
		I-24661	01 -5653213	SAFETY SUPPLI SAFETY GLASSES	046509	125.00
01-MC0149	MCALESTER POOL & SPA					
		I-029391	01 -5543206	CHEMICALS POOL CHEMICALS	046510	556.56
		I-029544-1A	01 -5543206	CHEMICALS POOL CHEMICALS	046510	32.39
		I-030399	01 -5543202	OPERATING SUP POOL SUPPLIES	046510	481.82
01-MC0169	MCALESTER REG HEALTH					
		I-CITY LAB 6/1/09	01 -5653348	DRUG TESTING NEW HIRE DRUG TESTING	046511	1,570.00
01-MC0200	MCALESTER SCOTTISH RITE					
		I-700329	01 -5545311	PARKING RENTA 6 MONTHS FEE FOR PARKING	046512	375.00
01-MO0461	MICHAEL EUGENE BOX					
		I-08-25095	01 -5542308	CONTRACTED SE UMPIRE FEES - 4 GAMES	046513	80.00
01-N00061	NATIONAL FIRE PROTECTIO					
		I-4525245X	01 -5431330	DUES & SUBSCR NAT. FIRE CODES SUBSCRIPT	046514	787.50
01-N00240	NEWMAN SIGN CO					
		I-TI-0207964	01 -5863203	REPAIR & MAIN HANDICAPPED SIGNS	046515	335.80
		I-TI-0207964	01 -5863203	REPAIR & MAIN NO PARKING SIGNS	046515	566.00
		I-TI-0207964	01 -5863203	REPAIR & MAIN 25 SPEED LIMIT SIGNS	046515	79.74
		I-TI-0207964	01 -5863203	REPAIR & MAIN 30 SPEED LIMIT SIGNS	046515	332.25
		I-TI-0207964	01 -5863203	REPAIR & MAIN VAN ACCESSIBLE (WBL)	046515	45.70
		I-TI-0207964	01 -5863203	REPAIR & MAIN STOP SIGNS	046515	2,462.00
01-N00246	NEXSTEP					
		I-61209	01 -5542202	OPERATING SUP GRAFFITI REOVER	046516	258.45
01-N00250	MCALESTER NEWS CAPITAL					
		I-01567051	01 -5542330	DUES & SUBSCR AD FOR SUMMER HELP	046517	48.00
		I-01567537	01 -5652317	ADVERTISING & ADVERTISING FOR CODES	046517	21.15
		I-01567538	01 -5652317	ADVERTISING & ADVERTISING FOR CODES	046517	20.55
		I-01567539	01 -5652317	ADVERTISING & ADVERTISING FOR CODES	046517	22.80
01-000070	OGIELA MOWER SHOP					
		I-00107995	01 -5431316	REPAIRS & MAI BLANKET PO - PARTS	046519	17.35
01-000075	O'REILLY AUTO PARTS					
		I-0230-149352	01 -5431316	REPAIRS & MAI AUTO PARTS/SUPPLIES	046520	140.73
		I-0230-153792	01 -5431316	REPAIRS & MAI AUTO PARTS/SUPPLIES	046520	8.48
		I-0230-156924	01 -5431316	REPAIRS & MAI AUTO PARTS/SUPPLIES	046521	79.05
		I-0230-156964	01 -5431316	REPAIRS & MAI AUTO PARTS/SUPPLIES	046521	39.96

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VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-000273	OKLA. DEPT. OF HEALTH					
	I-LICENSE # 08	01	-5543202	OPERATING SUP YEARLY LICENSE	046522	50.00
	I-LICENSE # 09	01	-5543202	OPERATING SUP YEARLY LICENSE	046522	50.00
	I-LICENSE # 12	01	-5543202	OPERATING SUP YEARLY LICENSE	046522	50.00
	I-LICENSE # 24	01	-5543202	OPERATING SUP YEARLY LICENSE	046522	50.00
	I-LICENSE # 25	01	-5543202	OPERATING SUP YEARLY LICENSE	046522	50.00
	I-LICENSE # 26	01	-5543202	OPERATING SUP YEARLY LICENSE	046522	50.00
	I-LICENSE # 27	01	-5543202	OPERATING SUP YEARLY LICENSE	046522	50.00
	I-LICENSE # 33	01	-5543202	OPERATING SUP YEARLY LICENSE	046522	50.00
	I-LICENSE # 35	01	-5543202	OPERATING SUP YEARLY LICENSE	046522	50.00
01-000413	OKLAHOMA STATE UNIVERSI					
	I-08-24998	01	-5542202	OPERATING SUP MANUAL FOR PESTICIDE TEST	046524	5.00
01-000595	OSBI					
	I-08-25032	01	-5213336	FEES AFIS - MAY	046525	2,389.12
	I-08-25032	01	-5213336	FEES FORENSIC - MAY	046525	2,303.75
01-000610	OTA PIKEPASS CENTER					
	I-20090500825	01	-5431316	REPAIRS & MAI PRE-PAY PIKE PASS	046526	50.00
01-P00042	PACIFIC TELEMANAGEMENT					
	I-123784	01	-5215315	TELEPHONE UTI PAY PHONE @ STIPE CENTER	046527	75.00
01-P00420	POSTMASTER					
	I-08-25016/BOX 578	01	-5215312	EQUIPMENT REN P O BOX FEE -BOX 578 1 YR	046528	110.00
	I-08-25025	01	-5321202	OPERATING SUP PO BOX FEE BOX 388 1 YR	046529	70.00
01-P00450	PRIDE IN MCALESTER					
	I-APRIL 09 - JUNE 09	01	-5215319	MISC. PRIDE I AS PER CONTRACT	046530	1,250.00
01-P00510	PRO-KIL PEST CONTROL					
	I-50863	01	-5542319	MISCELLANEOUS PEST CONTROL	046531	126.00
	I-51611	01	-5542319	MISCELLANEOUS PEST CONTROL	046531	68.00
	I-51612	01	-5431202	OPERATING SUP PEST CONTROL STATION 3	046531	96.00
	I-51613	01	-5431202	OPERATING SUP PEST CONTROL STATION 2	046531	96.00
	I-51614	01	-5548316	REPAIRS & MAI GENEALOGOCIAL ANNUAL SPRA	046531	150.00
	I-51615	01	-5542319	MISCELLANEOUS PEST CONTROL	046531	106.00
	I-51693	01	-5542202	OPERATING SUP MONTHLY PEST CONTROL	046531	126.00
01-P00560	PUBLIC SERVICE/AEP					
	I-08-25071	01	-5215313	ELECTRIC UTIL 95481109635 - 333 E CARL	046408	21.70
	I-08-25073	01	-5215313	ELECTRIC UTIL 95242258705 - PD/NARC	046408	57.14
	I-08-25073	01	-5215313	ELECTRIC UTIL 95966977506 - KOMAR PARK	046408	57.62
	I-08-25073	01	-5215313	ELECTRIC UTIL 95205457302 - 1699 E CARL	046408	22.55
	I-08-25073	01	-5215313	ELECTRIC UTIL 95692191224 - 301 W JEFFE	046408	35.62
	I-08-25073	01	-5215313	ELECTRIC UTIL 95235582004 - LIBRARY	046408	2,487.18
	I-08-25073	01	-5215313	ELECTRIC UTIL 95792346108 - ST. LIGHTS	046408	9,946.36
	I-08-25073	01	-5215313	ELECTRIC UTIL 95287592018 - GENERAL	046408	8,937.85

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VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-P00560	PUBLIC SERVICE/AEP		continued			
		I-08-25073	01 -5215313	ELECTRIC UTIL 95630770212 - 302 E FILLM	046408	594.10
		I-08-25129	01 -5215313	ELECTRIC UTIL 95084541358 - 303 W SPRIN	046532	10.79
01-R00210	RED RIVER SPECIALIST, I					
		I-251998	01 -5542206	CHEMICALS CHEMICALS FOR PARKS & ROW	046535	5,250.00
01-R00245	RESERVE ACCOUNT-PITNEY					
		I-08-25011	01 -5215312	EQUIPMENT REN POSTAGE FOR MAILING	046537	2,500.00
01-R00469	ROCIC					
		I-2144-20500	01 -5431330	DUES & SUBSCR MEMBERSHIP FEE	046539	300.00
		I-2587-20821	01 -5321308	CONTRACTED SE YEARLY MEMBERSHIP	046539	300.00
01-R00496	RONNIE CATES					
		I-08-25123	01 -5215323	DAMAGES REIMB DEDUCTIBLE - DAMAGE	046540	50.00
01-S00090	SCHOGGINS TRAILER SALES					
		I-08-24987	01 -5542202	OPERATING SUP SMALL UTILITY TRAILER	046541	875.00
01-S00180	OK SECRETARY OF STATE-N					
		I-08-24845	01 -5213330	DUES & SUBSCR NOTARY FILING FEE	046542	25.00
01-S00255	SHERMAN TRUCKING					
		I-219703	01 -5542202	OPERATING SUP SAND TO FILL LOW SPOTS	046543	360.00
01-S00290	SHERWIN WILLIAMS					
		I-24707	01 -5652316	REPAIRS & MAI SUPPLIES FOR CURB PAINTIN	046544	12.56
		I-30506	01 -5652316	REPAIRS & MAI SUPPLIES FOR CURB PAINTIN	046544	24.70
		I-3370-8	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046544	165.15
		I-3562-0	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046544	74.20
		I-3693-3	01 -5542202	OPERATING SUP OPERATING SUPPLIES	046544	165.15
		I-8837-3	01 -5542202	OPERATING SUP PAINT TO PAINT BLEACHERS	046544	295.05
		I-8973-6	01 -5542202	OPERATING SUP OPERATING SUPPLIES	046544	199.58
01-S00386	SMITH KEY & HARDWARE					
		I-8106	01 -5548203	REPAIRS & MAI MAINTENANCE REPAIRS	046545	64.25
01-S00444	SOUTHEAST DESIGN					
		I-248723	01 -5543202	OPERATING SUP LIFEGUARD TANKS	046546	352.00
		I-248727	01 -5543202	OPERATING SUP ADD SUPPLIES FOR LIFEGUAR	046546	33.00
01-S00510	SOUTHERN SUPPLY & EQUIP					
		I-4690212	01 -5542401	CAPITAL OUTLA RIDING MOWER	046547	5,984.00
		I-47178	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046547	223.20
		I-47523	01 -5542202	OPERATING SUP MISC OPERATING SUPPLIES	046547	20.44
		I-47552	01 -5865218	STREET REPAIR TRIMMERS, OIL, BAR LUBE	046547	1,146.84
01-S00724	STALKER RADAR APPLIED C					

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VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-S00724	STALKER RADAR APPLIED C			continued		
		I-174234	01 -5321316	REPAIRS & MAI REPAIR RADAR	046550	141.50
01-S00726	STAPLES BUSINESS ADVANT					
		I-02993	01 -5542202	OPERATING SUP OFFICE SUPPLIES	046551	265.02
		I-05405	01 -5653202	OPERATING SUP ID CARDS & GENERAL MISC	046551	84.37
		I-05569	01 -5542202	OPERATING SUP OFFICE SUPPLIES	046551	80.33
		I-06661	01 -5542202	OPERATING SUP OFFICE SUPPLIES	046551	113.39
		I-07553	01 -5431202	OPERATING SUP OFFICE SUPPLIES	046551	41.05
		I-08167	01 -5653202	OPERATING SUP INK FOR PRINTERS & MISC	046551	294.40
		I-30250	01 -5211202	OPERATING SUP OFFICE SUPPLIES	046551	193.51
		I-3119352487	01 -5225202	OPERATING SUP HARDWARE & SOFTWARE SUPPL	046551	213.01
		I-3120061210	01 -5225202	OPERATING SUP HARDWARE & SOFTWARE SUPPL	046551	37.04
		I-3120061211	01 -5225401	COMPUTER TECH HARDWARE	046551	388.20
01-S00770	STATEWIDE COMMUNICATION					
		I-1532	01 -5431203	REPAIRS & MAI EMERGENCY VEHICLE REPAIRS	046552	65.00
01-T00010	T. H. ROGERS LUMBER CO.					
		I-395020	01 -5542316	REPAIRS & MAI MISC REPAIRS & MAINT ITEM	046553	37.94
		I-395200	01 -5542316	REPAIRS & MAI MISC REPAIRS & MAINT ITEM	046553	37.90
		I-395393	01 -5542316	REPAIRS & MAI MISC REPAIRS & MAINT ITEM	046553	35.97
01-T00056	TED ALEXANDER					
		I-08-25096	01 -5542308	CONTRACTED SE UMPIRE FEES - 13 GAMES	046554	260.00
01-T00222	THE WATERS CONSULTING G					
		I-0609-1272	01 -5211308	CONTRACTED SE AD/FEDEX - CFO	046555	17.06
01-T00366	TIMOTHY B MATKIN					
		I-08-25098	01 -5542308	CONTRACTED SE UMPIRE FEES - 10 GAMES	046556	200.00
01-T00370	TIPPIT INSURANCE					
		I-28624	01 -5215322	LIABILITY INS CONTINUOUS BOND-CITY CLERK	046557	175.00
01-T00445	TOMMY EDWARDS					
		I-6607	01 -5215480	CONTINGENCY/A LABOR TO DO ADA REPAIRS	046558	440.00
01-T00540	TREATS SOLUTIONS INC					
		I-008463	01 -5543202	OPERATING SUP SOAP & DISPENSORS	046560	270.14
01-T00580	TRIPLE "A" PLUMBING					
		I-52378	01 -5542316	REPAIRS & MAI PLUMBING REPAIRS	046561	80.50
01-T00589	TOTAL RADIO					
		I-68650	01 -5321202	OPERATING SUP WALKIE ANTENNA'S	046562	130.00
01-T00630	TWIN CITIES READY MIX					
		I-31732	01 -5542202	OPERATING SUP CONCRETE FOR WATER CATCH	046563	152.50

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-T00630	TWIN CITIES READY MIX		continued			
		I-31795	01 -5542202	OPERATING SUP CONCRETE FOR WATER CATCH	046563	337.50
01-U00025	U S FOOD SERVICE					
		I-74345804	01 -5543202	OPERATING SUP CONCESSION SUPPLIES	046564	971.04
01-U00057	U.S. DEPT OF AGRICULTUR					
		I-32609	01 -5865212	PARTICIPATION BEAVER CONTROL	046567	210.00
01-U00130	UNITED SAFETY & CLAIMS					
		I-08-25122	01 -5215106	WORKMAN'S COM WORKER COMP RENEWAL FEE	046569	24,811.00
01-W00040	WALMART COMMUNITY BRC					
		I-004	01 -5543206	CHEMICALS MISC CHEMICAL & SUPPLIES	046570	244.39
		I-00540	01 -5431202	OPERATING SUP CLEANING SUPPLIES	046570	63.30
		I-00831	01 -5543206	CHEMICALS MISC CHEMICAL & SUPPLIES	046570	37.36
		I-01665.	01 -5543206	CHEMICALS MISC CHEMICAL & SUPPLIES	046570	36.76
		I-02200	01 -5543206	CHEMICALS MISC CHEMICAL & SUPPLIES	046570	30.27
		I-02252	01 -5543206	CHEMICALS MISC CHEMICAL & SUPPLIES	046570	110.92
		I-04757	01 -5321202	OPERATING SUP MISC SUPPLIES	046570	41.38
		I-06417	01 -5431202	OPERATING SUP CLEANING SUPPLIES	046570	251.27
		I-07120	01 -5431202	OPERATING SUP CLEANING SUPPLIES	046570	58.72
		I-09060	01 -5431202	OPERATING SUP CLEANING SUPPLIES	046570	35.22
		I-09209	01 -5653202	OPERATING SUP OFFICE INK & SUPPLIES	046570	40.36
		I-09940	01 -5431202	OPERATING SUP CLEANING SUPPLIES	046570	89.03
01-W00192	WEBCOAT PROD. MFG.BY VI					
		I-0095572-IN	01 -5543202	OPERATING SUP NEW TRASH RECEPTACLES	046572	1,276.00
01-W00193	WEDDLE SIGNS					
		I-15467	01 -5215480	CONTINGENCY/A DIRECTIONAL SIGN	046573	77.68
01-W00270	WHITE ELECTRICAL SUPPLY					
		I-236354	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	046575	61.56
		I-236571	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	046575	10.50
		I-236612	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	046575	34.61
		I-236844	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	046575	17.25
		I-236865	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	046575	35.82
		I-237360	01 -5542202	OPERATING SUP LIGHTS & BALLAST	046576	1,200.00
		I-237658	01 -5548203	REPAIRS & MAI 400 WATT METAL LOWBOY FIX	046576	296.36
		I-237658	01 -5548203	REPAIRS & MAI ELECT BALLAST F96T12	046576	104.48
		I-237658	01 -5548203	REPAIRS & MAI 70W HPS WALL PACK W/LAMP	046576	70.98
01-X00021	XCESSORIES SQUARED					
		I-I-00027803	01 -5863203	REPAIR & MAIN KLEAN BREAK SURFACE MOUNT	046577	176.65
			FUND	01 GENERAL FUND	TOTAL:	164,710.36

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00103	ACCURATE LABS & MINING					
		I-9D20013	02 -5974304	LAB TESTING THM & HAA TESTING MONTHLY	046417	50.00
		I-9E05019	02 -5974304	LAB TESTING THM & HAA TESTING MONTHLY	046417	100.00
		I-9E05020	02 -5974304	LAB TESTING THM & HAA TESTING MONTHLY	046417	80.00
		I-9E19007	02 -5974304	LAB TESTING THM & HAA TESTING MONTHLY	046417	50.00
		I-SU10718	02 -5973316	REPAIRS & MAI LAB SUPPLIES -BOTH PLANTS	046417	982.46
01-A00170	ADA PAPER CO.					
		I-235565	02 -5975334	SEWER MAIN RE DEODERANT FOR SEWERS	046418	701.00
01-A00541	AMERICAN PUBLIC WORKS A					
		I-703838	02 -5974317	ADVERTISING & EMP AD-WTP SUPERINTENDENT	046424	348.00
01-A00570	AMERICAN SOD FARMS					
		I-3403	02 -5975332	LAND IMPROVEM 8 PALLETS SOD FOR REPAIRS	046425	640.00
01-A00747	AT&T					
		I-08-25080	02 -5267315	TELEPHONE UTI 91842393004101 - MPWA	046405	3,454.95
		I-08-25080	02 -5267315	TELEPHONE UTI 91814751133780 - DATA LIN	046405	49.00
01-A00751	ATWOODS					
		C-CM43891	02 -5973203	REPAIRS & MAI SUPPLIES FOR REPAIRS	046426	100.53-
		I-3269448	02 -5973203	REPAIRS & MAI SUPPLIES FOR REPAIRS	046426	123.20
		I-3276056	02 -5974204	SMALL TOOLS SMALL TOOLS	046426	261.82
		I-3287982	02 -5974204	SMALL TOOLS SMALL TOOLS	046426	120.96
		I-3288044	02 -5974204	SMALL TOOLS SMALL TOOLS	046426	61.07
		I-3298315	02 -5973203	REPAIRS & MAI SUPPLIES FOR REPAIRS	046427	29.45
		I-3301584	02 -5974204	SMALL TOOLS SMALL TOOLS	046427	252.88
		I-3302654	02 -5973203	REPAIRS & MAI SUPPLIES FOR REPAIRS	046427	221.37
01-A00770	AUTO PARTS CO					
		C-842037	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	5.71-
		I-841330	02 -5974203	REPAIRS & MAI OPEN PO FOR SUPPLIES	046428	16.36
		I-841678	02 -5862203	REPAIRS & MAI STUDS, NUTS, WHEEL SOCKET	046428	225.42
		I-841795	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	71.64
		I-841804	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	41.30
		I-841812	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	11.10
		I-841840	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	29.76
		I-841847	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	200.19
		I-841856	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	227.25
		I-841862	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	63.72
		I-841870	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	15.39
		I-841977	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	141.10
		I-841979	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046428	44.99
		I-842006	02 -5862203	REPAIRS & MAI PUMP FOR PK-19	046429	230.97
		I-842035	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046429	22.03
		I-842059	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046429	75.31
		I-842079	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046429	197.28
		I-842157	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046429	174.90

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00770	AUTO PARTS CO		continued			
		I-842159	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046429	62.76
		I-842162	02 -5862203	REPAIRS & MAI SMALL AUTO PARTS	046429	93.98
		I-842212	02 -5974203	REPAIRS & MAI OPEN PO FOR SUPPLIES	046429	166.09
01-B00178	BELZONA, INC.					
		I-08-24543	02 -5973203	REPAIRS & MAI SHAFT REPAIR BELZONA 1111	046432	355.00
01-B00360	BLUE BOOK (USA)					
		I-828636	02 -5974316	REPAIRS & MAI CHARTS TO KEEP RECOR	046436	216.50
01-C00320	CENTERPOINT ENERGY ARKL					
		I-08-24995	02 -5267314	GAS UTILITY 5755988 - BARN	046406	142.67
01-C00340	CERTIFIED LABORATORIES					
		I-509476	02 -5973203	REPAIRS & MAI STING XII WASP KILLER	046446	295.25
01-D00322	DEPT. OF ENVIR. QUALITY					
		I-21039704	02 -5974304	LAB TESTING LAB FEES 1/1/09 - 3/31/09	046454	848.00
01-F00037	FASTENAL					
		I-OKMCA79833	02 -5973203	REPAIRS & MAI SUPPLIES FOR BOTH PLANTS	046460	88.94
		I-OKMCA79900	02 -5973203	REPAIRS & MAI SUPPLIES FOR BOTH PLANTS	046460	129.70
		I-OKMCA79919	02 -5973203	REPAIRS & MAI SUPPLIES FOR BOTH PLANTS	046460	23.52
		I-OKMCA80105	02 -5973203	REPAIRS & MAI SUPPLIES FOR BOTH PLANTS	046460	241.50
		I-OKMCA80181	02 -5974316	REPAIRS & MAI SUPPLIES	046460	499.91
01-F00251	FORT COBB FUEL AUTHORIT					
		I-08-24965	02 -5267314	GAS UTILITY GAS FOR HEREFORD	046407	31.27
01-F00310	FRONTIER INTNL. TRUCKS					
		C-761038	02 -5862203	REPAIRS & MAI REPAIR TRANSMISSION SW-4	046462	1,343.10-
		I-163367	02 -5862203	REPAIRS & MAI REPAIR TRANSMISSION SW-4	046462	3,583.30
		I-767055	02 -5862203	REPAIRS & MAI POWER PUMP FOR SW-1	046462	333.48
01-G00010	G & C RENTAL CENTER, IN					
		I-103	02 -5864312	EQUIPMENT REN RENTAL ON DOZER - MAY 09	046463	3,100.00
		I-9039	02 -5864203	REPAIRS & MAI DRIVE & SEAL REPLACEMENT	046463	3,511.00
01-G00490	GRISSOM IMPLEMENT INC					
		I-84466	02 -5862203	REPAIRS & MAI PARTS FOR BATWING MOWER	046470	710.21
01-H00040	HACH CHEMICAL					
		I-6267221	02 -5974206	CHEMICALS CHEMICALS TO RUN TESTS	046471	409.08
		I-6267221A	02 -5974206	CHEMICALS CHEMICALS TO RUN TESTS	046471	977.92
01-H00100	HAYNES EQUIPMENT, LLC					
		I-S4689-IN	02 -5973316	REPAIRS & MAI ROTATING ASSEMBLY	046473	11,158.00
		I-S4690-IN	02 -5974316	REPAIRS & MAI 6" ALTITUDE VALVE	046473	4,093.37

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L	ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-I00110	IMPRESS OFFICE SUPPLY						
		I-027712	02	-5871202	OPERATING SUP INK FOR ENG. OFFICE	046476	8.00
		I-027937	02	-5871202	OPERATING SUP INK FOR ENG. OFFICE	046476	46.51
01-J00400	JOHN DEERE COMPANY						
		I-SW80190	02	-5267401	CAPITAL OUTLA TRACTORS W/FRONT END LOAD	046482	36,550.08
01-K00004	K - B GENERAL CONSTRUCT						
		I-08-24834	02	-5974316	REPAIRS & MAI REPL ROOF - KFC LIFT STAT	046484	5,550.00
01-K00190	KEYSTONE EQUIPMENT CO.						
		I-39613	02	-5862203	REPAIRS & MAI FUEL PUMP, TOOTH, CUTTING	046486	914.00
01-K00210	KIAMICHI ELECTRIC COOP.						
		I-08-25109	02	-5267313	ELECTRIC UTIL ELECTRIC FOR HEREFORD	046487	262.63
01-L00082	LANDFILL EQUIPMENT						
		I-2436	02	-5864312	EQUIPMENT REN 5TH MONTH COMPACTOR RENTA	046491	7,500.00
		I-2453	02	-5864312	EQUIPMENT REN CABLE REPAIR	046491	413.54
01-L00221	LCRA ENVIRONMENTAL LABO						
		I-LB60522	02	-5974304	LAB TESTING TESTING ON DRINGING WATER	046492	475.00
01-L00428	LOWE'S CREDIT SERVICES						
		C-0045370	02	-5975209	UTILITY MAINT MAINT. SUPPLIES	046496	89.70-
		I-01145	02	-5975316	REPAIRS & MAI CONCRETE & SUPPLIES	046496	851.83
		I-01153	02	-5975316	REPAIRS & MAI CONCRETE & SUPPLIES	046496	50.85
		I-01212	02	-5975209	UTILITY MAINT MAINT. SUPPLIES	046496	55.98
		I-01508	02	-5975316	REPAIRS & MAI CONCRETE & SUPPLIES	046496	78.95
		I-01683.	02	-5975209	UTILITY MAINT MAINT. SUPPLIES	046496	19.92
		I-08851	02	-5975209	UTILITY MAINT MAINT. SUPPLIES	046497	157.35
		I-08854	02	-5975209	UTILITY MAINT MAINT. SUPPLIES	046497	208.16
		I-09179	02	-5975209	UTILITY MAINT MAINT. SUPPLIES	046497	155.05
		I-09332	02	-5975209	UTILITY MAINT MAINT. SUPPLIES	046497	59.80
		I-09467	02	-5974316	REPAIRS & MAI MAINTENANCE SUPPLY'S	046497	406.64
		I-11005	02	-5975209	UTILITY MAINT MAINT. SUPPLIES	046498	126.63
		I-77353	02	-5975316	REPAIRS & MAI BUN COFFEE POT	046498	109.99
		I-77353	02	-5975316	REPAIRS & MAI 2.0 CUBIC FT MICROWAVE	046498	158.00
		I-77354	02	-5975316	REPAIRS & MAI 16.6 CBIC FT REFRIDGERATO	046498	398.00
01-M00498	MISSOURI MUNICIPAL LEAG						
		I-26030	02	-5974317	ADVERTISING & EMP AD-WTP SUPERINTENDENT	046503	60.00
01-MC0095	MCALESTER FENCE						
		I-001409	02	-5973316	REPAIRS & MAI FENCE @ TAYLOR PARK	046506	4,220.00
1-N00250	MCALESTER NEWS CAPITAL						
		I-01566929	02	-5974317	ADVERTISING & AD ON 3 DIFF PUBLIC NOTIC	046517	133.99
		I-01567413	02	-5974317	ADVERTISING & AD ON 3 DIFF PUBLIC NOTIC	046517	125.95

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-NO0250	MCALESTER NEWS CAPITAL		continued			
		I-01567414	02 -5974317	ADVERTISING & AD ON 3 DIFF PUBLIC NOTIC	046517	82.35
01-NO0312	NORTH 69 AUTO SALVAGE					
		I-01002213	02 -5862203	REPAIRS & MAINTENANCE COLUMN - W-3	046518	250.00
		I-01002215	02 -5862203	REPAIRS & MAINTENANCE COLUMN - W-3	046518	50.00
01-000075	O'REILLY AUTO PARTS					
		I-0230-143170	02 -5862203	REPAIRS & MAINTENANCE UTILITY MAINTENANCE	046520	29.96
		I-0230-145802	02 -5862203	REPAIRS & MAINTENANCE UTILITY MAINTENANCE	046520	15.19
		I-0230-146105	02 -5862203	REPAIRS & MAINTENANCE UTILITY MAINTENANCE	046520	29.96
		I-0230-148740	02 -5862203	REPAIRS & MAINTENANCE UTILITY MAINTENANCE	046520	14.77
		I-0230-148970	02 -5862203	REPAIRS & MAINTENANCE UTILITY MAINTENANCE	046520	29.96
		I-0230-149069	02 -5862203	REPAIRS & MAINTENANCE UTILITY MAINTENANCE	046520	14.77
		I-0230-149229	02 -5862203	REPAIRS & MAINTENANCE UTILITY MAINTENANCE	046520	17.98
		I-0230-150484	02 -5973316	REPAIRS & MAINTENANCE SUPPLIES FOR REPAIRS	046520	502.26
		I-0230-150775	02 -5973316	REPAIRS & MAINTENANCE SUPPLIES FOR REPAIRS	046520	18.58
		I-0230-152809	02 -5862203	REPAIRS & MAINTENANCE UTILITY MAINTENANCE	046520	19.01
		I-0230-155915	02 -5974203	REPAIRS & MAINTENANCE FIBER GLASS REPAIR	046520	144.82
		I-0230-156643	02 -5973316	REPAIRS & MAINTENANCE SUPPLIES FOR REPAIRS	046520	127.55
		I-0230-156649	02 -5973316	REPAIRS & MAINTENANCE SUPPLIES FOR REPAIRS	046521	139.69
		I-0230-QUOTE	02 -5862203	REPAIRS & MAINTENANCE UTILITY MAINTENANCE	046521	29.54
01-PO0560	PUBLIC SERVICE/AEP					
		I-08-25073	02 -5267313	ELECTRIC UTIL 95043496827 - MPWA	046408	26,908.52
01-R00050	RADIO SHACK					
		I-277270	02 -5216202	OPERATING SUP CAMERA & MONITOR	046533	159.98
01-R00090	RAM INC					
		I-12548	02 -5862205	PETROLEUM PRO DIESEL FOR SHOP	046534	4,193.30
01-R00217	R.D. FLANAGAN & ASSOC					
		I-2009-5-16	02 -5871302	CONSULTANTS(HAZARD MITIGATION PLANNING)	046536	1,690.50
01-R00365	RIDGEWAY'S					
		I-42-444652	02 -5871204	SMALL TOOLS BOND PAPER, COPIER TONER	046538	396.48
01-R00600	RURAL WATER DISTRICT #1					
		I-08-24920	02 -5267316	WATER UTILITY WATER @ LANDFILL	046409	133.98
01-S00290	SHERWIN WILLIAMS					
		I-14018	02 -5974203	REPAIRS & MAINTENANCE PAINT FOR CLARIFIER	046544	105.90
01-S00510	SOUTHERN SUPPLY & EQUIP					
		I-46281	02 -5974203	REPAIRS & MAINTENANCE LAWN MOWER PARTS	046547	163.60
		I-46356	02 -5974203	REPAIRS & MAINTENANCE LAWN MOWER PARTS	046547	44.56
		I-47616	02 -5974203	REPAIRS & MAINTENANCE LAWN MOWER PARTS	046547	290.93

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-S00530	SOUTHWEST CHEMICAL SERV					
		I-85887	02 -5974206	CHEMICALS ALUM	046548	3,621.09
		I-86056	02 -5974206	CHEMICALS 2 TOTES POLYMER	046548	4,944.00
		I-86064	02 -5974206	CHEMICALS ALUM	046548	3,816.45
01-S00710	STANDARD MACHINE LLC					
		I-208238	02 -5862203	REPAIRS & MAI SS SPROCKET #60	046549	201.00
		I-208238	02 -5862203	REPAIRS & MAI HARDENED SPROCKET #60	046549	79.20
		I-208279	02 -5862203	REPAIRS & MAI HYDRAULIC MOTORS	046549	624.28
01-S00726	STAPLES BUSINESS ADVANT					
		I-05076	02 -5972202	OPERATING SUP SUPPLIES	046551	59.31
		I-07491	02 -5864203	REPAIRS & MAI SHARP CASH REGISTER	046551	99.99
		I-3119616312	02 -5972202	OPERATING SUP SUPPLIES	046551	353.56
01-T00499	TRACTOR SUPPLY COMPANY					
		I-0213434942	02 -5973204	SMALL TOOLS AIR COMPRESSORS	046559	599.98
01-U00051	UTILITY SUPPLY CO.					
		I-039874	02 -5975332	LAND IMPROVEM METER NIPPLES 3/4 & 5/8	046565	827.00
01-U00053	UTILITY SUPPLY					
		I-039875	02 -5975334	SEWER MAIN RE PARTS FOR SEWER REPAIR	046566	947.26
01-U00130	UNITED SAFETY & CLAIMS					
		I-08-25112	02 -5267106	WORKMAN'S COM WORKERS COMP MEDICAL BILL	046568	28,453.66
		I-08-25122	02 -5267106	WORKMAN'S COM WORKER COMP RENEWAL FEE	046569	24,811.00
01-W00130	WATER PRODUCTS					
		I-0757539-IN	02 -5974203	REPAIRS & MAI SUPPLIES	046571	296.40
01-W00269	WHITES TRACTORS					
		I-047717	02 -5862203	REPAIRS & MAI PK MOWER PARTS	046574	200.00
		I-047779	02 -5974203	REPAIRS & MAI PARTS TO FIX BRUSH HOG	046574	257.00
01-W00270	WHITE ELECTRICAL SUPPLY					
		I-233225	02 -5973203	REPAIRS & MAI MAINTENANCE SUPPLIES	046575	84.46
		I-235295	02 -5974316	REPAIRS & MAI MAINTENANCE SUPPLIES	046575	425.12
		I-235509	02 -5974316	REPAIRS & MAI MAINTENANCE SUPPLIES	046575	74.45
		I-235685	02 -5973203	REPAIRS & MAI MAINTENANCE SUPPLIES	046575	32.00
		I-235750	02 -5974316	REPAIRS & MAI MAINTENANCE SUPPLIES	046575	15.81
		I-235811	02 -5974316	REPAIRS & MAI MAINTENANCE SUPPLIES	046575	27.23
		I-236039	02 -5974316	REPAIRS & MAI MAINTENANCE SUPPLIES	046575	52.84
		I-236174	02 -5974316	REPAIRS & MAI MAINTENANCE SUPPLIES	046575	173.04
		I-236370	02 -5974316	REPAIRS & MAI MAINTENANCE SUPPLIES	046575	85.34
		I-237481	02 -5974316	REPAIRS & MAI MAINTENANCE SUPPLIES	046576	145.66
		I-237485	02 -5974316	REPAIRS & MAI MAINTENANCE SUPPLIES	046576	999.99
		I-237515	02 -5973203	REPAIRS & MAI MAINTENANCE SUPPLIES	046576	622.97
			FUND	02	MPWA	TOTAL: 206,478.36

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 03 AIRPORT AUTHORITY

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
11-C00320	CENTERPOINT ENERGY ARKL	I-08-24995	03 -5876314	GAS UTILITY 1475011 - AIRPORT	046406	44.25
11-P00560	PUBLIC SERVICE/AEP	I-08-25073	03 -5876313	ELECTRIC UTIL 95291700219 - AIRPORT	046408	620.27
			FUND 03	AIRPORT AUTHORITY	TOTAL:	664.52

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 05 PARKING AUTHORITY

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
11-P00560	PUBLIC SERVICE/AEP	I-08-25071	05 -5218313	ELECTRIC UTIL 95244019006 -PARKING AUTH	046408	115.12
			FUND	05 PARKING AUTHORITY	TOTAL:	115.12

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 08 NUTRITION

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-A00747	AT&T					
		I-08-25080	08 -5549315	TELEPHONE UTI 918A4006692564 - NUTRITIO	046405	115.55
01-G00220	KENNETH EUGENE CARR					
		I-08-25101	08 -5549308	CONTRACT SERV REIMBURSEMENT OF MILEAGE	046466	151.25
01-K00186	KENNETH BAKER					
		I-08-25100	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	046485	300.00
		I-08-25100	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	046485	15.00
		I-08-25102	08 -5549308	CONTRACT SERV REIMBURSEMENT OF MILEAGE	046485	254.10
			FUND	08 NUTRITION	TOTAL:	835.90

PACKET: 04384 CLAIMS FOR 6/23/09  
 VENDOR SET: 01  
 FUND : 28 SE EXPO CTR/TOURISM FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-00192	BEN E. KEITH	I-00895157	28 -5654210	CONCESSION SU CONCESSION SUPPLIES	046434	311.61
01-00320	CENTERPOINT ENERGY ARKL	I-08-25072	28 -5654314	GAS UTILITY 11728490 - EXPO	046406	224.24
01-00415	EXTREME INFLATABLES, IN	I-070409-01	28 -5654348	FESTIVAL EQUIP & SERVICES	046459	4,698.75
01-00056	HANCE PYROTECNICS	I-6/10/09	28 -5654348	FESTIVAL FIREWORKS	046472	12,500.00
01-00110	JACKIE BRANNON CORR. CT	I-F171	28 -5654308	CONTRACT SERV INMATE LABOR - APRIL 2009	046478	129.42
01-00078	LAMBERT MECHANICAL INC	I-090353	28 -5654316	REPAIRS & MAI SERVICE CALL & LABOR	046490	290.00
01-000345	OKLA. DEPT. OF LABOR	I-08-25070	28 -5654316	REPAIRS & MAI ANNUAL BOILER INSPECTION	046523	25.00
01-000510	PRO-KIL PEST CONTROL	I-51616	28 -5654316	REPAIRS & MAI PEST CONTROL	046531	365.00
01-000560	PUBLIC SERVICE/AEP	I-08-25073	28 -5654313	ELECTRIC UTIL 95297190423 - EXPO	046408	3,836.13
01-000444	SOUTHEAST DESIGN	I-151551	28 -5654348	FESTIVAL T-SHIRTS-2009 TENNIS PROG	046546	700.00
01-000726	STAPLES BUSINESS ADVANT	I-07956	28 -5654202	OPERATING SUP MISC OFFICE SUPPLIES	046551	21.51
01-000540	TREATS SOLUTIONS INC	I-008200	28 -5654203	REPAIR & MAIN JANITORIAL SUPPLIES	046560	670.66
01-000040	WALMART COMMUNITY BRC	I-009653	28 -5654202	OPERATING SUP 1ST AIDE SUPPLIES	046570	10.96
		I-014716	28 -5654202	OPERATING SUP 1ST AIDE SUPPLIES	046570	28.12
			FUND 28	SE EXPO CTR/TOURISM FUND TOTAL:		23,811.40

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 29 E-911

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00747	AT&T	I-08-25080	29 -5324315	TELEPHONE UTI 91868300256872 - E911	046405	4,948.15
01-G00460	GREEN COUNTRY ELECTRIC	I-448289	29 -5324316	REPAIRS-MAINT LABOR TO INSTALL ELECTRIC	046469	1,800.00
01-L00428	LOWE'S CREDIT SERVICES	I-01235.	29 -5324316	REPAIRS-MAINT MISC SUPPLIES-911 REMODEL	046496	539.36
		I-01264	29 -5324316	REPAIRS-MAINT MISC SUPPLIES (911 CTR)	046496	33.26
		I-01435	29 -5324316	REPAIRS-MAINT MISC SUPPLIES (911 CTR)	046496	260.41
		I-01817	29 -5324316	REPAIRS-MAINT MISC SUPPLIES (911 CTR)	046496	140.43
		I-02743	29 -5324316	REPAIRS-MAINT MISC SUPPLIES (911 CTR)	046497	94.96
		I-09995	29 -5324316	REPAIRS-MAINT MISC SUPPLIES (911 CTR)	046498	65.89
01-W00270	WHITE ELECTRICAL SUPPLY	I-237133	29 -5324316	REPAIRS-MAINT ELECTRICAL SUPPLIES	046576	1,729.20
			FUND	29 E-911	TOTAL:	9,611.66

PACKET: 04384 CLAIMS FOR 6/23/09

VENDOR SET: 01

FUND : 30 ECONOMIC DEVELOPMENT

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
11-MC0134	MCALESTER MAIN STREET					
		1-08-25074	30 -5211319	MISCELLANEOUS JUNE 2009	046507	2,916.67
			FUND	30 ECONOMIC DEVELOPMENT	TOTAL:	2,916.67
					REPORT GRAND TOTAL:	409,143.99

\*\* G/L ACCOUNT TOTALS \*\*

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====		=====GROUP BUDGET=====	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
2008-2009	01 -5210331	EMPLOYEE TRAVEL & TRAININ	425.00	1,865	75.00		
	01 -5211202	OPERATING SUPPLIES	465.48	7,650	32.40		
	01 -5211308	CONTRACTED SERVICES	17.06	38,675	11,558.54		
	01 -5212330	DUES & SUBSCRIPTIONS	50.00	266	0.00		
	01 -5213330	DUES & SUBSCRIPTIONS	25.00	1,020	190.00		
	01 -5213336	FEES	9,058.67	118,000	12,281.36		
	01 -5213337	COLLECTION SERVICES	154.19	9,313	3,806.36		
	01 -5214302	CONSULTANTS	2,753.58	119,965	24,735.39		
	01 -5215106	WORKMAN'S COMP	24,811.00	349,089	641.62-	Y	
	01 -5215312	EQUIPMENT RENTALS	2,610.00	50,806	8,895.22		
	01 -5215313	ELECTRIC UTILITY	22,170.91	382,131	19,085.30		
	01 -5215314	GAS UTILITY	825.69	18,200	549.01		
	01 -5215315	TELEPHONE UTILITY	1,266.21	68,628	12,073.00		
	01 -5215319	MISC. PRIDE IN MCALESTER	1,250.00	5,000	0.00		
	01 -5215322	LIABILITY INSURANCE/BONDS	175.00	236,713	0.12		
	01 -5215323	DAMAGES	658.23	85,995	0.00		
	01 -5215480	CONTINGENCY/ADA COMPLIANCE	517.68	46,445	335.77		
	01 -5225202	OPERATING SUPPLIES	250.05	4,000	653.63		
	01 -5225401	COMPUTER TECHNOLOGY	873.32	47,500	21,228.49		
	01 -5321202	OPERATING SUPPLIES	738.03	18,500	2,607.73		
	01 -5321308	CONTRACTED SERVICES	300.00	19,433	4,567.39		
	01 -5321316	REPAIRS & MAINTENANCE	1,225.13	10,000	1,840.51		
	01 -5321330	DUES	1,250.00	2,500	0.00		
	01 -5431202	OPERATING SUPPLIES	1,475.76	31,000	699.33		
	01 -5431203	REPAIRS & MAINT SUPPLIES	152.20	12,527	2,650.66		
	01 -5431316	REPAIRS & MAINTENANCE	676.71	16,000	41.52		
	01 -5431330	DUES & SUBSCRIPTIONS	1,087.50	13,000	4,370.62		
	01 -5542202	OPERATING SUPPLIES	9,463.61	56,400	1,440.20		
	01 -5542203	REPAIRS & MAINT SUPPLIES	577.00	26,000	284.64		
	01 -5542204	SMALL TOOLS	175.43	3,000	737.94		
	01 -5542206	CHEMICALS	5,293.20	19,600	4,256.95		
	01 -5542308	CONTRACTED SERVICES	2,050.00	25,000	534.99		
	01 -5542316	REPAIRS & MAINTENANCE	1,322.15	20,000	254.03		
	01 -5542319	MISCELLANEOUS	2,868.35	16,016	470.97		
	01 -5542330	DUES & SUBSCRIPTIONS	48.00	600	49.05		
	01 -5542401	CAPITAL OUTLAY	5,984.00	5,984	0.00		
	01 -5543202	OPERATING SUPPLIES	7,228.17	15,500	821.31		
	01 -5543203	REPAIRS & MAINT SUPPLIES	8,691.13	16,000	593.96		
	01 -5543206	CHEMICALS	1,229.26	21,570	956.32		
	01 -5543316	REPAIRS & MAINTENANCE	287.94	21,430	3,713.64		
	01 -5545202	OPERATING SUPPLIES	310.00	1,500	744.22		
	01 -5545203	REPAIRS & MAINT SUPPLIES	3,745.00	8,000	2,503.07		
	01 -5545311	PARKING RENTAL	375.00	4,500	0.00		
	01 -5548203	REPAIRS & MAINTENANCE SUPP	4,925.54	45,169	510.59		
	01 -5548204	SMALL TOOLS	596.14	5,000	358.48		

\*\* 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	-5548316	REPAIRS & MAINTENANCE	1,153.90	11,025	351.51		
01	-5548331	EMPLOYEE TRAVEL & TRAINING	145.75	146	0.25		
01	-5652316	REPAIRS & MAINTENANCE	37.26	459	305.02		
01	-5652317	ADVERTISING & PRINTING	64.50	3,000	1,190.59		
01	-5652318	ABATEMENTS	1,510.50	15,000	3,229.28		
01	-5653202	OPERATING SUPPLIES	419.13	3,800	542.35		
01	-5653213	SAFETY SUPPLIES	125.00	7,700	1,533.30		
01	-5653348	DRUG TESTING & MISC. FEES	1,825.00	8,000	187.00		
01	-5862203	REPAIRS & MAINT SUPPLIES	3,966.07	202,470	8,662.73		
01	-5863203	REPAIR & MAINT SUPPLIES	6,049.45	37,800	16,272.79		
01	-5865212	PARTICIPATION SUPPLIES	210.00	1,000	615.00		
01	-5865218	STREET REPAIRS & MAINTENAN	18,771.48	250,500	413.09		
02	-5216202	OPERATING SUPPLIES	159.98	16,385	197.74		
02	-5267106	WORKMAN'S COMP	53,264.66	264,005	22,179.15-	Y	
02	-5267313	ELECTRIC UTILITY	27,171.15	525,249	22,057.46		
02	-5267314	GAS UTILITY	173.94	9,000	3,588.61		
02	-5267315	TELEPHONE UTILITY	3,503.95	44,250	3,563.76		
02	-5267316	WATER UTILITY	133.98	3,500	1,283.99		
02	-5267401	CAPITAL OUTLAY	36,550.08	36,551	0.92		
02	-5862203	REPAIRS & MAINT SUPPLIES	7,726.89	239,000	52.17		
02	-5862205	PETROLEUM PRODUCTS	4,193.30	200,000	33,089.02		
02	-5864203	REPAIRS & MAINT SUPPLIES	3,610.99	36,500	739.41		
02	-5864312	EQUIPMENT RENTALS	11,013.54	105,261	1,897.46		
02	-5871202	OPERATING SUPPLIES	54.51	6,075	71.41		
02	-5871204	SMALL TOOLS	396.48	500	103.52		
02	-5871302	CONSULTANTS(HMP & SW PHASE	1,690.50	80,000	19,915.62		
02	-5972202	OPERATING SUPPLIES	412.87	3,051	608.71		
02	-5973203	REPAIRS & MAINT SUPPLIES	2,146.83	62,425	6,244.05		
02	-5973204	SMALL TOOLS	599.98	1,719	95.65		
02	-5973316	REPAIRS & MAINTENANCE	17,148.54	69,017	9,352.92		
02	-5974203	REPAIRS & MAINT SUPPLIES	1,485.66	44,845	7,766.47		
02	-5974204	SMALL TOOLS	696.73	2,000	8.06		
02	-5974206	CHEMICALS	13,768.54	398,933	18,751.23		
02	-5974304	LAB TESTING	1,603.00	34,732	1,596.01		
02	-5974316	REPAIRS & MAINTENANCE	12,765.90	45,109	9,962.83		
02	-5974317	ADVERTISING & PRINTING	750.29	2,503	23.39		
02	-5975209	UTILITY MAINTENANCE SUPP.	693.19	30,438	377.27		
02	-5975316	REPAIRS & MAINTENANCE	1,647.62	14,475	3,162.97		
02	-5975332	LAND IMPROVEMENTS	1,467.00	3,100	80.74		
02	-5975334	SEWER MAIN REPAIR	1,648.26	13,377	1.74		
03	-5876313	ELECTRIC UTILITY	620.27	11,824	448.20		
03	-5876314	GAS UTILITY	44.25	500	225.09		
05	-5218313	ELECTRIC UTILITY	115.12	4,560	2,569.39		
08	-5549308	CONTRACT SERVICES	720.35	15,930	134.68		
08	-5549315	TELEPHONE UTILITY	115.55	1,500	113.18		

## \*\* G/L ACCOUNT TOTALS \*\*

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====		=====GROUP BUDGET=====	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
28	-5654202	OPERATING SUPPLIES	60.59	6,726	370.55		
28	-5654203	REPAIR & MAINT SUPPLIES	670.66	17,000	314.12		
28	-5654210	CONCESSION SUPPLIES	311.61	25,700	796.68		
28	-5654308	CONTRACT SERVICES	129.42	2,000	192.95		
28	-5654313	ELECTRIC UTILITY	3,836.13	70,600	2,509.12		
28	-5654314	GAS UTILITY	224.24	16,000	608.03		
28	-5654316	REPAIRS & MAINTENANCE	680.00	14,460	5,318.32		
28	-5654348	FESTIVAL	17,898.75	24,000	2,654.25		
29	-5324315	TELEPHONE UTILITY	4,948.15	33,240	10,408.64		
29	-5324316	REPAIRS-MAINTENANCE	4,663.51	31,220	11,355.61		
30	-5211319	MISCELLANEOUS	2,916.67	59,500	15,654.77		
** 2008-2009 YEAR TOTALS **			409,143.99				

NO ERRORS

\*\* END OF REPORT \*\*

Fund:	Appropriation Amount
<b>Department:</b>	
<b>General Fund:</b>	
City Council	\$140,595
City Manager	231,650
Finance	234,578
City Clerk	75,825
Municipal Court	290,162
City Attorney	145,990
Interdepartmental	1,876,844
Information Services	148,985
CID Criminal Investigation	865,334
Police	2,683,695
Animal Shelter	99,904
Communications	177,993
Fire	3,334,611
Parks	932,075
Swimming Pool	143,811
Recreation	235,342
Cemetery	326,633
Facility Maintenance	252,607
Planning & Community Development	365,121
Human Resources/Risk Management	142,287
Fleet Maintenance	692,639
Traffic Control	221,128
Streets	868,623
<b>MPWA:</b>	
Utility Billing & Collection	\$373,107
Fleet Maintenance	743,498
Interdepartmental	2,743,720
Landfill	359,956
Refuse Collection	798,585
Engineering	402,370
Utilities Admin	143,715
Wastewater Treatment	850,400
Water Treatment	1,099,090
Utility Maintenance	654,495
<b>Airport Authority Fund:</b>	
Airport	\$224,704
<b>Parking Authority Fund:</b>	
Parking Lot Operations	\$3,000
<b>Nutrition Fund:</b>	
Nutrition	\$287,838
<b>Landfill Res./Subtitle D Fund:</b>	
Landfill	\$324,500
<b>Employee Retirement Fund:</b>	
City Treasurer	\$509,000
<b>Juvenile Fine/Reserve Fund:</b>	
Narcotics	\$8,626
<b>COPS Grant Fund:</b>	
Patrol	\$13,500
<b>State Forfeiture Fund:</b>	
Narcotics	\$145
<b>Cemetery Perpetual Trust:</b>	
Finance	\$20,336
<b>Bond Trustee Fund:</b>	
Finance	\$4,803,814
<b>Airport Grant Fund:</b>	
Airport	\$27,808
<b>Educational Fund:</b>	
Finance	\$842,062
<b>SE Expo Ctr/Tourism Fund:</b>	
Tourism	\$708,742
<b>E-911 Fund:</b>	
Communications	\$960,410
<b>Economic Development Fund:</b>	
Finance	\$1,391,894
Planning & Community Development	\$216,705
<b>Dedicated Sales Tax - MPWA:</b>	
Interdepartmental	\$5,449,250
<b>Emergency Fund:</b>	
Interdepartmental	\$0
<b>CIP Fund:</b>	
Interdepartmental	\$0
<b>Federal Forfeiture Fund:</b>	
Interdepartmental	\$0



# McAlester City Council

## AGENDA REPORT

Meeting Date: June 23, 2009 Item Number: 1  
Department: City Manager  
Prepared By: Mark B. Roath Account Code: \_\_\_\_\_  
Date Prepared: June 11, 2009 Budgeted Amount: \_\_\_\_\_  
Exhibits: One

### 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 an Ordinance amending the FY 2008/2009 Budget.

### Discussion

This Agenda Report, and attached ordinance, addresses the following items:

1. Non-uniform employee salary increase, by fund;
2. Additional 2% for possible IAFF Collective Bargaining Unit Contract;
3. Budgeted BKD repayment from the General Fund to the CIP Fund in lieu of the Economic Development Fund;
4. Federal Forfeiture Fund reduction to reflect amount actually received; and
5. Bond Trustee Funds expenses.

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>06/11/09</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 Exhibits A-1 through A-9, 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 23rd day of June, 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 23rd day of June, 2009.**

\_\_\_\_\_  
**William J. Ervin, City Attorney**

FY 2008-2009 BUDGET AMENDMENT

Exhibit A-1

GENERAL FUND - 01

Estimated Fund Balance 6/30/08	88,227
FY 08-09 Amended Budgeted Revenues	14,600,600
FY 08-09 Amended Budgeted Appropriations	(14,444,765)
Additional Revenue	-
Budget Amendments	-
Estimated Ending Fund Balance 6/30/09	<u>244,062</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
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Decrease in Appropriations:

Finance	D1	5211101	EXP	35,000	Full-Time Payroll (Finance Director not hired most of year)
Finance	01	5211107	EXP	8,000	Group Insurance
Information Technology	D1	5225401	EXP	8,000	Computer Technology
Cemetery	01	5547102	EXP	8,000	Part-time Payroll
Fleet Maintenance	01	5852205	EXP	77,281	Petroleum Products
Planning & Comm Dev	01	5652101	EXP	25,000	Full-Time Payroll
Planning & Comm Dev	01	5652107	EXP	9,000	Group Insurance
Planning & Comm Dev	01	5652108	EXP	2,000	FICA
Parks	01	5542102	EXP	8,095	Part-Time Payroll

<b>Department Total</b>				<b>\$ 180,376</b>	
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APPROPRIATIONS

Police	01	5321113	EXP	24,689	Pension (Uniform) - Back Pay
Fire	01	5431101	EXP	34,783	Full-Time Payroll (Uniform) - 2% Additional
Fire	01	5431111	EXP	504	Medicare
Fire	01	5431113	EXP	7,305	Pension (Uniform)
City Manager	01	5210101	EXP	1,317	Full-Time Payroll (Non-Uniform) - 4% Raise
City Manager	01	5210108	EXP	82	FICA
City Manager	01	5210110	EXP	132	Pension
City Manager	01	5210111	EXP	19	Medicare
City Clerk	01	5212101	EXP	1,778	Full-Time Payroll (Non-Uniform) - 4% Raise
City Clerk	01	5212108	EXP	110	FICA
City Clerk	01	5212110	EXP	178	Pension
City Clerk	01	5212111	EXP	26	Medicare
Finance	01	5211101	EXP	2,311	Full-Time Payroll (Non-Uniform) - 4% Raise
Finance	01	5211103	EXP	41	Overtime
Finance	01	5211108	EXP	146	FICA
Finance	01	5211110	EXP	231	Pension
Finance	01	5211111	EXP	34	Medicare
Municipal Court	01	5213101	EXP	2,447	Full-Time Payroll (Non-Uniform) - 4% Raise
Municipal Court	01	5213108	EXP	152	FICA
Municipal Court	01	5213110	EXP	245	Pension
Municipal Court	01	5213111	EXP	35	Medicare
Information Technology	01	5225101	EXP	1,749	Full-Time Payroll (Non-Uniform) - 4% Raise
Information Technology	01	5225108	EXP	109	FICA
Information Technology	01	5225110	EXP	175	Pension
Information Technology	01	5225111	EXP	25	Medicare
CID	01	5320100	EXP	1,300	Full-Time Payroll (Non-Uniform) - 4% Raise
CID	01	5320108	EXP	81	FICA
CID	01	5320110	EXP	130	Pension
CID	01	5320111	EXP	19	Medicare
Patrol	01	5321100	EXP	6,505	Full-Time Payroll (Non-Uniform) - 4% Raise
Patrol	01	5321108	EXP	400	FICA
Patrol	01	5321110	EXP	651	Pension
Patrol	01	5321111	EXP	95	Medicare
Animal Control	01	5322101	EXP	2,306	Full-Time Payroll (Non-Uniform) - 4% Raise
Animal Control	01	5322103	EXP	10	Overtime
Animal Control	01	5322108	EXP	144	FICA
Animal Control	01	5322110	EXP	231	Pension
Animal Control	01	5322111	EXP	34	Medicare
Communications	01	5324101	EXP	2,522	Full-Time Payroll (Non-Uniform) - 4% Raise
Communications	01	5324103	EXP	10	Overtime
Communications	01	5324108	EXP	157	FICA
Communications	01	5324110	EXP	252	Pension
Communications	01	5324111	EXP	37	Medicare

FY 2008-2009 BUDGET AMENDMENT

Exhibit A-1

GENERAL FUND - 01

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
Fire Dept	01	5431100	EXP	6,264	Full-Time Payroll (Non-Uniform) - 4% Raise
Fire Dept	01	5431103	EXP	13	Overtime
Fire Dept	01	5431108	EXP	389	FICA
Fire Dept	01	5431110	EXP	627	Pension
Fire Dept	01	5431111	EXP	91	Medicare
Parks	01	5542101	EXP	13,866	Full-Time Payroll (Non-Uniform) - 4% Raise
Parks	01	5542103	EXP	181	Overtime
Parks	01	5542108	EXP	871	FICA
Parks	01	5542110	EXP	1,387	Pension
Parks	01	5542111	EXP	204	Medicare
Library	01	5545101	EXP	1,027	Full-Time Payroll (Non-Uniform) - 4% Raise
Library	01	5545108	EXP	64	FICA
Library	01	5545110	EXP	103	Pension
Library	01	5545111	EXP	15	Medicare
Recreation	01	5544101	EXP	2,734	Full-Time Payroll (Non-Uniform) - 4% Raise
Recreation	01	5544108	EXP	170	FICA
Recreation	01	5544110	EXP	273	Pension
Recreation	01	5544111	EXP	40	Medicare
Cemetery	01	5547101	EXP	7,348	Full-Time Payroll (Non-Uniform) - 4% Raise
Cemetery	01	5547103	EXP	216	Overtime
Cemetery	01	5547108	EXP	469	FICA
Cemetery	01	5547110	EXP	735	Pension
Cemetery	01	5547111	EXP	110	Medicare
Facility Maintenance	01	5548101	EXP	2,421	Full-Time Payroll (Non-Uniform) - 4% Raise
Facility Maintenance	01	5548103	EXP	59	Overtime
Facility Maintenance	01	5548108	EXP	150	FICA
Facility Maintenance	01	5548110	EXP	242	Pension
Facility Maintenance	01	5548111	EXP	35	Medicare
Planning & Comm Dev	01	5652101	EXP	6,488	Full-Time Payroll (Non-Uniform) - 4% Raise
Planning & Comm Dev	01	5652108	EXP	403	FICA
Planning & Comm Dev	01	5652110	EXP	648	Pension
Planning & Comm Dev	01	5652111	EXP	94	Medicare
Human Resources	01	5653101	EXP	2,844	Full-Time Payroll (Non-Uniform) - 4% Raise
Human Resources	01	5653108	EXP	176	FICA
Human Resources	01	5653110	EXP	285	Pension
Human Resources	01	5653111	EXP	42	Medicare
Fleet Maintenance	01	5862101	EXP	10,398	Full-Time Payroll (Non-Uniform) - 4% Raise
Fleet Maintenance	01	5862103	EXP	359	Overtime
Fleet Maintenance	01	5862108	EXP	667	FICA
Fleet Maintenance	01	5862110	EXP	1,040	Pension
Fleet Maintenance	01	5862111	EXP	156	Medicare
Traffic Control	01	5863101	EXP	4,395	Full-Time Payroll (Non-Uniform) - 4% Raise
Traffic Control	01	5863108	EXP	272	FICA
Traffic Control	01	5863110	EXP	440	Pension
Traffic Control	01	5863111	EXP	64	Medicare
Streets	01	5865101	EXP	14,314	Full-Time Payroll (Non-Uniform) - 4% Raise
Streets	01	5865103	EXP	1,067	Overtime
Streets	01	5865108	EXP	954	FICA
Streets	01	5865110	EXP	1,431	Pension
Streets	01	5865111	EXP	223	Medicare
<b>Total Appropriations</b>				<b>180,376</b>	

MPWA - 02

Estimated Fund Balance 6/30/08	1,655,413
FY 08-09 Amended Budgeted Revenues	9,369,529
FY 08-09 Amended Budgeted Appropriations	(9,297,137)
Additional Revenue	-
Budget Amendments	-
Estimated Ending Fund Balance 6/30/09	<u>1,727,805</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
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Decrease in Appropriations:

Utility Office	02	5216101	EXP	25,000	Full-Time Payroll
Utility Office	02	5216110	EXP	6,000	Pension
Refuse Collection	02	5866101	EXP	28,000	Full-Time Payroll
Water Treatment	02	5974206	EXP	1,710	Chemicals
Water Treatment	02	5974316	EXP	20,000	Repairs & Maintenance
Utility Maintenance	02	5975101	EXP	25,000	Full-Time Payroll

<b>Department Total</b>	<b>\$ 105,710</b>
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APPROPRIATIONS

Utility Office	02	5216101	EXP	3,547	Full-Time Payroll (Non-Uniform) - 4% Raise
Utility Office	02	5216103	EXP	26	Overtime
Utility Office	02	5216108	EXP	222	FICA
Utility Office	02	5216110	EXP	355	Pension
Utility Office	02	5216111	EXP	52	Medicare
Landfill	02	5864101	EXP	4,052	Full-Time Payroll (Non-Uniform) - 4% Raise
Landfill	02	5864103	EXP	845	Overtime
Landfill	02	5864108	EXP	304	FICA
Landfill	02	5864110	EXP	405	Pension
Landfill	02	5864111	EXP	71	Medicare
Refuse Collection	02	5866101	EXP	11,921	Full-Time Payroll (Non-Uniform) - 4% Raise
Refuse Collection	02	5866103	EXP	2,861	Overtime
Refuse Collection	02	5866108	EXP	917	FICA
Refuse Collection	02	5866110	EXP	1,192	Pension
Refuse Collection	02	5866111	EXP	214	Medicare
Engineering	02	5871101	EXP	4,670	Full-Time Payroll (Non-Uniform) - 4% Raise
Engineering	02	5871108	EXP	290	FICA
Engineering	02	5871110	EXP	467	Pension
Engineering	02	5871111	EXP	68	Medicare
Utilities Admin	02	5972101	EXP	3,752	Full-Time Payroll (Non-Uniform) - 4% Raise
Utilities Admin	02	5972108	EXP	233	FICA
Utilities Admin	02	5972110	EXP	375	Pension
Utilities Admin	02	5972111	EXP	55	Medicare
Wastewater	02	5973101	EXP	14,371	Full-Time Payroll (Non-Uniform) - 4% Raise
Wastewater	02	5973103	EXP	352	Overtime
Wastewater	02	5973108	EXP	913	FICA
Wastewater	02	5973110	EXP	1,437	Pension
Wastewater	02	5973111	EXP	214	Medicare
Water Treatment	02	5974101	EXP	8,158	Full-Time Payroll (Non-Uniform) - 4% Raise
Water Treatment	02	5974103	EXP	1,011	Overtime
Water Treatment	02	5974108	EXP	569	FICA
Water Treatment	02	5974110	EXP	816	Pension
Water Treatment	02	5974111	EXP	133	Medicare
Utility Maintenance	02	5975101	EXP	9,730	Full-Time Payroll (Non-Uniform) - 4% Raise
Utility Maintenance	02	5975103	EXP	831	Overtime
Utility Maintenance	02	5975108	EXP	655	FICA
Utility Maintenance	02	5975110	EXP	973	Pension
Utility Maintenance	02	5975111	EXP	153	Medicare
Interdepartmental	02	5287106	EXP	28,500	Workman's Comp (5-27-09 to 6-9-09 claims & settlements)

<b>Total Appropriations</b>	<b>105,710</b>
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AIRPORT AUTHORITY - 03

Estimated Fund Balance 6/30/08	71,342
FY 08-09 Amended Budgeted Revenues	217,196
FY 08-09 Amended Budgeted Appropriations	(217,296)
Additional Revenue	-
Budget Amendments	<u>(3,893)</u>
Estimated Ending Fund Balance 6/30/09	<u>67,349</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
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APPROPRIATIONS

Airport	03	5876101	EXP	3,309	Full-Time Payroll (Non-Uniform) - 4% Raise
Airport	03	5876103	EXP	-	Overtime
Airport	03	5876108	EXP	205	FICA
Airport	03	5876110	EXP	331	Pension
Airport	03	5876111	EXP	48	Medicare
<u>Total Appropriations</u>				<u>3,893</u>	

NUTRITION FUND - 08

Estimated Fund Balance 6/30/08	546
FY 08-09 Amended Budgeted Revenues	254,317
FY 08-09 Amended Budgeted Appropriations	(254,317)
Additional Revenue	-
Budget Amendments	-
Estimated Ending Fund Balance 6/30/09	<u>546</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
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Decrease in Appropriations:

Nutrition	08	5549102	EXP	4,217	Part-time Payroll
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<b>Department Total</b>	<b>\$</b>	<b>4,217</b>
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APPROPRIATIONS

Nutrition	08	5549101	EXP	3,584	Full-Time Payroll (Non-Uniform) - 4% Raise
Nutrition	08	5549108	EXP	222	FICA
Nutrition	08	5549110	EXP	359	Pension
Nutrition	08	5549111	EXP	52	Medicare

<b>Total Appropriations</b>	<b>4,217</b>
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EXPO FUND - 28

Estimated Fund Balance 6/30/08	561,865
FY 08-09 Amended Budgeted Revenues	738,050
FY 08-09 Amended Budgeted Appropriations	(835,402)
Additional Revenue	6,289
Budget Amendments	<u>(6,289)</u>
Estimated Ending Fund Balance 6/30/09	<u>464,513</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
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Increase in Revenues:

28	4-0-431	REV	<u>6,289</u>	Expo Concession
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APPROPRIATIONS

Tourism	28	5654101	EXP	5,033	Full-Time Payroll (Non-Uniform) - 4% Raise
Tourism	28	5654103	EXP	201	Overtime
Tourism	28	5654108	EXP	378	FICA
Tourism	28	5654110	EXP	589	Pension
Tourism	28	5654111	EXP	88	Medicare

<u>Total Appropriations</u>				<u>6,289</u>	
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E911 FUND - 29

Estimated Fund Balance 6/30/08	497,766
FY 08-09 Amended Budgeted Revenues	798,000
FY 08-09 Amended Budgeted Appropriations	(794,980)
Additional Revenue	-
Budget Amendments	-
Estimated Ending Fund Balance 6/30/09	<u>500,786</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
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Decrease in Appropriations:

Communications	29	5324315	EXP	7,190	Telephone Utility
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<b>Department Total</b>	<b>\$</b>	<b>7,190</b>
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APPROPRIATIONS

Communications	29	5324101	EXP	6,111	Full-Time Payroll (Non-Uniform) - 4% Raise
Communications	29	5324108	EXP	379	FICA
Communications	29	5324110	EXP	611	Pension
Communications	29	5324111	EXP	89	Medicare

<b>Total Appropriations</b>	<b>7,190</b>
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ECONOMIC DEV FUND - 30

Estimated Fund Balance 6/30/08	1,220,102
FY 08-09 Amended Budgeted Revenues	1,899,193
FY 08-09 Amended Budgeted Appropriations	(1,577,583)
Increase (Decrease) in Revenue	(100,000)
Increase (Decrease) in Appropriations	-
Estimated Ending Fund Balance 6/30/09	<u>1,441,712</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
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Decrease in Revenues:	30	4-0-720	REV	<u>(100,000)</u>	Transfer from General
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CIP FUND - 41

Estimated Fund Balance 6/30/08	316,821
FY 08-09 Amended Budgeted Revenues	5,000
FY 08-09 Amended Budgeted Appropriations	(37,500)
Additional Revenue	100,000
Budget Amendments	-
Estimated Ending Fund Balance 6/30/09	<u>384,321</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
Increase in Revenues:	41	4-0-720	REV	<u>100,000</u>	Transfer from General

FEDERAL FORFEITURE FUND - 42

Estimated Fund Balance 6/30/08	865
FY 08-09 Amended Budgeted Revenues	1,000,000
FY 08-09 Amended Budgeted Appropriations	(342,000)
Increase (Decrease) in Revenue	(992,825)
(Increase) Decrease in Appropriations	342,000
Estimated Ending Fund Balance 6/30/09	<u>8,040</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
<b>Decrease in Revenues:</b>					
	42	4-0-500	REV	(992,825)	Forfeitures
<b>Decrease in Appropriations:</b>					
Patrol	42	5321401	EXP	342,000	Capital Outlay
<b>Department Total</b>				<b>\$ 342,000</b>	

DEDICATED SALES TAX FUND - 38

Estimated Fund Balance 6/30/08	840,922
FY 08-09 Amended Budgeted Revenues	4,102,106
FY 08-09 Amended Budgeted Appropriations	(3,182,497)
Additional Revenue	-
Budget Amendments	<u>(33,242)</u>
Estimated Ending Fund Balance 6/30/09	<u>1,727,289</u>

DEPARTMENT	FUND	ACCOUNT NO.	REV/EXP	AMOUNT	DESCRIPTION
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APPROPRIATIONS

Interdepartmental	38	5215621	EXP	33,242	Transfers - Bond Trustee Fund
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<u>Total Appropriations</u>				<u>33,242</u>	
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# McAlester City Council

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## AGENDA REPORT

Meeting Date:	<u>June 23, 2009</u>	Item Number:	<u>2</u>
Department:	<u>City Manager</u>	Account Code:	<u>                    </u>
Prepared By:	<u>Mark B. Roath</u>	Budgeted Amount:	<u>                    </u>
Date Prepared:	<u>June 11, 2009</u>	Exhibits:	<u>One</u>

### Subject

Consider, and act upon, an Ordinance adopting the budget of the City of McAlester, Oklahoma for the fiscal year 2009-2010; providing for severability clause; and declaring an emergency.

### Recommendation

Motion to approve an Ordinance adopting the budget for fiscal year 2009-2010.

### Discussion

On June 9, 2009, the City Council held a public hearing to allow citizens the opportunity to express their opinion on the proposed annual operating budget for next fiscal year. The attached ordinance formally adopts the FY 2009/2010 Annual Operating Budget.

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>                    </u>	<u>                    </u>
City Manager	<u>MBR</u>	<u>06/11/09</u>

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF  
McALESTER, OKLAHOMA FOR THE FISCAL YEAR 2009-2010.**

**WHEREAS**, the City of McAlester, Oklahoma completed and placed on file with the City Clerk a proposed budget and estimate of the amount of moneys required to meet the public expenses, bond retirement and interest, reserve funds and expenses of the City for the fiscal year 2008-2009; and

**WHEREAS**, a notice was published that the City Council for the City would meet on June 9, 2008, at the hour of 6:00 p.m., in City Council Chambers at City Hall of the City of McAlester for the purpose of giving citizens within the limits of said city an opportunity to be heard in a public hearing upon said budget; and

**WHEREAS**, the City did adopt a new City Charter, which was signed by the Governor of the State of Oklahoma on July 9, 2008; and

**WHEREAS**, Article 5, Section 5.06 (1) of the City Charter requires that the budget to be adopted by ordinance; and

**WHEREAS**, this Ordinance is meant to adopt the budget for fiscal year 2009-2010 in ordinance form in accordance with the City Charter.

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

Section 1. The budget of the City of McAlester, Oklahoma for the fiscal year 2009-2010 is hereby adopted at the fund level, which budget has total resources available in the amount of \$62,807,027 and total fund/departmental appropriations in the amount of \$38,447,702.

Section 2. Estimated resources, including fund balances for each separate fund of the City of McAlester, for the fiscal year 2009-2010 are set forth in summary in the attached exhibit, and are hereby appropriated for expenditure at the fund level during the fiscal year 2009-2010.

Section 3. The City Council does hereby authorize the City Manager to transfer any unexpended and unencumbered appropriations, at any time throughout FY 2008-2009, within a department, subject to a dollar limitation of \$25,000.00 and notification to the City Council and the Audit and Finance Advisory Committee, in writing.

Section 4. The City Clerk is directed to transmit a copy of this budget ordinance hereby adopted to the State Auditor and Inspector's Office.

Section 5. 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. The City of McAlester hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact of any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 6. That an emergency is hereby declared to exist, and for the preservation 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 23rd day of June, 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 23rd day of June, 2009.

\_\_\_\_\_  
William J. Ervin, City Attorney

<b>Fund:</b>	<b>Appropriation Amount</b>
<b>Department:</b>	
<b>General Fund:</b>	
City Council	\$140,595
City Manager	231,650
Finance	234,578
City Clerk	75,825
Municipal Court	290,162
City Attorney	145,990
Interdepartmental	1,876,844
Information Services	148,985
CID Criminal Investigation	865,334
Police	2,683,695
Animal Shelter	99,904
Communications	177,993
Fire	3,334,611
Parks	932,075
Swimming Pool	143,811
Recreation	235,342
Cemetery	326,633
Facility Maintenance	252,607
Planning & Community Development	365,121
Human Resources/Risk Management	142,287
Fleet Maintenance	692,639
Traffic Control	221,128
Streets	868,623
<b>MPWA:</b>	
Utility Billing & Collection	\$373,107
Fleet Maintenance	743,498
Interdepartmental	2,743,720
Landfill	359,966
Refuse Collection	798,585
Engineering	402,370
Utilities Admin	143,715
Wastewater Treatment	850,400
Water Treatment	1,099,090
Utility Maintenance	654,495
<b>Airport Authority Fund:</b>	
Airport	\$224,704
<b>Parking Authority Fund:</b>	
Parking Lot Operations	\$3,000
<b>Nutrition Fund:</b>	
Nutrition	\$287,838
<b>Landfill Res./Subtitle D Fund:</b>	
Landfill	\$324,500
<b>Employee Retirement Fund:</b>	
City Treasurer	\$509,000
<b>Juvenile Fine/Reserve Fund:</b>	
Narcotics	\$8,626
<b>COPS Grant Fund:</b>	
Patrol	\$13,500
<b>State Forfeiture Fund:</b>	
Narcotics	\$145
<b>Cemetery Perpetual Trust:</b>	
Finance	\$20,336
<b>Bond Trustee Fund:</b>	
Finance	\$4,803,814
<b>Airport Grant Fund:</b>	
Airport	\$27,808
<b>Educational Fund:</b>	
Finance	\$842,062
<b>SE Expo Ctr/Tourism Fund:</b>	
Tourism	\$708,742
<b>E-911 Fund:</b>	
Communications	\$960,410
<b>Economic Development Fund:</b>	
Finance	\$1,391,894
Planning & Community Development	\$216,705
<b>Dedicated Sales Tax - MPWA:</b>	
Interdepartmental	\$5,449,250
<b>Emergency Fund:</b>	
Interdepartmental	\$0
<b>CIP Fund:</b>	
Interdepartmental	\$0
<b>Federal Forfeiture Fund:</b>	
Interdepartmental	\$0



# McAlester City Council

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## AGENDA REPORT

Meeting Date:	<u>June 23, 2009</u>	Item Number:	<u>3</u>
Department:	<u>City Manager</u>	Account Code:	<u>                    </u>
Prepared By:	<u>Mark B. Roath</u>	Budgeted Amount:	<u>                    </u>
Date Prepared:	<u>June 11, 2009</u>	Exhibits:	<u>One</u>

### Subject

Consider, and act upon, a Resolution authorizing a pay increase for City employees outside the official non-uniform pay plan of the City of McAlester, Oklahoma.

### Recommendation

Motion to approve a Resolution increasing the pay for non-uniform employees outside the official pay plan.

### Discussion

At the June 9<sup>th</sup> meeting, the City Council adopted a Resolution amending the official pay plan by 4%, retroactive to July 1, 2008. In reviewing the list of employees eligible for the increase, three non-uniform employees are currently being paid above the pay plan for their particular jobs. This resolution will allow for these three employees to also receive the 4% pay increase retroactive to the date stated above.

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>                    </u>	<u>                    </u>
City Manager	<u>MBR</u>	<u>06/11/09</u>

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING A PAY INCREASE FOR CITY EMPLOYEES OUTSIDE THE OFFICIAL NON-UNIFORM PAY PLAN OF THE CITY OF McALESTER, OKLAHOMA

WHEREAS, the City Council of the City of McAlester, Oklahoma amended the official pay plan for non-uniform employees of the City on June 9, 2009, and;

WHEREAS, certain non-uniform employees are outside the official non-uniform pay plan because their current salaries are above the top step within their particular range;

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

SECTION 1. That those non-uniform employees currently above the amended official pay plan shall receive a 4% salary increase retroactive to July 1, 2008.

SECTION 2. To the extent of any conflict with this resolution, all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

PASSED AND APPROVED this 23<sup>rd</sup> day of June, 2009.

By: \_\_\_\_\_  
Kevin E. Priddle, Mayor

ATTEST:

By: \_\_\_\_\_  
Cora Middleton, City Clerk

(SEAL)



# McAlester City Council

## AGENDA REPORT

Meeting Date: June 23, 2009 Item Number: 4  
Department: City Manager  
Prepared By: Mark B. Roath Account Code: \_\_\_\_\_  
Date Prepared: June 11, 2009 Budgeted Amount: \_\_\_\_\_  
Exhibits: One

### Subject

Consider, and act upon, authorizing the Mayor to sign a Memorandum of Understanding with the Fraternal Order of Police, Lodge No. 97 related to making pension contributions on a certain portion of holiday pay for various members of the bargaining unit.

### Recommendation

Motion to approve the Mayor signing the proposed Memorandum of Understanding.

### Discussion

During a portion of fiscal years 2005, 2006 and 2007, the City inadvertently neglected to make pension contributions on a certain portion of holiday pay for various members of the bargaining unit. This Memorandum of Understanding addresses this issue including the amount in back holiday pension to be paid.

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>06/11/09</u>

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into this \_\_\_ day of June, 2009, by and between the City of McAlester ("City") and the Fraternal Order of Police, Lodge No. 97 ("Lodge No. 97"), in connection with the resolution of a grievance filed by Lodge No. 97 on behalf of its members with reference to the issue of whether there is a requirement on the City to make additional contributions to the Oklahoma Police Pension and Retirement System for certain holiday hours/pay earned by certain members of the bargaining unit for the period of time from July of 2005 through December of 2007.

1. The City recognizes Lodge No. 97 as the exclusive bargaining agent for permanent, full time, commissioned officers of the McAlester Police Department, with the exception of the Chief of Police and one designated Administrative Assistant.
2. The City and Lodge have, from time to time, entered into collective bargaining agreements ("CBA") pursuant to the Oklahoma Fire and Police Arbitration Act.
3. The CBAs entered into between the City and Lodge No. 97 address wages, hours and certain terms and conditions of employment. Among other thing, Article 13 of each CBA has historically addressed designated holidays and the payment for those holidays hours.
4. Full time, certified police officers of the McAlester Police Department are participants in the Oklahoma Police Pension and Retirement System, 11 O.S. ' 50-101 *et. seq* (ASystem@). For fiscal years 2005 and 2006, the City contributed 21% of base salary to the System on behalf of participating members. For fiscal year 2007, the City contributed 13% of base salary for participating members.
5. The System defines Apaid base salary@ to include holidays. 11 O.S. ' 50-101(21).
6. The parties to this MOU have discovered that, for a limited period of time, the City inadvertently neglected to make pension contributions on a certain portion of holiday pay for certain members of the bargaining unit. For the purpose of this MOU, the applicable Aperiod of time@ is defined as July 1, 2005 through June 30, 2006; July 1, 2006 through September 30, 2006; and January 1, 2007 through December 31, 2007. The parties agree that the City made all necessary contributions to the System for holiday pay for the period of time October through December of 2006 and for all periods commencing January of 2008.
7. The System identifies the methodology by which the amount of pension to be paid for each member of the System will be calculated. See 11 O.S. ' 50-114.1.
8. Based on the provisions of the System, the parties agree that the contributions made by the City to the System attributed to holiday pay is of significance for those

members of the bargaining unit who are within thirty (30) months of achieving twenty (20) credited years of service with the System.

9. The parties to this MOU desire to address and resolve, fully and finally, the issue of any deficiency in contributions by the City to the System for holiday hours/pay encompassed within the term *Apaid base salary@* under the System.
10. The parties agree that the appropriate resolution of this issue is for the City to make those additional contributions to the System in the amount and for the benefit of those person identified in Addendum "A" attached hereto and incorporated herein by this reference. The parties acknowledge and agree that, in order for such contributions to be made, the City Council of the City must make one or more budget amendment in order to appropriate sufficient funds to make the additional contributions. The parties acknowledge and agree that this MOU will not become effective or binding upon either party until a sufficient appropriation of funds is made by the City Council.
11. The parties agree that such payment by the City, once verified by the City to the President of Lodge No. 97, will fully and finally resolve all issued regarding any outstanding contributions allegedly owed by the City to the System on behalf of any member of the bargaining unit attributed to holiday pay through December 31, 2007, and that no further sums will be sought by Lodge No. 97, individually or on behalf of any of its members, attributed to holiday hours/pay paid by the City and earned by any member of the bargaining unit through December 31, 2007.
12. Lodge No. 97 represents and acknowledges that it has the authority to enter into this MOU on its own behalf and on behalf of its members and that the terms and conditions of this MOU will be binding up its members.
13. Lodge No. 97 agrees to withdraw any grievance filed by it individually or behalf of its members with reference to the issues encompassed herein and agrees to notify the FMCS, if necessary, that the matter has been fully resolved.
14. By entering into this MOU, the City does not admit liability for any oversight in contributions to the System and enters into this MOU, in good faith, to resolve the dispute between the parties.
15. The parties agree that this MOU is entered into solely to amicably resolve the issues addressed herein and the grievance filed by Lodge No. 97 as a result thereof. This MOU shall have no precedential value and may not be used or relied upon by either party in any subsequent proceeding or grievance between the parties hereto.

Dated this \_\_\_\_ day of June, 2009.

FRATERNAL ORDER OF POLICE,  
LODGE NO. 97, Individually and  
on behalf of its Members

CITY OF MCALESTER

By:           Climo            
          President

By: \_\_\_\_\_  
          Mayor

**ADDENDUM "A"**

NAME	FISCAL YEAR 2005B21%	FISCAL YEAR 2006 B21% <sup>1</sup>	FISCAL YEAR 2007B 13%
David Bailey	\$735.44	\$735.44	\$349.69
Nathan Bond	\$125.93	\$346.32	\$150.24
Larry Butler (Ret.)	\$741.89	\$709.63	\$378.70
Edgar Courts(Ret.)	\$610.46	\$702.60	
Cecil Day	\$707.99	\$529.70	\$98.14
Terry Ellis	\$582.42	\$550.07	\$249.09
Donald Hass	\$652.93	\$759.44	\$293.67
Windell Henry	\$482.40	\$349.89	\$266.07
Robert Hopkin (Ret.)	\$821.10	\$853.94	
Jeffrey McKee			\$207.50
Lloyd Miller	\$779.17	\$811.14	Note: No longer in bargaining unit.
Steven Powell	\$310.80	\$382.02	\$304.57
Jeffrey Ranallo	\$710.19	\$807.19	\$415.44
Sharon Smith	\$560.57	\$259.88	\$99.01
Martin Stites	\$641.59	\$746.66	\$257.99
Walker Stewart (Ret.)	\$685.44		
Gary Wansick	\$834.72	\$874.47	\$383.59
Mitchell Weeks	\$673.85	\$721.09	\$438.56

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<sup>1</sup>

This excludes the period from October 1, 2006 through December 31, 2006, when contributions were made by the City.



# McAlester City Council

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## AGENDA REPORT

Meeting Date: June 23, 2009 Item Number: 5  
Department: City Manager  
Prepared By: Mark B. Roath Account Code: \_\_\_\_\_  
Date Prepared: June 9, 2009 Budgeted Amount: \_\_\_\_\_  
Exhibits: Two

### Subject

Consider, and act upon, authorizing the Mayor to sign a Renewal Letter with Unitedhealthcare, in the amount of \$1,540,332, for the period July 1, 2009 to June 30, 2010.

### Recommendation

Motion to authorize the Mayor to sign a Renewal Letter with Unitedhealthcare.

### Discussion

Unitedhealthcare current provides medical and vision insurance for all employees except fire including some retirees. Unitedhealthcare has submitted a renewal letter that shows a proposed rate increase of 14.8% for the period of July 1, 2009 through June 30, 2010. The cost for this medical and vision policy is \$1,540,332.

Because of the City's claims experience the last few years, Unitedhealthcare is the only provider that quoted this insurance for next fiscal year. Note: As stated in the renewal letter, Unitedhealthcare will implement a Wellness Program for all City employees, which should help improve employee health as well as lower the City's cost in this area.

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>06/11/09</u>

**The Cacy Company**  
Insurance Services

Robert L. Cacy, CLU, AEP  
Christy Harper, Agent  
Carolyn Harger, Agent

P.O. Box 709  
Broken Arrow, OK. 74013  
phone 918-455-4994  
Fax 918- 455-9494

June 11, 2009

Mark B. Roath, Esq.  
City Manager  
City of McAlester  
28 E. Washington  
McAlester, Ok. 74501

Re: Unitedhealthcare Renewal 2009

Dear Mark:

On behalf of Unitedhealthcare, I am presenting you with the renewal information for City of McAlester for the period, 7/1/09-6/30/10.

Rates

Monthly Premiums	Current Rates	Renewal Rates
Employee Only	\$508.82	\$584.20
Employee + Spouse	\$468.11	\$537.47
Employee + Child	\$315.46	\$362.20
Employee + Family	\$778.50	\$893.84

We will be implementing a Wellness Program through Unitedhealthcare for all City employees. The Wellness Program is at no additional cost to the City.

Thank you for the opportunity to serve you and your employees. I look forward to continuing our relationship.

Sincerely,

Christy Harper

Acceptance of Renewal

I accept this renewal on behalf of City of McAlester:

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Please sign and submit via fax to:  
918-455-9494

# UnitedHealthcare

## Medical Renewal Rates with Alternate Plan Designs

Customer Name: CITY OF MCALESTER  
 Medical Policy: 00703994  
 Renewal Date: July 1, 2009

\*The numbers below are on an illustrative basis. Rates are subject to Underwriting approval.

Plan Name	Option 1: Current		Option 2	
	6T-D mod (Value/Emb Ded/PVN)		6T-D mod 2 (Value/Emb Ded/PVN)	
Product	Choice Plus *		Choice Plus *	
Rating Group	Nat'l Excl. OOA		Nat'l Excl. OOA	
Plan Offering	Single Option		Single Option	
Multiple Option with:	Option(s) N/A		Option(s) N/A	
HRA or HSA	No		No	
Benefits*	Network Single/Family		Network Single/Family	
Office Copay (PCP/SPC)	\$25 Per Visit		\$30 Per Visit	
Other Copays (IP/ER/UC)	50 IP POD; \$250 OP POD/\$250/\$50 IP POD; \$250 OP POD/\$250/\$		50 IP POD; \$250 OP POD/\$250/\$50 IP POD; \$250 OP POD/\$250/\$	
Deductible	\$1,000/2,000		\$1,000/2,000	
Coinsurance	80%		80%	
Out-of-Pocket	\$3,000/6,000		\$3,000/6,000	
Pharmacy	\$10/30/50		\$10/30/50	
	Out of Network Single/Family		Out of Network Single/Family	
Deductible	\$2,000/4,000		\$2,000/4,000	
Coinsurance	60%		60%	
Out-of-Pocket	\$10,000/20,000		\$10,000/20,000	
Enrollment				
Employee	163		163	
Employee + Spouse	21		21	
Employee + Child(ren)	7		7	
Employee + Family	2		2	
Total	193		193	
Rates				
	Current	Proposed	Current	Proposed
Employee	\$508.82	\$590.23		\$584.20
Employee + Spouse	\$976.93	\$1,133.24		\$1,121.87
Employee + Child(ren)	\$824.28	\$956.16		\$948.40
Employee + Family	\$1,287.32	\$1,493.29		\$1,478.04
Monthly Premium	\$111,798	\$129,685		\$128,361
Annual Premium	\$1,341,573	\$1,556,225		\$1,540,332
Change from Current	16.0%		14.8%	

NEW

NEW

NEW

\*High level benefit summary. Please see your plan summary for more detailed benefit description.



# McAlester City Council

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## AGENDA REPORT

Meeting Date: June 23, 2009 Item Number: 6  
Department: City Manager  
Prepared By: Mark B. Roath Account Code: \_\_\_\_\_  
Date Prepared: June 11, 2009 Budgeted Amount: \_\_\_\_\_  
Exhibits: One

### Subject

Consider, and act upon, authorizing the Mayor to sign a contract with Pride In McAlester, Inc., in the amount of \$60,000.

### Recommendation

Motion to approve a contract with Pride in McAlester in the amount of \$60,000.

### Discussion

The City Council appropriated \$60,000 for Pride in McAlester, Inc. in the FY 2009/10 Budget. This proposed contract allows Pride in McAlester, Inc. to receive said funds, which PIM will engage in clean up and beautification activities on behalf of the City.

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>06/11/09</u>

## **CONTRACT**

This Contract is made between the City of McAlester, a municipal corporation ("City") and Pride In McAlester, Inc., a non-profit corporation ("PIM"). In this Contract, either the City or PIM may also be referred to individually as a "Party" or jointly as the "Parties."

### **WITNESSETH:**

**WHEREAS**, the City desires to assist PIM in its efforts to inform the community concerning it's activities to beautify and clean up McAlester; and

**WHEREAS**, PIM possesses the knowledge, skills and ability to assist the city in achieving these desires,

**NOW, THEREFORE**, in consideration of the mutual promises, obligations, representations, and assurances in this Contract, the Parties agree to the following:

### **1. SCOPE OF SERVICES**

- A. PIM will engage in clean up and beautification activities on behalf of the City in order to promote the general welfare of the community and its citizens.
- B. PIM will provide technical assistance on behalf of the City to promote and accomplish its announced purpose to improve the overall appearance and cleanliness of the City.
- C. The City and PIM will jointly establish a set of measurable goals and objectives to provide accountability and assess the effectiveness of PIM's efforts. Goals shall be as specific as possible. They shall not include service on boards or commissions.
- D. In furtherance of the agreed-upon goals and objectives, PIM shall provide a work plan to the City within 60 days after the effective date of this Contract and updates periodically as appropriate.
- E. PIM will provide written reports to the City, as requested, that shall include the current measurements against the goals and objectives. Said reports shall be presented to city manager.
- F. The City will independently monitor PIM's progress against its goals and objectives and may request written reports from the City's Audit and Finance Advisory Committee. PIM will provide its full cooperation in the preparation of such reports and will attend Audit and Finance Advisory Committee meetings upon the City's request.
- G. PIM will provide to the City a written annual performance report on activities within thirty days following the end of the City's fiscal year.

### **2. PAYMENT FOR SERVICES**

- A. In support of PIM 's normal cost of operations, the City will pay to PIM a maximum amount of \$60,000.00 during the term of this Contract in monthly payments as the Parties deem most appropriate to assist PIM in accomplishing its goals.
- B. PIM shall provide appropriate documentation to the City in support of a written request for payment. Requests for payment may be submitted at any time but are limited to no

more than one request per calendar month.

- C. The City shall process requests for payments through its normal payment procedures.

### **3. EFFECTIVE DATE AND TERMINATION**

- A. The effective date of this Contract shall be July 1, 2009, and unless otherwise terminated or cancelled as provided below, it shall end on June 30, 2010, at which date this Contract expires without any further act or notice of either Party being required. The Parties are under no obligation to renew or extend this Contract.
- B. The City or PIM may terminate and/or cancel this Contract, or any part thereof, at any time during its term upon thirty days notice, for any reason without incurring obligation or penalty of any kind. The effective date of notice for termination or cancellation shall be the date of council or PIM board action providing for said termination or cancellation.
- C. The City's sole obligation in the event of termination is for payment for services rendered by PIM before the effective date of termination and shall be based on a proportionate share of the total amount provided in this contract, earned to date of termination, as determined by the City.
- D. Notices given under this contract shall be in writing and shall either be personally delivered or sent by first class U.S. mail postage prepaid.

If notice is sent to PIM, it shall be addressed to PIMS then known address.

If notice is sent to the City, it shall be addressed to:

City Clerk  
City of McAlester  
City Hall  
First and Washington  
McAlester, OK 74501

- E. Any modifications, amendments, recessions, waivers or releases to this Contract must be in writing and agreed to by both Parties.

### **4. ASSURANCES AND WARRANTIES**

- A. PIM warrants that all services performed hereunder will be performed in a manner that complies with all applicable laws, statutes, regulations, ordinances, and professional standards.
- B. PIM shall be solely responsible for all costs and expenses incident to the performance of all services for the City.
- C. PIM shall solely control, direct and supervise all PIM employees with respect to all obligations under this Contract. PIM will be solely responsible for the conduct and supervision of any of its employees. Nothing in this Contract is intended to establish an employer-employee relationship between the City and either PIM or any PIM employee. All PIM employees assigned to provide services under this Contract by PIM shall, in all

cases, be deemed employees of PIM and not employees, agents or subcontractors of the City.

PIM shall indemnify and hold the City harmless for all claims against the City by any PIM employee, arising out of any contract for hire or employer-employee relationship between PIM and any PIM employee, including, but not limited to, Worker's Compensation, disability pay or other insurance of any kind.

- D. Nothing in this Contract is intended to authorize PIM to obligate the City regarding any commitment to a third party, including but not necessarily limited to, cash or non-cash incentives and the sale, lease or donation of real or personal property, without the prior specific consent of the city council as evidenced by a recorded majority vote in open session.

## **5. INDEMNIFICATION**

- A. PIM shall indemnify and hold the City harmless from any and all Claims which are asserted against the City by any person or entity, alleged to have been caused or found to arise, from the acts, performances, errors, or omissions of PIM or its employees.
- B. PIM shall have no rights against the City for any indemnification (e.g., contractual, equitable, or by implication), contribution, subrogation, and/or any other right to be reimbursed by the City except as expressly provided herein.
- C. PIM waives and releases all actions, liabilities, loss and damage including any subrogated rights it may have against the City based upon any claim brought against the City suffered by a PIM employee.

## **6. GENERAL TERMS AND CONDITIONS**

- A. Access and Records. PIM will maintain accurate books and records in connection with the services provided under this Contract for 36 months after the end of this Contract, and provide the City with reasonable access to such books and records.
- B. Captions. The section and subsection numbers, captions, and any index to such sections and subsections contained in the Contract are intended for the convenience of the reader and are not intended to have any substantive meaning and shall not be interpreted to limit or modify any substantive provisions of this contract. Any use of the singular or plural number, any reference to the male, female, or neuter genders, and any possessive or non-possessive use in this contract shall be deemed the appropriate plurality, gender or possession as the context requires.
- C. City Right to Suspend Services. Upon written notice, the City may suspend performance of this Contract if PIM has failed to comply with Federal, State, or Local laws, or any requirements contained in this Contract. The right to suspend services is in addition to the City's right to terminate and/or cancel this Contract. The City shall incur no penalty, expense, or liability to PIM if the city suspends services under this Section.
- D. Compliance with Laws. PIM shall comply with all federal, state, and local laws, statutes,

ordinances, regulations, insurance policy requirements, and requirements applicable to its activities under this Contract.

- E. Conflict of Interest. To avoid any real or perceived conflict of interest, PIM shall refrain from hiring any person who is presently employed by the City, or relatives of any person who are presently employed by the City. Further, no such persons shall serve in any position or office of PIM.
- F. Entire Contract. This Contract represents the entire Contract and understanding between the Parties. This Contract supersedes all other prior oral or written understandings, communications, agreements or Contracts between the Parties. The language of this Contract shall be construed as a whole according to its fair meaning, and not construed strictly for or against any Party.
- G. Force Majeure. Notwithstanding any other term or provision of this Contract, neither Party shall be liable to the other for any failure of performance hereunder if such failure is due to any cause beyond the reasonable control of that Party and that Party cannot reasonably accommodate or mitigate the effects of any law, order, regulation, direction, action, or request of the United States government or of any other government, national emergencies, insurrections, riots, wars strikes, lockouts, work stoppages, or other labor difficulties. Reasonable notice shall be given to the affected Party of any such event.
- H. No Implied Waiver. Absent a written waiver, no act, failure, or delay by a Party to pursue or enforce any right or remedy under this Contract shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Contract. No waiver of any term, condition, or provision of this Contract, whether by conduct or otherwise, in one or more instances, shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Contract. No waiver by either Party shall subsequently affect its right to require strict performance of this Contract.
- I. No Third Party Beneficiaries. Except as provided for the benefit of the Parties, this Contract does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to be indemnified, right to be surrogated to the Parties' rights in this Contract, and/or any other right, in favor of any other person or entity.
- J. Reservation of Rights. This Contract does not, and is not intended to impair, divest, delegate, or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the City.
- K. Severability. If a court of competent jurisdiction finds a term, condition, or provision of this contract to be illegal or invalid, then the term, condition, or provision shall be deemed severed from this contract. All other terms, conditions, and provisions of this contract shall remain in full force and effect. Notwithstanding the above, if PIM's promise to indemnify or hold the City harmless is found illegal or invalid, PIMs shall contribute the maximum it is permitted to pay by law toward the payment and satisfaction of any claims against the City.
- L. Survival of Terms and Conditions. The following terms and conditions shall survive and continue in full force beyond the termination and/or cancellation of this Contract (or any part thereof) until the terms and conditions are fully satisfied or expire by their very nature:
  - a. "ASSURNACES AND WARRANTIES"

- b. "INDEMNIFICATION";
  - i. "SEVERABILITY; AND
  - ii. "SURVIVAL OF TERMS AND CONDITIONS"

Executed and adopted upon motion duly made, seconded and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2009, for the City of McAlester.

CITY OF MCALESTER, OKLAHOMA  
A Municipal Corporation

By \_\_\_\_\_  
Kevin E. Priddle

ATTEST:

\_\_\_\_\_  
Cora Middleton, City Clerk

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
William J. Ervin, City Attorney

Executed and adopted upon motion duly made, seconded and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2009, for the Pride in McAlester.

PRIDE IN MCALESTER

By   
James T. Collier  
President

ATTEST

\_\_\_\_\_  
Secretary



# McAlester City Council

## AGENDA REPORT

Meeting Date:	<u>June 23, 2009</u>	Item Number:	<u>7</u>
Department:	<u>Utilities</u>	Account Code:	<u>30-5211403</u>
Prepared By:	<u>David Medley, P.E.</u>	Budgeted Amount:	<u>\$491,000</u>
Date Prepared:	<u>June 8, 2009</u>	Exhibits:	<u>Three</u>

### Subject

Consider, and act upon, award of bid to Bravo Construction Inc., for the construction of 14<sup>th</sup> St. & Village Blvd. Utility Extensions and authorizing the Mayor to sign a construction contract, after review and approval by the City Attorney's Office, with Bravo Construction Inc., in the amount of \$228,068.19.

### Recommendation

Motion to award the bid for 14<sup>th</sup> St. & Village Blvd. Utility Extensions to Bravo Construction Inc., in the amount of \$228,068.19, and authorize the Mayor to sign a construction contract, after review and approval by the City Attorney's Office, with said company.

### Discussion

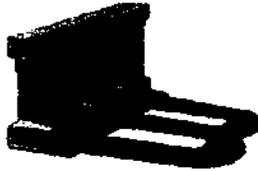
On November 4, 2008 the City Council approved the construction of this project which would extend approximately 2,000 linear feet of water main and approximately 1,500 linear feet of sewer main at the location of 14<sup>th</sup> Street and Highway 69 and approximately 2,000 linear feet of sewer main extension along the east side of Highway 69 to Village Blvd. On May 14, 2009, the Utilities Department opened bids for the project at City Hall. Seven (7) bids were received and the attached bid tabulation sheet has been prepared by the City's Consultant Engineers, Melburger Brawley.

The references of the contractor have been checked and the Engineers and Utilities Director feel confident that Bravo Construction Inc. can complete the project in a professional manner. Half of the construction cost of the Village Boulevard sewer main extension or \$57,114.08 is to be paid by a local developer (plus half of the engineering, surveying, and inspection costs for the sewer extension).

Funds are available in the Economic Development account for the project(s).

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>DRM</u>	<u>6/8/09</u>
City Manager	<u>MBR</u>	<u>06/11/09</u>



## MEHLBURGER BRAWLEY

THE MERGING OF NRS, INC.  
THE MEHLBURGER FIRM • BRAWLEY ENGINEERING CORP.

June 8, 2009

David Medley, Utilities Director  
City of McAlester  
PO Box 578  
McAlester, OK 74502-0578

Re: 14<sup>th</sup> St. & Village Blvd Utility Extensions  
Letter of Recommendation; Notice of Award

Dear Mr. Medley:

The above referenced project was bid at 2:00 p.m. on Thursday, May 14, 2009, at the McAlester City Hall. Enclosed you will find a copy of the bid tabulation for the referenced project. Seven contractors submitted bids on the project. Bravo Construction, Inc. of Wilburton, Oklahoma was the low bidder with a bid of \$228,068.19.

We have checked the references on the contractor and feel confident that they can complete the project in a professional manor. We recommend that the City of McAlester award the contract to Bravo Construction, Inc. in the amount of \$228,068.19.

Enclosed for Council approval please find two (2) copies of the Notice of Award. Upon approval please ask the Mayor to sign both copies of the Notice of Award and return to our offices for further processing. We will coordinate a Pre-Construction Conference, where the Notice to Proceed will be issued.

Thank you and if you have any questions concerning any of the above, please do not hesitate to call us at (918) 420-5500.

Sincerely,

Mehlburger Brawley

  
\_\_\_\_\_  
Robert Vaughan, P.E.  
Project Manager

RV/mj - Enclosure  
Project No. MC-09-01

cc w/enclosure: Bravo Construction, Inc.

**NOTICE OF AWARD**

TO: Bravo Construction Inc.  
P.O. Box 874  
Wilburton, OK 74578

Project Description: 14<sup>th</sup> Street and Village Blvd Utility Extensions

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated April 16, 2009 and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of: \$ Two Hundred Twenty Eight Thousand Sixty Eight Dollars and Nineteen Cents (\$228,068.19).

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S PERFORMANCE BOND, STATUTORY BOND, MAINTENACE BOND and certificate of insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said Bonds within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of the NOTICE OF AWARD to the OWNER.

Dated this 23rd day of June, 2009.

City of McAlester / McAlester PWA  
OWNER

By: \_\_\_\_\_

Title: Mayor / Chairman

**ACCEPTANCE OF NOTICE**

Receipt of the above NOTICE OF AWARD is hereby acknowledged by \_\_\_\_\_ this    day of \_\_\_\_\_, 2009.

By: \_\_\_\_\_

Title: \_\_\_\_\_

LESTER / MCALESTER PUBLIC WORKS AUTHORITY  
 REET & VILLAGE BLVD. UTILITY EXTENSIONS

THURSDAY, MAY 14, 2009 @ 2:00 P.M.

BID TABULATION

on, LLC Road 4563	McKee Utility Corp, Inc. 2319 W. Main Street Prague, OK 74864		Continental Const Corp. (ML Young Construction LLC) 2801 N. Broadway, Suite 420 Oklahoma City, OK 73118		Double S Construction Co. 34489 Jacob Rd Poteau, OK 74863		Sapulpa Digging, Inc. P.O. Box 1105 Sapulpa, OK 74067		Bowen Construction, Inc. 8838 SW 2nd Street Oklahoma City, OK 73128	
	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE
\$37,563.00	\$18.50	\$32,620.50	\$20.50	\$40,528.50	\$18.00	\$31,832.00	\$32.00	\$63,264.00	\$17.15	\$33,905.55
\$2,400.00	\$2,500.00	\$2,500.00	\$4,226.30	\$4,226.30	\$3,000.00	\$3,000.00	\$7,500.00	\$7,500.00	\$1,850.00	\$1,850.00
\$2,850.00	\$2,500.00	\$2,500.00	\$2,415.00	\$2,415.00	\$4,500.00	\$4,500.00	\$7,500.00	\$7,500.00	\$2,200.00	\$2,200.00
\$8,000.00	\$1,000.00	\$5,000.00	\$1,088.80	\$5,434.00	\$1,800.00	\$8,000.00	\$1,500.00	\$7,500.00	\$1,050.00	\$5,250.00
\$3,000.00	\$2,500.00	\$2,500.00	\$3,622.50	\$3,622.50	\$3,800.00	\$3,800.00	\$2,500.00	\$2,500.00	\$2,800.00	\$2,800.00
\$700.00	\$2,500.00	\$2,500.00	\$1,301.70	\$1,301.70	\$1,800.00	\$1,800.00	\$750.00	\$750.00	\$1,075.00	\$1,075.00
\$800.00	\$40.00	\$1,800.00	\$101.90	\$4,078.00	\$80.00	\$3,200.00	\$75.00	\$3,000.00	\$38.00	\$1,520.00
46,140.00	\$45.00	\$69,210.00	\$35.70	\$54,906.80	\$80.00	\$92,280.00	\$48.50	\$74,593.00	\$55.00	\$84,590.00
10,500.00	\$1,500.00	\$10,500.00	\$2,505.30	\$17,537.10	\$2,000.00	\$14,000.00	\$2,200.00	\$15,400.00	\$2,500.00	\$17,500.00
\$7,200.00	\$100.00	\$3,800.00	\$177.10	\$6,375.60	\$90.00	\$3,240.00	\$150.00	\$5,400.00	\$120.00	\$4,320.00
\$500.00	\$2,600.00	\$2,500.00	\$736.80	\$736.80	\$4,000.00	\$4,000.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
\$2,000.00	\$100.00	\$2,000.00	\$127.70	\$2,554.00	\$100.00	\$2,000.00	\$75.00	\$1,500.00	\$50.00	\$1,000.00
\$8,840.00	\$50.00	\$104,000.00	\$40.20	\$83,818.00	\$88.00	\$141,440.00	\$95.00	\$197,800.00	\$125.00	\$260,000.00
8,464.00	\$45.00	\$28,480.00	\$35.70	\$20,991.80	\$80.00	\$35,280.00	\$72.50	\$42,830.00	\$55.00	\$32,340.00
1,000.00	\$1,500.00	\$21,000.00	\$2,506.30	\$35,074.20	\$1,800.00	\$25,200.00	\$2,200.00	\$30,800.00	\$2,500.00	\$35,000.00
0,600.00	\$100.00	\$10,300.00	\$177.10	\$18,241.30	\$190.00	\$19,570.00	\$200.00	\$20,600.00	\$120.00	\$12,360.00
4,500.00	\$200.00	\$6,000.00	\$438.90	\$13,167.00	\$250.00	\$7,500.00	\$300.00	\$9,000.00	\$200.00	\$6,000.00
\$800.00	\$1,000.00	\$1,000.00	\$1,337.30	\$1,337.30	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
1,457.00		\$306,790.50		\$316,141.30		\$403,442.00		\$484,537.00		\$506,010.55

\* DENOTES MATHEMATICAL ERROR



# McAlester City Council

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## AGENDA REPORT

Meeting Date:	June 23, 2009	Item Number:	8
Department:	Planning and Community Development	Account Code:	N/A
Prepared By:	Peter Stasiak	Budgeted Amount:	N/A
Date Prepared:	June 12, 2009	Exhibits:	Citizen Participation Plan

### Subject

Review of the City of McAlester Citizen Participation Plan for 2009.

### Recommendation

It is recommended that the Mayor and City Council of the City of McAlester adopt the attached Citizen Participation Plan and authorize the Mayor to sign the document.

### Discussion

Formal adoption of the Citizen Participation Plan to meet the requirements for applying for Community Development Block Grant-Economic Development Infrastructure Financing (CDBG-EDIF) funds through the Oklahoma Department of Commerce.

### Approved By

		<i>Initial</i>	<i>Date</i>
Department Head	Peter Stasiak		June 12, 2009
City Manager		MBR	06/12/09

**CITY OF MCALESTER CITIZEN PARTICIPATION PLAN**

The City of McAlester intends to implement a citizen participation program for its 2009 application process to accomplish the following objectives:

Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in areas where Community Development Block Grant (CDBG) funds are proposed to be used.

This will be accomplished by:

1. Providing frequent and timely public notice of CDBG program activities in the local newspaper and by posting at City Hall.
2. Adopting a comprehensive CDBG Statement of Needs.
3. Conducting a Special Public Hearing to inform citizens of the proposed 2009 CDBG project and authorizing the Mayor to sign a CDBG application in a formal Council meeting.

Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to proposed and actual use of funds, including, but not be limited to:

1. The amount of CDBG funds to be made available for the current fiscal year, if the proposed project is approved.
2. The range of activities that may be undertaken with those funds.
3. The estimated amount of those funds proposed to be used for activities that will benefit low and moderate income persons.
4. The proposed CDBG activities likely to result in displacement and any anti-displacement and relocation plans developed by City of McAlester in accordance with Section 104(d)(1) and (2) of the Act.
5. The basis on which City of McAlester may provide technical assistance to groups representative of persons of low and moderate income that may request assistance in developing proposals. The level and type of assistance to be provided is at the discretion of the City Council and does not necessarily include providing funding to such groups.
6. This requirement will be accomplished by discussing the CDBG proposal during regular Council meetings and in one formal public hearing prior to the submittal of City of McAlester 2009 CDBG application. During the hearing the five (5) items listed above will be explained to the public. Records of the 2009 CDBG process will be

maintained in the City Hall by the City Clerk and will be available upon request for review by the public. A brief summary of the proposed 2009 CDBG project will be available for public review after the Commissioners has made its final selection.

Provide for a minimum of two (2) public hearings; one (1) prior to submission of the application for funding of the project for the purpose of obtaining citizen views and formulating or responding to proposals and questions, and the other end of the grant period if City of McAlester receives funding, that discusses City of McAlester accomplishments in relation to initial plans. The application stage hearing will include discussion of CDBG needs, and the development of activities being proposed for CDBG funding. There will be reasonable notice of all hearings, which will be scheduled for times and locations convenient to the potential and actual beneficiaries and which will accommodate the handicapped. Regularly scheduled City Council meetings will not be used for this purpose.

This requirement will be met through scheduling a Special Public Hearing to discuss City of McAlester 2009 CDBG proposal. At this hearing, the proposed project will be reviewed for the public and further citizen input will be solicited. Notice will be given ten (10) days in advance of this hearing by posting at the City and two (2) other public places. The hearing will be held in the early evening so those citizens who work may attend. A second hearing will be held at the end of the grant period if City of McAlester is funded in the 2009 CDBG process.

Meet the needs of non-English speaking residents in those instances where a significant number of non-English speaking residents can reasonably be expected to participate.

City of McAlester does not currently have a significant population of non-English speaking citizens. However, every effort will be made to accommodate the needs of any non-English speaking citizens who wish to participate.

Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities not previously described in City of McAlester's funding request and on activities which are proposed to be deleted or substantially changed in terms of purpose, scope, location or beneficiaries.

The proposed seven (7) to ten (10) day notice for all public meetings and hearings in connection with City of McAlester 2009 CDBG application process is believed by City of McAlester to afford citizens with reasonable advance notice. In addition, if any change is proposed to the purpose, scope, location, or beneficiaries of the proposed project or if the CDBG project budget changes by more than 25%, the public will be notified and afforded an opportunity for additional input.

Provide the place, telephone number, and times when citizens are able to submit written complaints or grievances and the process City of McAlester will use to provide a timely, written response to such complaints or grievances. For example: Citizens with comments or grievances on the 2009 CDBG process may submit them in writing or in person at the City during regular business hours or may call (918) 423-9300 Ext. 4982.

City of McAlester will respond to such comments or grievances within fifteen (15) working days, where practicable.

By formally adopting this Citizen Participation Plan, City of McAlester City Council accepts the responsibility for implementing its provisions. The Council further charges all employees and contractors with the responsibility of implementing this plan and living up to the spirit of the citizen participation requirements of the 2009 CDBG program.

Adopted this 23rd day of June, 2009 by the City Council of City of McAlester.

\_\_\_\_\_  
Chief Elected Official

ATTEST:

\_\_\_\_\_  
Clerk's Signature



# McAlester City Council

## AGENDA REPORT

Meeting Date:	June 23, 2009	Item Number:	9
Department:	Planning and Community Development	Account Code:	N/A
Prepared By:	Peter Stasiak	Budgeted Amount:	N/A
Date Prepared:	June 12, 2009	Exhibits:	Resolution

### Subject

Resolution of the City of McAlester for fiscal year 2009 affirming the cities commitment to facilitate and administer funds from the Oklahoma Department of Commerce if awarded.

### Recommendation

It is recommended that the Mayor and City Council of the City of McAlester adopt the attached Resolution and authorize the Mayor to sign the Resolution.

### Discussion

The City of McAlester is adopting a resolution seeking funding assistance from the Oklahoma Department of Commerce through the Community Development Block Grant-Economic Development Infrastructure Financing (CDBG-EDIF) program.

### Approved By

		<i>Initial</i>	<i>Date</i>
Department Head	Peter Stasiak		June 12, 2009
City Manager		MBR	06/12/09

**FY 2009 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
INFRASTRUCTURE FINANCING (EDIF)**

**RESOLUTION**

WHEREAS, Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended, authorized the secretary of Housing and Urban Development, as representative of the United States of America, to grant to the State of Oklahoma funds and administrative responsibility for the "Small Cities Community Development Block Grant" program; and

WHEREAS, the Oklahoma Department of Commerce, pursuant to designation by the Governor as the administering agency of the Community Development Block Grant Program for Small Cities in Oklahoma; is directed to further the purposes of community development in the State, and is authorized and empowered to accept funds from the Federal Government or its agencies and to enter into such contracts and agreements as are necessary to carry out the functions of the Department, and

WHEREAS, the City of McAlester is a local unit of general purpose government and has provided opportunity for input by residents in determining and prioritizing community development needs, and

WHEREAS, the statement of community development needs is attached to this Resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City of McAlester affirms its commitment to take all action within its power to facilitate the receipt of the assistance of community development funds if the City of McAlester affirms its commitment to take all action within its power to facilitate the receipt of the assistance of community development funds if the City of McAlester is awarded a Community Development Block Grant, and upon receipt to administer said grant by the rules and regulations established by the United States of America, the State of Oklahoma, and all empowered agencies thereof.

ADOPTED THIS 23rd day of June , 2009 ,at a regularly scheduled meeting of the governing body, in compliance with the Open Meeting Act, 25 O.S. §§ 301-314 (2001).

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Chief Elected Official

Attest:

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{SEAL}

(Attach copies of the minutes and notice)



# McAlester City Council

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## AGENDA REPORT

<b>Meeting Date:</b>	<u>June 23, 2009</u>	<b>Item Number:</b>	<u>10</u>
<b>Department:</b>	<u>Planning and Community Development</u>	<b>Account Code:</b>	<u></u>
<b>Prepared By:</b>	<u>Dennis Lalli</u>	<b>Budgeted Amount:</b>	<u></u>
<b>Date Prepared:</b>	<u>June 11, 2009</u>	<b>Exhibits:</b>	<u>Twelve</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:

Address, Block and Lot:

1. 227 W. Washington      Block 303, W50' Lot 8
2. 208 W. Washington      Block 316, W16' Lot 1, & all Lot 2
3. 415 W. Choctaw          Block 354, Lot 10 & 11, & W57' 12
4. 1314 E. Choctaw          Block 369, Lot 2
5. 701 E. Choctaw          Block 400, S100' of W80' of 6

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

### Approved By

<b>Department Head</b>	Peter Stasiak	<i>Initial</i>	<i>Date</i>
<b>City Manager</b>		<u>MBR</u>	<u>June 11, 2009</u>
			<u>06/12/09</u>

## RESOLUTION

**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.

THEREFORE, BE IT RESOLVED by the City Council of the City of McAlester, that:

**SECTION 1 :** Those structures listed in exhibit "A" attached and made part of the 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 the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

City of McAlester, OKLAHOMA  
A Municipal Corporation

\_\_\_\_\_  
Kevin E. Priddle, Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
Cora Middleton, City Clerk



208 W WASHINGTON

MAY 28 2009

208 W WASHINGTON

MAY 28 2009

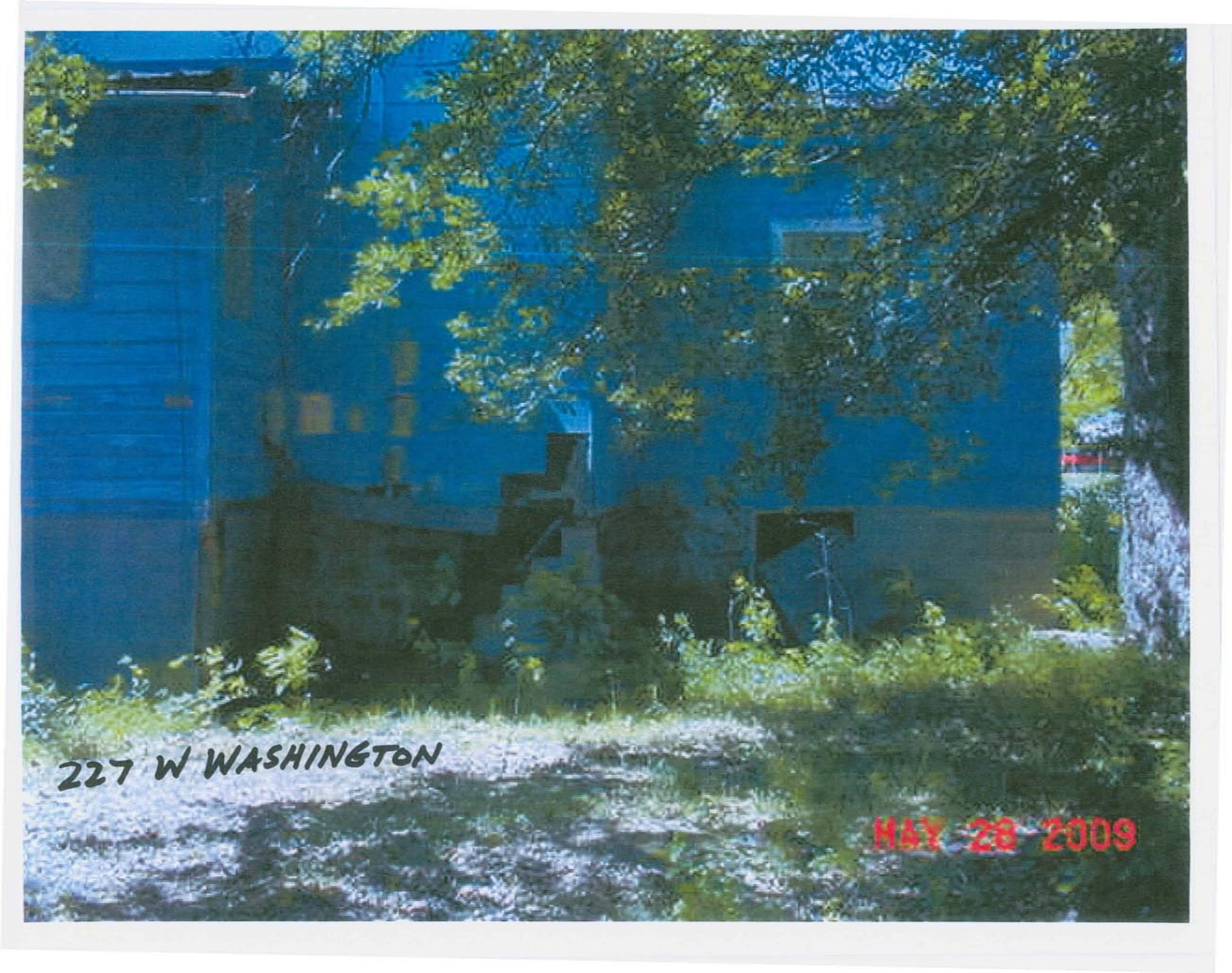
208 W WASHINGTON

MAY 28 2009



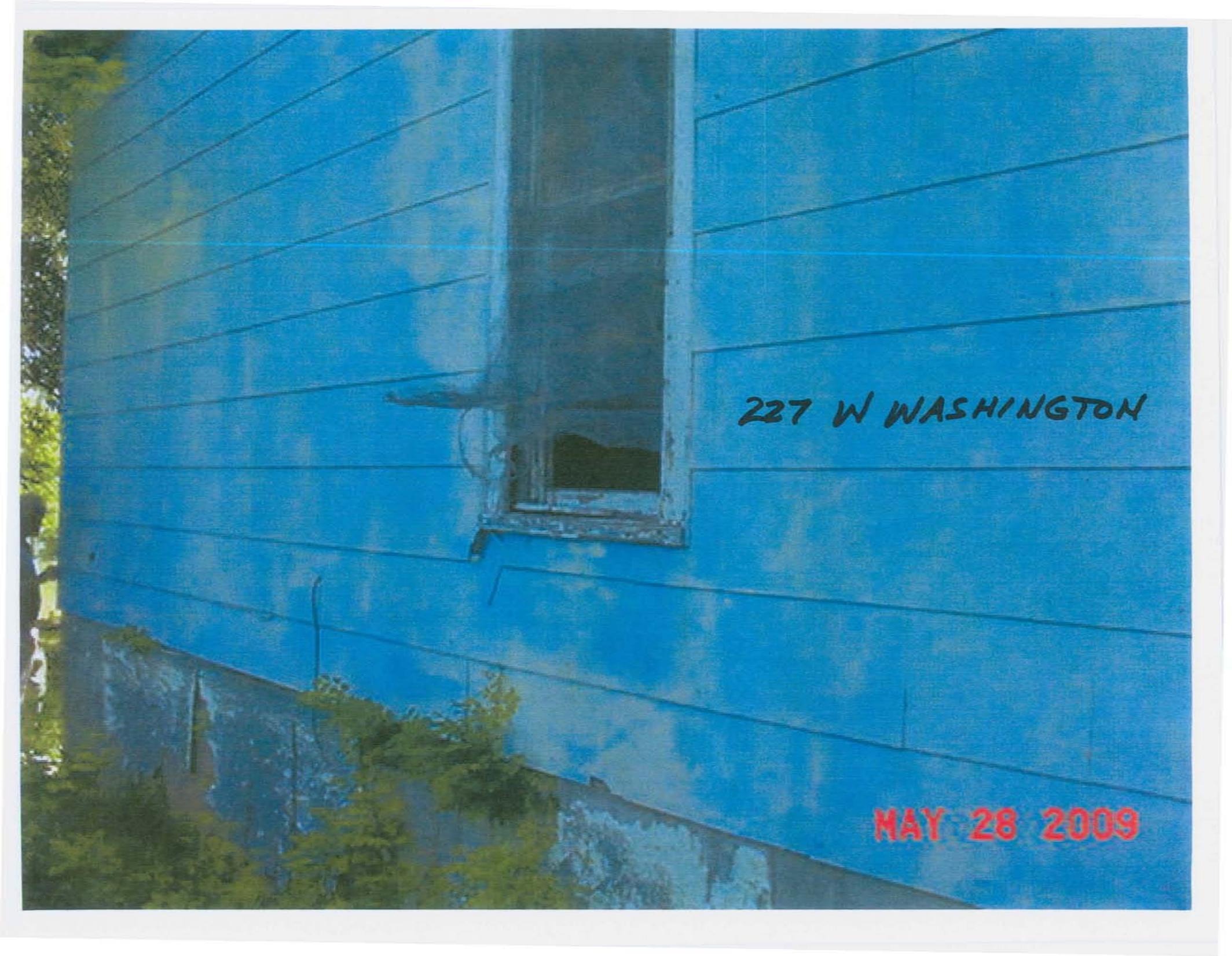
227 W WASHINGTON

MAY 28 2009



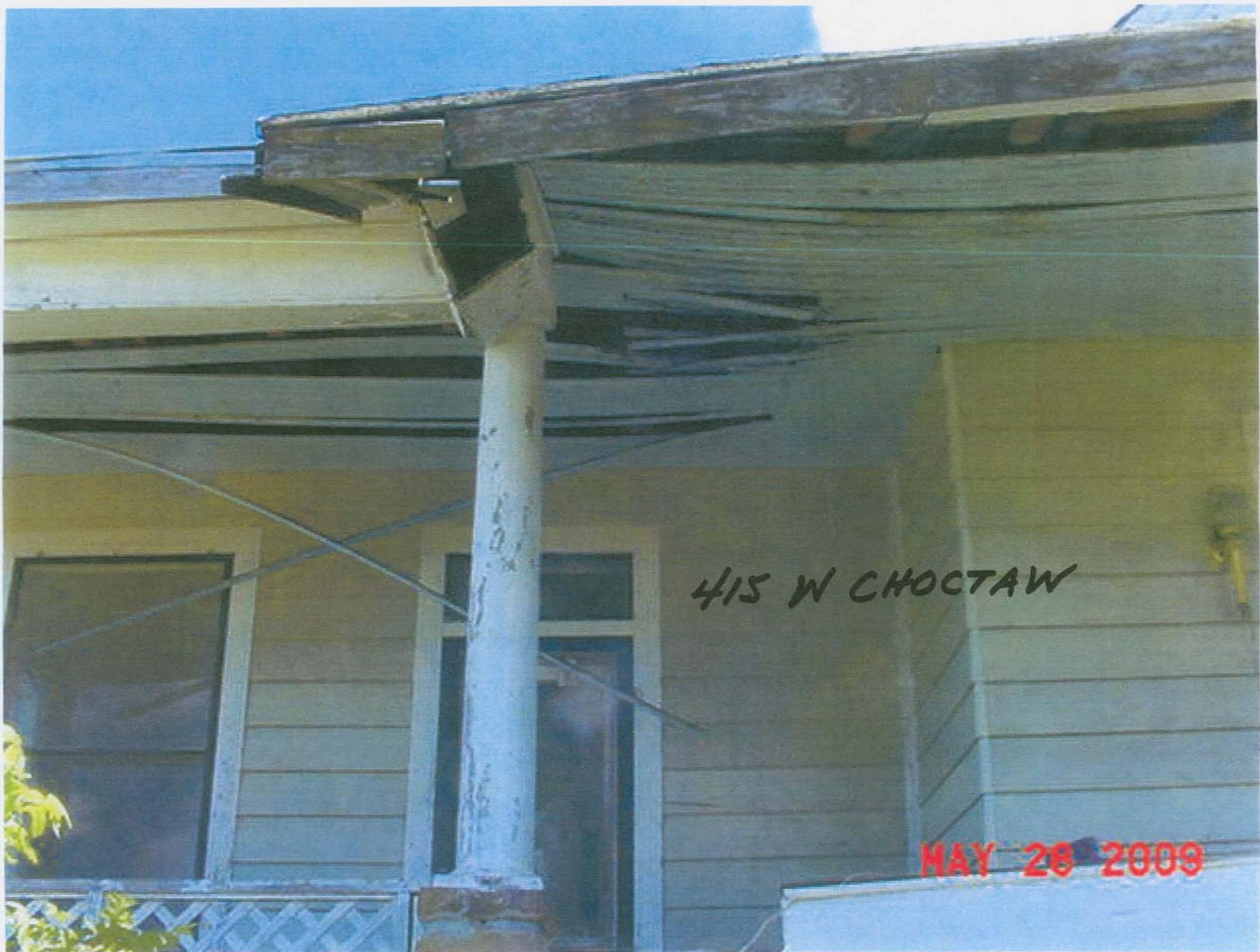
227 W WASHINGTON

MAY 28 2009

A photograph of a blue building with horizontal siding. A window is broken, with a jagged hole in the glass and a piece of wood protruding from the frame. The address "227 W WASHINGTON" is written in black marker on the siding to the right of the window. A red date stamp "MAY 28 2009" is in the bottom right corner. Green foliage is visible on the left and bottom edges.

227 W WASHINGTON

MAY 28 2009



415 W CHOCTAW

MAY 28 2009



415 W CHOCTAW

MAY 28 2009

1314 E CHOCTAW



MAY 28 2009



**701 E CHEROKEE**

**MAY 28 2009**

701 E CHEROKEE



MAY 28 2009



# McAlester City Council

## AGENDA REPORT

**Meeting Date:** June 23, 2009      **Item Number:** 11  
**Department:** City Clerk  
**Prepared By:** Cora Middleton      **Account Code:** \_\_\_\_\_  
**Date Prepared:** June 11, 2009      **Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** Three

### Subject

Consider, and act upon, an Addendum to a lease with the Girl Scouts Tiak Council approved on December 13, 2005, for Chaney Park.

### Recommendation

Motion to approve an Addendum to a lease with the Girl Scouts Tiak Council approved on December 13, 2005, for Chaney Park.

### Discussion

On December 13, 2005, the City Council approved a lease, of Chaney Park, to the Girl Scouts Tiak Council for 50 years with the option to renew an additional 50 years under the same terms and same rental of \$1.00 per year. Three of the Girl Scout Councils in Eastern Oklahoma have merged into one larger and more efficient Council with the name changing to "Girl Scouts of Eastern Oklahoma." This item is to correct the existing lease to show the legal name change of the local Girl Scout group. All other terms of said lease shall remain unchanged.

### Approved By

	<i>Initial</i>	<i>Date</i>
<b>Department Head</b>	<u>CM</u>	<u>06/11/09</u>
<b>City Manager</b>	<u>MBR</u>	<u>06/12/09</u>

**Cora Middleton**

**From:** Gale Clark [GClark@gseok.org]  
**Sent:** Wednesday, June 03, 2009 4:24 PM  
**To:** Cora Middleton  
**Subject:** Girl Scout Realignment  
**Attachments:** State of OK Merger Documents.pdf

Dear Cora,

Thank you so much for your assistance.  
I enjoyed our visit and look forward to talking with you again.  
Please contact me with any questions that may arise in changing the name on the lease from Girl Scouts Tiak Council to Girl Scouts of Eastern Oklahoma.

As we discussed, the McAlester office is vital, functioning and in daily use.  
The headquarters of the new council is located in Tulsa.

Thanks again-

**Gale Clark**  
*Executive Assistant to CEO*

**Girl Scouts of Eastern Oklahoma**  
2432 E. 51st Street, Tulsa, OK 74105  
Phone 918.745.5204 | Fax 918.749.2556 | Mobile 918.284.2277  
gclark@gseok.org

*Girl Scouts builds girls of courage, confidence and character,  
who make the world a better place.*

L E A S E

This lease is entered into this 13<sup>th</sup> day of December, 2005, between the CITY OF McALESTER, a municipal corporation, hereinafter referred to as "Lessor", and GIRL SCOUTS TIAK COUNCIL INCORPORATED, hereinafter referred to as "Lessee".

WHEREAS, the Lessor is the owner of the surface of All of Block 615 in the City of McAlester, formerly South McAlester, Pittsburg County, Oklahoma, and agrees to lease all of the above described property to Lessee for the purpose of allowing Lessee to construct a Girl Scout building on said property.

Lessee agrees to lease the above described property from Lessor.

This lease shall be for a term of 50 years beginning January 1, 2006. The Lessee has the option to renew this lease for an additional term of 50 years by giving written notice to Lessee 90 days prior to the expiration of the initial term. The renewal shall be on the same terms, conditions and rental.

Lessee shall pay to Lessor as rent for the above described property the sum of \$1.00 per year payable on or before January 5 of each year beginning January 5, 2006.

Lessee agrees as part of this consideration to provide the following:

A. Lessee agrees to maintain the property in good condition which will include all mowing, cleanup and trash disposal expense.

B. Lessee shall maintain liability insurance to cover property damage and personal injury to persons and using the Girl Scout facility to be located on the above described property in an amount not less than \$1,000,000.00 per person, \$1,000,000.00 per accident and \$250,000.00 for property damage.

C. The unused part of the leased property shall still be available for use as a park to be used by the public.

D. Lessee shall provide recreational opportunities for girls in the City of McAlester and Pittsburg County, Oklahoma.

Lessor will maintain liability insurance to cover any property or personal injury to persons who use that part of the lease property which is available for park use. Also, Lessor shall remove the existing light poles located on the leased property.

In the event that Lessee discontinues or abandons its use of the property described in this lease for a period of more than 6 months, then this lease shall be deemed terminated and the possession of the property shall be returned to Lessor.

This lease shall be binding upon the heirs, successors and assigns of both parties.

IN WITNESS WHEREOF, we set our hand the date set forth above.

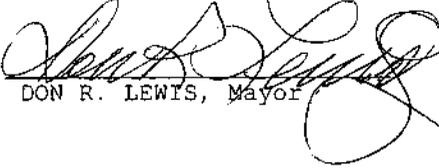
LESSOR:

LESSEE:

CITY OF MCALESTER

GIRL SCOUTS TIAK COUNCIL  
INCORPORATED

BY:

  
DON R. LEWIS, Mayor

BY:

  
Dorothy E. Kennedy, CEO

BY: \_\_\_\_\_

## ADDENDUM

This amendment to the lease dated December 13, 2005, between the City of McAlester, Oklahoma, as Lessor, and Girl Scouts Tiak Council, Incorporated, one and the same as Girl Scouts Tiak Council, Inc., as Lessee, is hereby made and agreed to this \_\_\_\_\_ day of June, 2009, in consideration of the mutual promises hereinafter given.

Whereas, Girl Scouts Tiak Council, Inc. has merged with Girl Scouts of Eastern Oklahoma, Inc. effective June 1, 2008; and

Whereas, Girl Scouts of Eastern Oklahoma, Inc. has by such merger become the surviving corporation and successor to Girl Scouts Tiak Council, Inc.

Now therefore, it is hereby agreed that the above referenced lease be amended as follows:

1. Girl Scouts of Eastern Oklahoma, Inc., agrees to become the Lessee of the above referenced lease and successor to its predecessor Girl Scouts Tiak Council, Inc.
2. Girl Scouts of Eastern Oklahoma, Inc., agrees to assume all obligations, responsibilities, liabilities, and rights of its predecessor established by the terms and provisions of said lease.
3. That the City of McAlester shall continue to perform any obligations or responsibilities it has under the terms of the lease and recognize and honor any rights or privileges granted thereby to Lessees' predecessor.
4. That in all other respects, the terms and provisions of said lease as originally made shall remain unamended and continue in full force and effect.

This agreement is made as of that date first written above regarding of actual date of signing, and shall continue to be binding on the heirs, successors, administrators, executors, and assignees of the undersigned parties.

In witness whereof the undersigned have hereunto subscribed their hands and seals.

(SEAL)

Attest:

City of McAlester, OK  
Lessor

\_\_\_\_\_  
Cora Middleton  
City Clerk

by: \_\_\_\_\_  
Kevin E. Priddle  
Mayor

(SEAL)

Attest:

Girl Scouts of Eastern Oklahoma, Inc.  
Lessee

\_\_\_\_\_  
Secretary

by: \_\_\_\_\_  
Chief Executive Officer

-



# McAlester City Council

## AGENDA REPORT

Meeting Date: June 23, 2009 Item Number: 12  
Department: Council  
Prepared By: Cora Middleton for Councilman Sam Mason Account Code: \_\_\_\_\_  
Date Prepared: June 15, 2009 Budgeted Amount: \_\_\_\_\_  
Exhibits: Two

### Subject

Discussion, and action to place on file the Hotel Tax Report for Fiscal Year 2007/2008, performed by Crawford and Associates, P.C.

### Recommendation

Motion to accept and place on file the Hotel Tax Report.

### Discussion

On January 29, 2009, the City entered into a Letter Agreement with Crawford and Associates, P.C., to assist the City in monitoring compliance by local area hotels and motels with the provisions of Article IV, Hotel Tax of the McAlester City Code. Crawford and Associates, P.C., have submitted a report entitled, "City of McAlester, Article IV - Hotel Tax Consulting Project FY 2008."

Attachments are:

1. Letter of Agreement
2. Report

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	CM	06/15/09
City Manager	_____	_____

January 5, 2009

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

Dear Mr. Roath:

Crawford & Associates is pleased that the City of McAlester (the City) continues to express its confidence in our firm and our municipal government expertise. This letter is in response to your request for Crawford & Associates to assist the City in monitoring compliance by local area hotels and motels with the provisions of Article IV - Hotel Tax of the City Code.

The purpose of this engagement letter is to identify the scope of the engagement by specifying the services anticipated at this time and confirm the terms of our engagement.

**Scope of Additional Services**

We will provide assistance to the City in monitoring compliance with Article IV of the City Code regarding the collection of hotel tax. Such monitoring will include review of (1) the proper collection and remittance of the hotel tax by the hotels and motels, and (2) the proper receipting, depositing, and accounting of the hotel tax receipts by the City.

Section 98-108 of the City Code provides for the occupancy and tax billing and collection records of the hotel operator to be made available for inspection and examination at any time upon demand of the City's tax collector or duly authorized agent. Such records are required to be retained by the operator for a period of three years, unless a longer period of time is requested by the City. We will serve as the City's duly authorized agent pursuant to Section 98-108.

Specifically, we will perform the following:

- Inspection and examination of the records for each hotel and motel within the City of McAlester City limits for fiscal year 2008 (July 1, 2007 through June 30, 2008);
- Evaluate compliance by the hotels and motels with the provisions of the City Code dealing with:
  - Imposition of the tax and granting of exemptions (Section 98-107)
  - Filing of returns (Section 98-109)
  - Payment of the tax and (Section 98-110)
  - Discounts and delinquent taxes (Section 98-118)
  - Permanent Residents (Ordinance 2061)

## **CRAWFORD & ASSOCIATES, P.C.**

Mr. Mark B. Roath, City Manager  
City of McAlester  
January 5, 2009  
Page 2

- Update our understanding of the design and evaluation of the City's internal controls over hotel tax receipting, depositing, and accounting, and make any recommendations for improvement;
- Perform tests of the effectiveness of the City internal controls over the hotel tax, and prepare any necessary adjustments for compliance with City Code provisions on:
  - Assessment of the tax (Section 98-111)
  - Refunds (Section 98-112)
  - Assessment of interest and penalties (Section 98-119)
  - Proper use of the hotel tax revenues for restricted purposes (Section 98-123)
- Perform procedures to determine the status of prior year recommendations.

### **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 our 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 (Mike Crawford) \$200
- Firm President (Frank Crawford) \$200
- Partners (Marcy Twyman, Deanna Crawford, Dwayne Tate) \$125
- Consulting Staff \$90
- Clerical Staff \$30

Because Crawford & Associates has no direct control over the type and number of services requested by the City during the term of this engagement, nor do we have control over the quality of the City's accounting system or records or the City staffing levels or capabilities, it is impractical to provide an accurate estimate of hours of service requested and a limit on fees and expenses charged. However, for purposes of purchase order development, we estimate that the services specified in this engagement letter will range from \$10,000 - \$12,000. We will rely on the City to provide us with a copy of approved purchase orders and monitor the cumulative fees and expenses charged and notify us if and when the cumulative amount approaches the total appropriated level. The City agrees to provide sufficient appropriation for all services requested prior to the services being performed.

**CRAWFORD & ASSOCIATES, P.C.**

Mr. Mark B. Roath, City Manager  
City of McAlester  
January 5, 2009  
Page 3

The term of this engagement is a period from date of acceptance through June 30, 2009. Crawford & Associates may perform additional services upon receipt of a formal request from the City with terms and conditions that are acceptable to the City and Crawford & Associates.

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

**Acceptance**

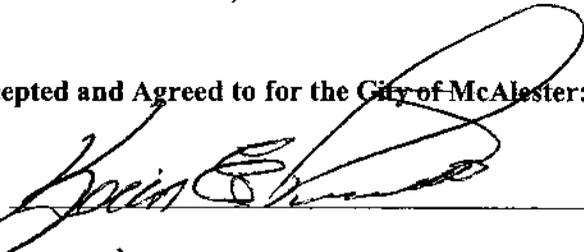
Please indicate your acceptance of this agreement by signing in the space provided below and returning this engagement letter addendum to us. A duplicate copy of this engagement letter addendum is provided for your records. We look forward to continuing our professional relationship with the City of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

Respectfully submitted and agreed to by,

*Crawford & Associates, P.C.*

Crawford & Associates, P.C.

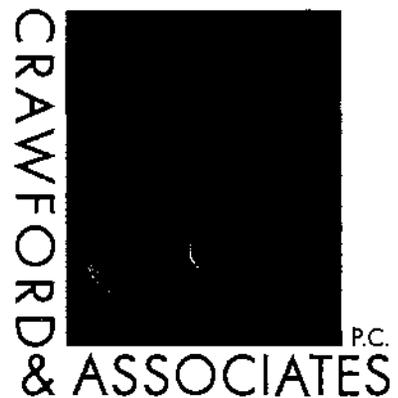
Accepted and Agreed to for the City of McAlester:

By:  \_\_\_\_\_

Title: *Mayor* \_\_\_\_\_

Date: *2/19/09* \_\_\_\_\_

**City of McAlester**  
**Article IV – Hotel Tax Consulting**  
**Project FY 2008**



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**Executive Summary**

The City of McAlester requested our assistance (Crawford & Associates) in monitoring the compliance of the City and the hotels in operation within city limits with Article IV of the City Code regarding the collection of hotel taxes. Article IV levied a four percent (4%) tax on all hotel room rentals. The procedures we performed included review of (1) the proper collection and remittance of the hotel tax by the hotels and motels, (2) the proper receipting, depositing, and accounting of the hotel tax receipts by the City, and (3) follow-up on prior year recommendations. Within this Executive Summary, we have summarized the results of these procedures and have referenced each to the applicable location in this report.

- Hotel documents were inspected for compliance with City Ordinances 98-107, 98-109, 98-110, and 98-118. (Page 5)
  - Three hotels were not separating the taxes collected from the room rent.
  - Three hotels were claiming large amounts of tax exempt room rental revenue without retaining proper supporting documentation.
- Undocumented exemptions and miscalculations by hotels equal \$11,110.33 in taxes owed to the City. (Page 6)
- Internal controls related to hotel tax collection, receipting, depositing, and accounting appear to have improved in most areas, except for the enforcement, collection and tracking of late fees, penalties and delinquent hotel taxes. (Page 7)
- We calculated late fees and penalties against hotels for late payments and taxes owed pursuant to the ordinances, equal to \$5,557.46. (Page 10)
- The revenue received from the remittance of hotel tax appears to have been expended appropriately pursuant to the restricted uses of the hotel tax ordinance. (Page 10)

**Summary of Receipts and Expenditures for Hotel Tax**

Revenue from Hotel Tax		\$ 658,156.55
Expenditures:		
Operating Supplies	\$ 7,431.38	
Repair & Maintenance	25,775.10	
Concession Supplies	27,626.17	
Clothing Allowance	733.00	
Contract Services	1,876.41	
Utilities	79,833.83	
Advertising and Printing	9,952.35	
Sales Tax	4,375.37	
Travel and Training	619.93	
Festival (4th of July)	31,264.00	
Operating Expenses	135,345.66	
	<u>\$ 324,833.20</u>	
Remaining Balance		<u>\$ 333,323.35</u>

## **Background**

The City Council of the City of McAlester adopted and made effective Ordinance Number 2130, Article IV, Chapter 98, on August 1, 2001. This ordinance levies and assesses an excise tax of four percent (4%) upon the gross proceeds or gross receipts derived from the rent of occupancy of hotel rooms. The purposes of these tax revenues are to fund all facets of promoting and supporting tourism for the City of McAlester. On February 11, 2003, Ordinance Number 2061 amended Article IV, Hotel Tax, Section 98-106, and Section 98-107 definitions and imposition of taxes and exemptions as related to federal and state governments, agencies and divisions.

## **Scope and Objectives**

We provided assistance to the City in monitoring compliance with Article IV of the City Code regarding the collection of hotel tax. Such monitoring will include review of (1) the proper collection and remittance of the hotel tax by the hotels and motels, (2) the proper receipting, depositing, and accounting of the hotel tax receipts by the City, and (3) follow-up on prior year recommendations.

Section 98-108 of the City Ordinance provides for the occupancy and tax billing and collection records of the hotel operator to be made available for inspection and examination at any time upon demand of the City's tax collection or duly authorized agency. Such records are required to be retained by the operator for a period of three years, unless a longer period of time is requested by the City. We served as the City's duly authorized agent pursuant to Section 98-108.

Specifically, we performed the following:

- Inspection and examination of the records for each hotel and motel within the City of McAlester City limits for fiscal year 2008 (July 1, 2007 through June 30, 2008);
- Objective I: Evaluate compliance by the hotels and motels with the provisions of the City Code dealing with:
  - Imposition of the tax and granting of exemptions (Section 98-107)
  - Filing of returns (Section 98-109)
  - Payment of the tax (Section 98-110)
  - Discounts and delinquent taxes (Section 98-118)
  - Permanent Residents (Ordinance 2061)
- Objective II: Update our understanding of the design and evaluation of the City's internal controls over hotel tax receipting, depositing, and accounting, by performing tests of the effectiveness of controls as they relate to City Code provisions:
  - Assessment of the tax (Section 98-111)
  - Refunds (Section 98-112)
  - Assessment of interest and penalties (Section 98-119)
  - Proper use of the hotel tax revenues for restricted purposes (Section 98-123)
- Prepare any necessary adjustments or make any recommendations for improvements as a result of the procedures performed;
- Objective III: Perform procedures to determine the status of prior year recommendations.

**Objective I – Inspection and examination of the records for each hotel and motel within the City of McAlester City limits for fiscal year 2008 (July 1, 2007 through June 30, 2008) to provide an evaluation of compliance by the hotels and motels with the provision of the City Code dealing with:**

- **Imposition of the tax and granting of exemptions (Section 98-107)**
- **Returns (Section 98-109)**
- **Payment of the tax (Section 98-110)**
- **Discounts and delinquent taxes (Section 98-118)**

To perform the hotel records inspection and examination for fiscal year 2008, we examined each hotel's supporting documentation of room rental revenue received during the assigned time period. This documentation included daily sheets, monthly reports and exemptions forms. Based on the results of this initial inspection, the City decided to expand the inspection to include the entire fiscal year for all hotels. The specific results of our work have been organized by ordinance and are documented in the subsequent sections. We examined the supporting documentation from the hotels and the City to determine the hotel's compliance with City Ordinances 98-107, 98-109, 98-110, and 98-118.

*Imposition of the tax and granting of exemptions (Section 98-107)* levies the excise tax of four percent (4%) on the gross proceeds or gross receipts derived from the rent of a room or rooms in a hotel in the City of McAlester when the rate is above \$5.00. This ordinance sets forth that the tax shall not be imposed upon the United States, the State of Oklahoma, municipality or any other political subdivision of the State. The tax shall be stated and charged separately from the rent and shown separately on any record. It also states, "...it shall be presumed that all rentals are subject to the tax until facts to the contrary are established; and the burden of providing that a rent for occupancy is not taxable hereunder shall be upon the operator or the occupant."

Using the criteria in 98-107, we noted the following in our evaluation of compliance:

- *Midway Lodge, Economy Inn, and Hi-way Lodge* were not separating the taxes collected from the room rent revenue on their records; room revenue and taxes were combined.
- *Best Western* consistently retains proper documentation of all tax-exempt room rental revenue; however, we did note that this year \$4,614.71 in exempt room revenue (or \$184.59 in City tax revenue) was claimed and was either unsupported or were for groups or entities that were not tax exempt based on City ordinance.
- *AmericInn, Holiday Lodge and Midway Lodge* claimed large amounts of tax-exempt room rental revenue; however, they were not properly maintaining the supporting documentation as required by the city ordinance. *AmericInn* claimed \$97,736.78 in tax exempt room revenue (or \$3,909.47 in City tax revenue). *Holiday Lodge* claimed \$6,377.30 (or \$255.09 in City tax revenue). And *Midway Lodge* claimed \$26,398.55 (or \$1,055.94 in City tax revenue).

Based on the fieldwork performed, we have concluded the amount of tax revenue owed to the City due to miscalculations of taxes owed is \$11,110.33, as summarized in Table 1.

**Table 1**  
**Summary of Taxes Owed Due to Miscalculations**

Hotel/Month	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Total
Ambaa/Hiway Inn and Suites	-	215.01	-	-	-	-	-	290.05	-	-	-	-	505.07
Americinn	613.72	561.70	712.49	871.13	561.42	496.14	739.79	372.84	214.66	519.82	156.71	132.66	5,953.06
Best Western	0.55	-	97.78	-	2.76	6.99	0.00	4.47	(2.36)	30.24	5.94	30.89	177.25
Bhuma/Hiway Lodge	(172.36)	(69.19)	(0.00)	(69.40)	0.01	172.85	(2.05)	(0.00)	(4.67)	(0.67)	(0.70)	(0.68)	(146.87)
Comfort Suites	-	-	-	-	-	-	-	-	-	-	-	-	-
Economy	53.08	(74.56)	-	1.03	6.13	-	19.90	-	0.02	(0.03)	-	-	5.58
Happy Days	418.38	913.76	811.74	160.44	(31.27)	190.78	95.53	(128.94)	(136.33)	0.00	(135.42)	(150.28)	2,008.39
Holiday Express Inn & Suites	-	-	-	-	-	-	-	-	-	-	-	-	-
Holiday Lodge	2.12	8.08	42.65	48.49	(0.01)	(0.00)	42.95	53.05	22.16	1.09	53.35	53.35	327.28
Maaruti/Hiway Inn	-	-	-	-	-	-	-	-	-	(91.46)	(2,041.79)	(122.04)	(2,255.29)
Midway/Econo Lodge	195.48	193.18	583.13	387.18	90.26	86.80	181.10	87.83	519.12	68.61	33.92	27.70	2,454.31
Motor Inn	858.18	1,073.40	967.87	(127.22)	(126.24)	(85.66)	(89.11)	(80.18)	(61.60)	(104.16)	(137.28)	(0.53)	2,087.49
Super 8	0.00	(0.00)	(0.00)	0.08	0.01	0.00	(6.00)	0.00	0.01	(0.01)	(0.01)	(0.01)	(5.93)
													Owed to City \$ 11,110.33

Of the \$11,110.33 noted in Table 1, we conclude \$5,405.09 was the amount of tax revenue owed to the City due to undocumented tax exemptions.

**Table 1A**  
**Summary of Taxes Owed Due to Undocumented Tax Exempt Room Revenue**

Hotel/Month	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Room Revenue Total	Hotel Tax
Ambaa/Hiway Inn and Suites	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Americinn	9,488.01	3,215.96	3,905.41	6,967.50	12,252.72	12,348.90	18,100.70	9,071.50	5,844.48	10,115.00	3,925.70	2,502.90	97,736.78	3,909.47
Best Western	-	-	2,520.00	-	71.00	180.00	-	115.00	-	779.77	152.98	795.96	4,614.71	184.59
Comfort Suites	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Economy	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Happy Days	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bhuma/Hiway Lodge	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Holiday Express Inn & Suites	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Holiday Lodge	-	208.30	1,099.20	1,249.80	-	-	116.00	300.00	596.00	58.00	1,375.00	1,375.00	6,377.30	255.09
Midway/Econo Lodge	3,719.38	3,779.37	3,729.38	3,859.36	1,799.70	1,859.69	4,667.73	-	2,284.04	699.90	-	-	26,398.55	1,055.94
Motor Inn	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Super 8	-	-	-	-	-	-	-	-	-	-	-	-	-	-
													\$ 135,127.34	\$ 5,405.09

A partial explanation for some of the undocumented exemptions was the timing in which we performed our first engagement. We performed the first engagement in September 2007; therefore, the hotels were approximately three months in to the fiscal year when we informed them of the revocation of the permanent resident language. In addition, the City did not officially notify the hotels of the change until a letter was issued on February 12, 2008. In the prior year, the City of McAlester was facing a unique situation with the increase in their oil industry, which required a relatively significant number of oil industry related workers to temporarily reside in McAlester. These workers were occupying most of the hotels in the City and surrounding areas for more than 30 days consecutively and the hotels were under the impression that City Ordinance 98-107, "No tax shall be imposed hereunder upon a permanent resident" was still in effect. The definition of permanent resident was defined in the ordinance as, "...any

occupant who has or shall have the right of occupancy of any room or rooms in the same hotel for at least thirty (30) consecutive days during the current calendar year or preceding year.” However, based on further review, the City Council of McAlester amended the Hotel/Motel Tax Ordinance in 2003, by passing Ordinance 2061, which deleted the definition of permanent resident; however, it appears the hotels were not properly informed. In our prior report, we concurred with the recommendation made by the City Attorney to forgo collection of past uncollected taxes, but to notify all the hotels, motels and any other businesses which might be subject to this ordinance of the deletion of the permanent resident definition and that in the future all hotel room rental revenue should be included in the calculation of hotel taxes unless it meets the exemption criteria outlined in the ordinance.

After the first three months, the undocumented exemptions or the misapplication of exemptions seemed to be a result of the hotels not completing the proper City form and/or the hotels allowing exemptions for churches, veterans, schools and not-for-profit organizations. In our prior report, we recommended the City consider consulting with legal counsel and the Board to determine if the City needs to reevaluate the language in the hotel tax ordinances 2130 and 2061, in the section titled “Imposition of tax exemptions”, to determine whether this section should be expanded to include other entities that are already considered sales tax exempt by state and federal governments. We also recommended the City issue information packets to the hotels explaining the application of exemptions. It appears the City recently released the information packet in May 2009; however, this was subsequent to the time period we reviewed for this report. Also, it appears the City has not yet addressed the issue of reevaluating the exempt parties’ language in the ordinances to determine if additional language needs to be added to include sales tax exempt entities.

**Returns (Section 98-109)** states on or before the 15<sup>th</sup> day of each month, hotel operators shall file with the tax collector a return of occupancy and of rents and of the taxes payable thereon for the proceeding calendar month. **Payment of tax (98-110)** states impart, “...If any operator has twice failed to pay taxes on or before the date fixed for payment of such taxes or if any operator refuses to pay the taxes or if the Tax Collector has reasonable grounds for belief that the operator is about to cease business or leave the state or remove or dissipate assets, or if, for any similar reason he deems it necessary to protect revenues due hereunder, the Tax Collector may require an operator to file with the City either a performance and payment bond, as detailed herein, or in lieu of this bond, an escrow account or an irrevocable letter of credit as detailed herein...” And **Discount, delinquent taxes (98-118)** grants a three percent (3%) discount on the amount of taxes to remit to the City if remitted on or before the 15<sup>th</sup> of every month. However, if the taxes are not remitted on or before the 15<sup>th</sup> of the month, than the discount is forfeited. Using the criteria contained in 98-109, 98-110 and 98-118, we noted the hotels that paid after the 15<sup>th</sup> of the month, but applied the early payment discount of three percent as the following:

<u>Hotel</u>	<u>Months</u>
Ambaa / Hiway Inn and Suites	August 2007 and February 2008
Economy Inn	July 2007 and January 2008
Happy Days	August 2007 and September 2007
Holiday Lodge	January 2008 and February 2008
Midway / Econo Lodge	September 2007

*Motor Inn* did not submit payments for the months of July, August, or September 2007.

We concluded that if the City were to enforce ordinance 98-110, the six hotels mentioned appear to meet the criteria of having twice failed to pay taxes on or before the date fixed for payments of hotel taxes and would be subject to a performance bond or the establishment of an escrow account to ensure payment if the City deemed necessary. We have assessed and documented the late fees and penalties for these and other hotels in Table 2 in the section titled Objective II.

**Objective II – Update our understanding of the design and evaluation of the City’s internal controls over hotel tax receipting, depositing, and accounting, and make any recommendations for improvement and also including an evaluation of the City’s compliance with the City Code provisions regarding and development of any recommendations for improvement on:**

- **Assessment and determination of the tax (Section 98-111)**
- **Refunds (Section 98-112)**
- **Assessment of interest and penalties (Section 98-119)**
- **Purpose of revenues (Section 98-123)**

In addition to inspecting the hotels and motels records, we also evaluated the City’s receipting, depositing, and accounting for the revenue received from the hotel tax and related internal controls. We reviewed the submitted tax forms for the following:

1. A copy of the tax form was retained by the City.
2. Proper supporting documentation was retained.
3. Properly initialed and dated by the City.

The City did track the amount of taxes submitted by each hotel for the fiscal year. However, we did note repeat findings in the following areas:

- 8 of 144 tax forms (5.56%) were not properly initialed and dated.
- 2 tax forms submitted through the mail system did not have stamped envelopes retained by the City or the post mark date was not documented by the City on the form to verify when the hotel placed their payments in the mail to determine if the taxes were remitted (mailed) on or before the 15<sup>th</sup> of each month.
- 1 of the 144 tax forms (less than 1%) were not properly retained by the City.
- As taxes are received from the hotels, their descriptive information entered into the City’s accounting system to identify the hotel is not consistent. Some hotels were recorded by using various names therefore making it difficult to determine the hotels that had remitted payments.
- Late fees and penalties were assessed and enforced on only one hotel.

Based on the items noted and our prior year recommendations, we have concluded the following:

- The taxes received from customers should always be initialed and dated promptly to document receiving of the document.
- Proper documentation is retained from hotel tax receipts that are mailed to the City, e.g. stamped envelope.
- The descriptive information used to identify the hotels in the City’s accounting system should be entered consistently to ensure proper payment has been received.
- Proper tax documentation is retained by the City.
- Late fees and penalties are assessed and enforced on all hotels to promote compliance.

*Assessment and determination of the tax (Section 98-111)* outlines the procedure and process to be used if a return is not filed or if a return is incorrect or insufficient. Based on discussions with the City this section of the ordinance has not been enforced; however, the City has the authority to estimate the tax owed based on external indices such as the number of rooms, location, scale of rents, comparable rents, types of accommodations and services, number of employees, or other factors which will be final and irrevocably fixed once written notice of the assessment is presented to the person liable for the collection and payment of the tax.

**Refunds (Section 98-112)** states impart: "...the Tax Collector shall refund or credit any tax erroneously, illegally or unconditionally collected if written application to the Tax Collector for such refund shall be made within two (2) years from the date of payment thereof..."

During the period we examined, the City had not refunded any tax erroneously collected from individuals. The City did not refund or credit any hotel tax to a hotel during fiscal year 2008. However, based on the results of our work documented in the Summary of Miscalculations in Table 1 on page 6, it appears that three hotels are potentially owed a refund totaling \$2,408.09: *Maaruti/Hiway Inn* \$2,255.29, *Bhuma/Hiway Lodge* \$146.87 and *Super 8* \$5.93.

**Assessment of interest and penalties (Section 98-119)** states impart: "If an operator fails to file a return or remit the taxes due prior to the fifteenth day of the month, the operator shall pay, in addition to one hundred percent (100%) of the taxes due, the following interest and penalties:

1. One and one-half percent (1-1/2%) interest per month on the total amount of taxes due from the fifteenth day of the month to the date of filing; and
2. A penalty of ten percent (10%) of the total amount of the taxes due."

We reviewed hotel and City records and, based on the results of that review and the criteria of Section 98-119, we have calculated the amount of late fees and penalties that should have been assessed to the hotels for tax payments submitted after the 15<sup>th</sup> of the month as \$5,557.46 based on the information available, summarized in Table 2.

**Table 2  
Summary of Late Fees and Penalties<sup>1</sup>**

Hotel/Month	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Total
Ambaa/Hiway Inn and Suites	-	716.70	-	-	-	-	-	966.84	-	-	-	-	1,683.54
Americinn	-	-	-	-	-	-	-	-	-	-	-	-	-
Best Western	-	-	-	-	-	-	-	-	-	-	-	-	-
Bhuma/Hiway Lodge	-	-	-	-	-	-	-	-	-	-	-	-	-
Comfort Suites	-	-	-	-	-	-	-	-	-	-	-	-	-
Economy Inn	62.54	-	-	-	-	-	66.30	-	-	-	-	-	128.84
Happy Days	-	451.17	445.75	-	-	-	446.17	-	-	-	-	-	1,343.09
Holiday Inn Express	-	-	-	-	-	-	-	-	-	-	-	-	-
Holiday Lodge	-	-	-	-	-	-	127.00	138.03	-	-	-	-	265.03
Maaruti/Hiway Inn	-	-	-	-	-	-	-	-	-	-	-	-	-
Midway/Econo Lodge	152.61	250.98	272.63	294.79	-	-	-	-	-	-	-	-	971.01
Motor Inn	330.40	397.16	343.59	-	-	-	94.79	-	-	-	-	-	1,165.94
Super 8	-	-	-	-	-	-	-	-	242.72	-	-	-	242.72

Highlighted in yellow is the late payment of \$242.72 collected by the City from *Super 8*.

Total Late Fees and Penalties Assessed \$ 5,800.18  
Owed to City \$ 5,557.46

As we noted at the beginning of this section, it was difficult to determine the actual date taxes were remitted to/received by the City on at least 5.56% of the forms submitted and processed through the cashier's office. In addition, the City did not maintain the date stamped envelopes for one month for two hotels that usually submit their payment through the mail.

<sup>1</sup> The calculation of late fees and penalties were as of April 15, 2009.

*Purpose of revenues (Section 98-123)* states, “It is hereby declared to be the purpose of this division to provide revenues for the following specific purposes, and no others, to-wit:

1. For the operation of the tourism and related departments of the city;
2. To adopt agreements, plans, policies, and programs to encourage the development of the city as a convention, trade show, and tourist center; and
3. To construct, reconstruct, operate, maintain and repair buildings and facilities of the city necessary to foster the development of the city as a convention, trade show, and tourist center, and to acquire land in connection therewith.”

Expenditures related to the Tourism Fund/Southeast Expo for fiscal year 2008 totaled \$324,833.20. Our analysis of the use of the fund proceeds shows a majority, 41.67% of the expenditures were used for operating expenses which includes dues, subscriptions, and lease payments, as documented in Table 3.

**Table 3**  
**Summary of Expenditures for Tourism Fund – FY 2007-2008**

<u>Description</u>	<u>Amount Expended</u>	<u>Percentage</u>
Operating Supplies	\$ 7,431.38	2.29%
Repair & Maintenance	25,775.10	7.93%
Concession Supplies	27,626.17	8.50%
Clothing Allowance	733.00	0.23%
Contract Services	1,876.41	0.58%
Utilities	79,833.83	24.58%
Advertising and Printing	9,952.35	3.06%
Travel and Training	619.93	0.19%
Sales Tax	4,375.37	1.35%
Festival (4th of July)	31,264.00	9.62%
Operating Expenses	135,345.66	41.67%
Remaining Balance	<u>\$ 324,833.20</u>	<u>100.00%</u>

Operating expenses include dues, subscriptions, and lease payments

We reviewed 5 of the 221 line items (2%) or \$2,421.99 of \$324,833.20 (0.7%) of the total expenditures paid from the Tourism Fund. The 5 expenditures reviewed appeared to have been properly entered into the City’s accounting system and were supported with appropriate and sufficient documentation. It appears all the expenditures paid from the proceeds of the hotel/motel tax have been used for the operation or promotion of tourism, either to repair the building and facilities or to fund the expenses necessary to sustain the expo center.

**Objective III – Perform procedures to determine the status of prior year recommendations.**

We have compiled a listing of prior year’s findings and recommendations in order to determine their status. Below we have listed each finding and recommendation along with the status noted through discussions with City employees and the procedures performed in objectives II and III.

*Finding #1:* The first objective was to evaluate compliance by the hotels with the provisions of the City Code regarding the imposition of the tax and granting of exemptions (section 98-107), returns (section 98-109), payment of the tax (section 98-110), and discounts and delinquent taxes (section 98-118).

We noted that three hotels were not properly separating the hotel tax collected from the room rent revenue on their internal records; only two hotels were properly documenting and maintaining the tax exemption forms while two other hotels were claiming large amounts of exemptions but were not properly documenting the exemptions. We calculated the total amount of taxes owed due to undocumented exemptions and miscalculations for fiscal year 2007 at \$12,779.58.

*Recommendation #1:* We recommend the City use the information packet and communications with operators to inform and convey the hotels' responsibilities related to hotel tax. The following information should be addressed:

- The documentation of room rental revenue is separated from the room rental tax for each room.
- Proper application and documentation of tax exempt eligible persons or entities.
- The deletion of the permanent resident definition and discontinuance of occupancies over 30 days consecutively being exempt from hotel tax.
- The enforcement of late fees and penalties for delinquent hotel tax payments.

We also recommend consultation with legal counsel to determine if the City needs to reevaluate the language in the hotel tax city ordinances 2130 and 2061, in the section titled "Imposition of tax exemptions", to determine whether this section should be expanded to include other entities considered sales tax exempt by state and federal governments.

*Status of #1:* The information packet was recently sent to the hotels in May 2009; however, this was subsequent to the completion of fieldwork for this report. It also appears that the City has not reevaluated the language in the hotel tax city ordinances 2130 and 2061.

*Finding #2:* The second objective was to evaluate the design and test the effectiveness of the City's internal controls over hotel tax receipting, depositing, and accounting; including compliance with City Code provisions and develop recommendations regarding the assessment of the tax (section 98-111), refunds (section 98-112), assessment of interest penalties (section 98-119) and proper use of the hotel tax revenues for restricted purposes (section 98-123). We noted 30% or 38 of the 127 tax forms retained by the City were not properly stamped received or initialed and dated and the City could not locate two tax forms. The supporting documentation for the hotels that routinely mail their taxes to the City were not properly retained so that we could determine if taxes were remitted on or by the 15<sup>th</sup> of the month. Also, the descriptive information entered into the City's accounting system was not consistent, therefore making it difficult sometimes for the hotels to be consistently identified.

The City has recently started tracking, by hotel, the amount of taxes paid per month and the date they were remitted. To date the City has not assessed or enforced late fees and penalties. We calculated the amount of late fees and penalties that could be collected if the City enforces section 98-119 at \$14,136.59. We also noted that two hotels consistently remitted their taxes late and one hotel has never remitted hotel tax, while three hotels consistently remit their taxes on time. The remaining six hotels did remit some tax payments late during our time period; however they were not consistently late. Due to the difficulty in determining the date taxes were remitted to/received by the City, we recommend the City not pursue collecting the late fees and penalties calculated in Table 2, but instead utilize the recently created tracking mechanism to begin enforcement once all hotels have been properly notified.

We tested 15 of the 311 (5%) of the line item expenditures which accounted for \$8,045.91 or 3% of the total amount of \$259,100.41 expended from the hotel tax revenue received by the City. It appeared the funds were used properly in accordance with the purposes of the revenue outlined in section 98-123 with 51% or \$132,139.40 going towards the repair and maintenance of the Expo Center.

*Recommendation #2:* We recommend the City take the steps necessary to ensure:

- The taxes received from customers are always initialed and dated promptly.
- Proper documentation is retained for all hotel tax receipts especially the taxes remitted by mail to the City, e.g. stamped envelope.
- The descriptive information entered into the City's accounting system to identify the hotels should be entered consistently to ensure proper payment has been received.
- The City continues to track the amount of tax received and the date for each hotel.
- Late fees and penalties are assessed and enforced to promote compliance.

*Status of #2:* It appears that the City has taken steps to improve their processes related to the receipting, depositing, and accounting for hotel tax revenue received. The number of issues noted this year has drastically decreased when compared to the prior year. However, the City is still not consistent in assessing and collecting late fees and penalties.

*Finding #3:* The third objective was to develop a plan for the periodic inspection and examination of hotel operators' tax billing, collection and remittance records for the City. Based on the results noted in objectives one and two, we have developed a semi-annual monitoring plan which will convert into an annual plan based on the improved compliance of the hotels. There were four hotels that will require semi-annual monitoring while the remaining nine hotels could be monitored annually or as needed.

*Recommendation #3:* We recommend the City use the information in this report in conjunction with the information packet developed and create a letter informing each hotel of the possible compliance or noncompliance reported through this project and start monitoring the four high risk hotels semi-annually and the remaining nine annually based on our recommendation. We also recommend the City continue, with internal audit assistance, to monitor its internal processes related to hotel taxes.

*Status of #3:* Based on our discussions with City employees, it appears that the information packet has been recently sent to the hotels in May 2009. The issuance of this packet was subsequent to the time period we reviewed and the completion of the fieldwork for this report. The City also contracted with Crawford and Associates to perform an annual review to address the recommendation to monitor of the hotels.

### **Conclusion and Recommendations**

As noted in the Scope and Objectives section of this report, we organized our work to accomplish the objectives as noted in this section.

#### **Objective I**

The first objective was to evaluate compliance by the hotels with the provisions of the City Code regarding the imposition of the tax and granting of exemptions (section 98-107), returns (section 98-109), payment of the tax (section 98-110), and discounts and delinquent taxes (section 98-118). We noted that

three hotels were not properly separating the hotel tax collected from the room rent revenue on their internal records and three other hotels were claiming large amounts of exemptions but were not properly documenting the exemptions. We calculated the total amount of taxes owed due to undocumented exemptions and miscalculations for fiscal year 2008 at \$11,110.33.

We again recommend the City use the recently released information packet to continue to inform and convey to the operators the hotels' responsibilities related to hotel tax. The following information should be addressed:

- The documentation of room rental revenue is separated from the room rental tax for each room.
- Proper application and documentation of tax exempt eligible persons or entities.
- The enforcement of late fees and penalties for delinquent hotel tax payments.

We recommend the City consult with legal counsel to determine if the City needs to reevaluate the language in the hotel tax city ordinances 2130 and 2061, in the section titled "Imposition of tax exemptions", to determine whether this section should be expanded to include other entities considered sales tax exempt by state and federal governments.

## **Objective II**

The second objective was to evaluate the design and test the effectiveness of the City's internal controls over hotel tax receipting, depositing, and accounting; including compliance with City Code provisions and develop recommendations regarding the assessment of the tax (section 98-111), refunds (section 98-112), assessment of interest penalties (section 98-119) and proper use of the hotel tax revenues for restricted purposes (section 98-123). We noted 5.56% or 8 of the 144 tax forms retained by the City were not properly initialed and dated and one tax form was not properly retained by the City. One month's supporting documentation for two of the hotels that routinely mail their taxes to the City were not properly retained so that we could determine if taxes were remitted on or by the 15<sup>th</sup> of the month. Also, the descriptive information entered into the City's accounting system was not consistent; therefore, making it difficult to identify hotels.

The City is tracking, by hotel, the amount of taxes paid per month and the date they were remitted. To date the City has assessed and enforced late fees and penalties on only one hotel. We calculated the amount of late fees and penalties that could be collected if the City enforces section 98-119 at \$5,557.46; this number does not include the one hotel late fee and penalty of \$242.72 collected by the City. We also noted one hotel did not remit hotel taxes for July 2007 through September 2007. Since the City has taken steps to document when taxes are remitted and our firm has informed the hotels as to when hotel tax should be remitted, we recommend the City pursue collecting the late fees and penalties calculated in Table 2; however, the City should also begin enforcing the late fee and penalty upon receipt of the taxes and track the late fees and penalties separately to ensure compliance.

We tested 5 of the 221 (2%) of the line item expenditures which accounted for \$2,421.99 or 0.7% of the total amount of \$324,833.20 expended from the hotel tax revenue received by the City. It appeared the funds were used properly in accordance with the purposes of the revenue outlined in section 98-123 with 41.67% or \$135,345.66 going towards operating expenses.

We recommend the City take the steps necessary to continue to ensure:

- Taxes received from customers are always initialed and dated promptly.
- Proper documentation is retained for all hotel tax receipts especially the taxes remitted by mail to the City, e.g. stamped envelope.
- The descriptive information entered to identify the hotels is entered consistently to ensure proper

payment has been received.

- The City continues to track the amount of tax received and the date for each hotel.
- Late fees and penalties are assessed, enforced and tracked to promote compliance.

### **Objective III**

We recommend the City continue to address our recommendations. This should increase compliance and solidify the City's standing when they attempt to enforce the collection of hotel taxes due, late fees, penalties and assessments of delinquent taxes.

We also recommend the City, with assistance; continue to perform periodic monitoring of its internal processes related to the hotel tax collection and recording. If the City or a hotel owner/operator raises legitimate concerns about the processes, procedures, or documents related to the remittance of hotel taxes, then it may be in the best interest of both parties involved to consider engaging an independent audit firm or third party to address the concerns depending on their nature and the resources available internally for such audit or examination.

**APPENDIX A**

ORDINANCE NO. 2061

AN ORDINANCE AMENDING ARTICLE IV. HOTEL TAX, SECTION 98-106. DEFINITIONS; AND SECTION 98-107(c), IMPOSITION OF TAX; EXEMPTIONS; AND REPEALING SECTION 98-107(b); AND DECLARING AN EMERGENCY.

\* \* \* \* \*

BE IT ORDERED BY THE MAYOR AND CITY COUNCIL, that:

SECTION 1: Sec. 98-106 of the Code of Ordinances, City of McAlester, Oklahoma, is hereby amended by deleting the definition of *Permanent Resident*. Remaining definitions in this section shall remain as written.

SECTION 2: Sec. 98-107(b) is hereby repealed.

SECTION 3: Sec. 98-107(c) is hereby amended to read as follows:

Sec. 98-107. Imposition of tax exemptions.

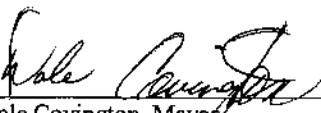
(c) The government of the United States, State Governments or any agencies or division thereof may file an application for refund of tax paid directly by the Treasury of either Government by sending proof of payment of the hotel tax to the City Treasurer of the City of McAlester, Oklahoma. Upon receipt of appropriate documentation that the tax has been paid, the Treasurer shall cause a refund of taxes to be made to the appropriate Government agency or division.

SECTION 4: EMERGENCY CLAUSE.

That an emergency is hereby declared to exist, and for the preservation 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.

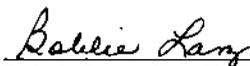
PASSED and the EMERGENCY CLAUSE ruled on separately this 11<sup>th</sup> day of February 2003.

CITY OF McALESTER, OKLAHOMA  
A Municipal Corporation

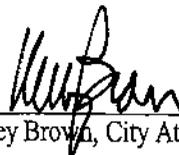
By   
Dale Covington, Mayor

(SEAL)

ATTEST:

  
Bobbie Lanz, City Clerk

Approved as to form and legality this 11<sup>th</sup> day of February 2003.

By   
Wesley Brown, City Attorney

O R D I N A N C E N O. 2130

AN ORDINANCE LEVYING AND ASSESSING AN EXCISE TAX OF FOUR PERCENT (4%) UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM THE RENT FROM OCCUPANCY OF HOTEL ROOMS; PROVIDING FOR EFFECTIVE DATE OF THIS ORDINANCE; PROVIDING FOR DEFINITIONS, PROVIDING IMPOSITION OF TAX, EXEMPTIONS; PROVIDING RECORDS TO BE KEPT; PROVIDING RETURNS; PROVIDING PAYMENT OF TAX; PROVIDING ASSESSMENT AND DETERMINATION OF TAX; PROVIDING REFUNDS; PROVIDING NOTICES; PROVIDING REMEDIES EXCLUSIVE; PROVIDING PROCEEDINGS TO RECOVER TAX; PROVIDING GENERAL POWERS OF THE TAX COLLECTOR; PROVIDING ADMINISTRATION OF OATHS AND COMPELLING TESTIMONY; PROVIDING DISCOUNT, DELINQUENT TAXES; PROVIDING INTEREST AND PENALTIES; PROVIDING CONFIDENTIAL RECORDS; PROVIDING AMENDMENTS; PROVIDING PROVISIONS CUMULATIVE; AND PROVIDING PURPOSE OF REVENUES.

\* \* \* \* \*

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

**SECTION 1. Citation and Codification.**

This Ordinance shall be known and cited as the City of McAlester Hotel Tax Ordinance and shall be codified as ARTICLE IV, Chapter 98, of the Ordinance of the City of McAlester.

**SECTION 2. Effective Date.**

This Ordinance shall become and be effective 8-1-01, subject to approval of a majority of the registered voters of the City of McAlester, Oklahoma, voting on the same in the manner prescribed by law.

**SECTION 3. Definitions.**

Unless a different meaning clearly appears from the context, for the purposes of this chapter, the following words and phrases shall have the meanings given herein:

A. **Person** shall mean an individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, or any combination of the above acting as a unit.

→B. **Operator** shall mean any person operating a hotel in this City, included, but not limited to, the owner, proprietor, lessee, sublessee, mortgagee in possession, licensee, or any other person otherwise operating such hotel.

↘C. **Occupant** shall mean a person who, for a consideration, uses, possesses or has the right to the use or possession of any room or rooms in a hotel under any lease, concession, permit, right of access, license to use, or other agreement, or otherwise.

→D. **Occupancy** shall mean the use or possession or the right to the use or possession of any room or rooms in a hotel.

↘E. **Hotel** shall mean any building or buildings, trailer or other facility in which three (3) or more rooms are used for the accommodation of such guests,

whether such rooms are in one or several structures. The term shall include hotels, apartment hotels, motels, tourist homes, houses or courts, lodging houses, inns, rooming houses, trailer houses, trailer motels, dormitory space where bed space is rented to individuals or groups, apartments not occupied by "permanent residents", as that term is hereinafter defined, and all other facilities where rooms or sleeping facilities or space are furnished for a consideration. As defined herein, "hotel" shall not include hospitals, sanitariums or nursing homes.

~F. **Room** shall mean any room or rooms of any kind in any part or portion of a hotel which is available for, let for the use of, or possessed for the purpose of lodging or sleeping.

~G. **Rent** shall mean the consideration received for occupancy valued in money, whether received in money or otherwise, including all receipts, cash, credits and property or services of any kind or nature, and also any amount for which credit is allowed by the operator to the occupant, without any deduction therefrom whatsoever.

H. **Permanent Resident** shall mean any occupant who has or shall have the right of occupancy of any room or rooms in the same hotel for at least thirty (30) consecutive days during the current calendar year or preceding year.

~I. **Return** shall include any return filed or required to be filed as herein provided.

~J. **Tax Collector** shall mean the City Treasurer or such other Department of City Government duly designated by the City Council, to administer the collection of the tax herein levied.

#### **SECTION 4. Imposition of Tax; Exemptions.**

A. There is hereby levied an excise tax of four percent (4%) upon the gross proceeds or gross receipts derived from the rent from every occupancy of a room or rooms in a hotel in this City, except that the tax shall not be imposed where the rent is less than at the rate of Five Dollars (\$5.00) per day. This excise tax shall be in addition to any existing sales tax imposed by the City of McAlester or the State of Oklahoma.

B. No tax shall be imposed hereunder upon a permanent resident.

C. No tax shall be imposed hereunder upon the United States insofar as it is immune from taxation, the State of Oklahoma, nor any municipality or other political subdivision of the state.

D. The tax to be collected shall be stated and charged separately from the rent and shall be shown separately on any record thereof at the time when the occupancy is arranged or contracted and charged for, and upon every evidence of occupancy or any bill, statement or charge made for such occupancy issued or delivered by the operator. The tax shall be paid by the occupant to the operator as trustees for and on account of the City, and the operator shall be liable for the collection thereof and for the payment of the tax. The operator and any officer of any corporate operation shall be personally liable for the tax collected or required to be collected under this title, and the operator shall have the same right in respect to collecting the tax from the occupant or in respect to nonpayment of the tax by the occupant as if the tax were a part of the rent for the occupancy payable at the same time such tax shall become due and owing, including all rights of eviction, dispossession, repossession and enforcement of any innkeeper's lien that he may have in the event of nonpayment of rent by the occupant; provided,

however, that the City of McAlester shall be joined as a party in any action or proceeding brought by the operator to collect or enforce collection of the tax.

E. Such taxes, penalty and interest due hereunder shall at all times constitute a prior, superior and paramount claim as against the claim of unsecured creditors and may be collected by suit as any other debt.

F. Where the occupant has failed to pay and the operator has failed to collect a tax as imposed by this Chapter, then, in addition to all other rights, obligations and remedies provided, such tax shall be payable by the occupant directly to the City, and it shall be the duty of the occupant to file a return thereof with the Tax Collector and to pay the tax imposed thereon to the Tax Collector, within fifteen (15) days after such tax was due.

G. The Tax Collector may, whenever he deems it necessary for the proper enforcement of this Chapter, provide by regulation that the occupant shall file returns and pay directly to the Tax Collector the tax herein imposed at such times as returns are required to be filed and payment over made by the operator.

H. The tax imposed by this section shall be paid upon any occupancy on or after 8-1-01, although such occupancy is had pursuant to a contract, lease or other arrangement made prior to 8-1-01. Where rent is paid, charged, billed or falls due on either weekly or other term basis, the rent so paid, charged, billed or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period after Aug. 1 2001, and such payment, bill, charge or rent due shall be apportioned on the basis of the ratio of the number of days falling within such portion to the total number of days covered thereby. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Tax Collector may, by regulation, provide for credit or refund of the amount of such tax upon application as provided herein.

I. For the purpose of the proper administration of this Chapter, and to prevent evasion of the tax hereby imposed, it shall be presumed that all rentals are subject to the tax until facts to the contrary are established; and the burden of providing that a rent for occupancy is not taxable hereunder shall be upon the operator or the occupant.

J. No operator shall advertise or hold out to the public in any manner, directly or indirectly, that the tax imposed by this Chapter is not considered as an element in the rent charged to the occupant.

#### **SECTION 5. Records to be Kept.**

Every operator shall keep records of every occupancy and of all rent paid, charged or due thereon and of the tax payable thereon in such form as the Tax Collector may, by regulation, require. Such records shall be available for inspection and examination at any time upon demand by the Tax Collector or a duly authorized agent or employee of the City, and shall be preserved for a period of three (3) years, except that the Tax Collector may consent to their destruction within that period or may require that they be kept longer.

#### **SECTION 6. Returns.**

A. Every operator, on or before the fifteenth day of each month, shall file with the Tax Collector a return of occupancy and of rents and of the taxes payable thereon for the preceding calendar month. The date of filing shall be the date of delivery to the Tax Collector.

B. The Tax Collector may permit or require returns to be made by shorter or longer periods and upon such dates as he may specify. The form of return shall be prescribed by the Tax Collector and shall contain such information as he may deem necessary for the proper administration of this code. The Tax Collector may require amended returns to be filed within twenty (20) days after notice, containing the information specified in the notice.

C. If a return required by this Chapter is not filed or if a return when filed is incorrect or insufficient on its face, the Tax Collector shall take the necessary steps to enforce the filing of a return or an amended return.

#### **SECTION 7. Payment of Tax.**

At the time of filing a return of occupancy and of rents, each operator shall pay to the City the taxes imposed upon the rents included in such return, as well as all other moneys collected by the operator acting or purporting to act under the provisions of this chapter. All taxes for the period for which a return is required shall be due and payable on or before the date fixed for the filing of the return for such period, without regard to whether a return is filed or whether the return correctly filed shows the amount of rents and the taxes due. If any operator has twice failed to pay taxes on or before the date fixed for payment of such taxes or if any operator refuses to pay the taxes or if the Tax Collector has reasonable grounds for belief that the operator is about to cease business or leave the state or remove or dissipate assets, or if, for any similar reason he deems it necessary to protect revenues due hereunder, the Tax Collector may require an operator to file with the City either a performance and payment bond, as detailed herein, or in lieu of this bond, an escrow account or an irrevocable letter of credit as detailed herein. The performance bond, irrevocable letter of credit or escrow account shall be provided as follows:

A. A performance and payment bond in a form acceptable to the City, naming the operator as obligee thereof, executed by a surety acceptable to the City and authorized to do business in the State of Oklahoma, in a sum equal to the City-wide average daily room rental rate, to be ascertained by the Tax Collector, times the number of rooms available for rent within the hotel multiplied by a factor of thirty (30), times four percent (4%); or

B. An irrevocable letter of credit in a form acceptable to the City, executed by the operator and a federally insured financial institution acceptable to the City, providing for a sum equal to the City-wide average daily room rental rate, to be ascertained by the Tax Collector, times the number of rooms available for rent within the hotel multiplied by a factor of thirty (30), times four percent (4%); or

C. An escrow account held by the City in a sum equal to the City-wide average daily room rental rate, to be ascertained by the Tax Collector, times the number of rooms available for rent within the hotel multiplied by a factor of thirty (30), times four percent (4%).

#### **SECTION 8. Assessment and Determination of Tax.**

If a return required by this Chapter is not filed, or if a return when filed is incorrect or insufficient, the amount of tax due shall be assessed by the Tax Collector from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, types of accommodations and services, number of employees, or other factors. Written notice of such assessments shall be given to the person liable for the collection and payment of the tax. Such assessment shall finally and irrevocably fix and determine the tax, unless the person against whom it is assessed, within ninety (90) days after the giving of such assessment, shall apply in writing to the Council of the City of McAlester for a Hearing, or unless the Tax Collector, at his discretion, shall reassess the same. After such Hearing, the Council of the City of McAlester shall give written notice of its determination to the person against whom the tax is assessed. If

the taxes and interest due are not paid within ten (10) days of assessment or reassessment by the Tax Collector or determination by the Council, in addition to the taxes and interest, the operator shall pay a penalty equal to ten percent (10%) of the taxes due.

#### **SECTION 9. Refunds.**

A. In the manner provided in this section, the Tax Collector shall refund or credit any tax erroneously, illegally or unconditionally collected if written application to the Tax Collector for such refund shall be made within two (2) years from the date of payment thereof. For like causes, and in the same period, a refund may be so made upon the initiative and the order of the Tax Collector. Whenever a refund is made, the reasons therefore shall be stated in writing. Such application may be made by the person upon whom such tax was imposed and who has actually paid the tax. Such application may also be made by the person who has collected and paid such tax to the City, provided that the application is made within two (2) years of the payment by the occupant to the operator; but no refund of money shall be made to the operator until he shall first establish to the satisfaction of the Tax Collector, under such regulations as the Tax Collector may prescribe, that he has repaid to the occupant the amount for which the application for refund is made. The Tax Collector, in lieu of any refund required to be made, may allow credit therefore on payments due from the applicant.

B. An application for a refund or credit made, as herein provided, shall be deemed an application for a revision of any tax, penalty or interest complained of, and the Tax Collector may receive evidence with respect thereto. After making his determination, the Tax Collector shall give notice thereof to the applicant. Such determination shall be final unless the applicant, within ten (10) days after such notice of determination, shall apply in writing to the Council for a Hearing. After such Hearing, the Council shall give written notice of its determination to the applicant.

C. A person shall not be entitled to revision, refund or credit of a tax under this section if he has had a Hearing or an opportunity for a Hearing as provided in this Chapter and has failed to avail himself of the remedies therein provided.

#### **SECTION 10. Notices.**

Notices provided for under this Chapter shall be deemed to have been given when such notices have been delivered personally to the operator or deposited in the United States mail to the last known address of the operator.

#### **SECTION 11. Remedies Exclusive.**

The remedies provided by Ordinance shall be exclusive remedies available to any person for the review of tax liability imposed by this Ordinance.

#### **SECTION 12. Proceedings to Recover Tax.**

##### **A. Civil Remedies.**

1. Whenever any operator, occupant or other person shall fail to collect and/or pay over any tax, or to owe any tax, penalty or interest imposed by this Chapter as herein provided, the Tax Collector may file notice of liens on behalf of the City of McAlester against the real estate upon which the hotel is located and/or against all franchises, property and rights to property, whether real or personal, then belonging to or thereafter acquired by the person owing the tax pursuant to 68 O.S. Sec. 2701, and 68 O.S. Sec. 2704.

2. The liens shall, upon proper filing, attach to the real estate and/or personal property then owned or thereafter acquired by the debtor, whether such property is used by the debtor in the operation of business or is under the authority of an assignee, trustee, or receiver for the benefit of creditors, from the date such taxes are due and payable as allowed by 68 O.S. Sec. 2704.

3. The Tax Collector shall notify the person owing the tax by personal service or by Certified Mail that the City of McAlester will file such liens if any delinquent lodging taxes, interest and/or penalties are not paid within fifteen (15) days of receiving such notice.

4. The Tax Collector may also request the City Attorney to institute an action in personam and in rem to enforce payment and collect any delinquent lodging taxes, penalties and/or interest.

**B. Criminal Penalties.**

1. In addition to all civil penalties provided by this Chapter, the Willful failure or refusal of any operator, occupant or other person to make reports and/or remittances as herein required or the making of any false and fraudulent report for the purpose of avoiding or escaping payment of any tax or portion thereof rightfully due under this Chapter shall be an offense and upon conviction thereof the offending operator, occupant or other person shall be punished by a fine of not more than the penalty set out in Section 1-8 of the Code of the City of McAlester, excluding costs.

**SECTION 13. General Powers of the Tax Collector.**

In addition to all other powers granted to the Tax Collector, he is hereby authorized and empowered:

A. to make, adopt and amend rules and regulations appropriate to the carrying out of the provisions of this Chapter for the purposes thereof;

B. to extend, for cause shown, the time for filing any return for a period not exceeding sixty (60) days; and for cause shown, to waive, remit or reduce penalties or interest;

C. to delegate his functions hereunder to a Deputy or other employee or employees of the City;

D. to assess, reassess, determine, revise and readjust the taxes imposed by this Chapter; and

E. to prescribe methods for determining the taxable and non-taxable rents.

**SECTION 14. Administration of Oaths and Compelling Testimony.**

A. The Tax Collector, or employees or agents of the City duly designated and authorized by him, shall have the power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this Chapter. The Tax Collector shall have the power to subpoena and require the attendance of witnesses and the production of books, papers and documents to secure information pertinent to the performance of his duties hereunder and of the enforcement of this Chapter, and to examine them in relation thereto.

B. Any person who shall refuse to testify or to produce books or records, or who shall testify falsely in any material matter pending before the Tax Collector shall be guilty of an offense punishable by a fine of not more than the penalty set out in Section 1-8 of the Code of the City of McAlester, excluding costs.

**SECTION 15. Discount, Delinquent Taxes.**

A. At the time of filing the returns required under this Chapter with the Tax Collector, the operator shall remit therewith to the Tax Collector, except as hereinafter provided, ninety-seven percent (97%) of the tax due under the provisions of this Chapter; provided that the tax is delivered to the Tax Collector before the 15th of the month for the preceding calendar month's return, or if transmitted by mail, that the date of postmark by the U. S. Postal Service is before the 15th day of the month for the preceding month's return. In the event that payment of any tax due is not made before the 15th of the month, the operator forfeits his claim to the three percent (3%) discount and must remit to the Tax Collector one hundred percent (100%) of the taxes due. If the filing of the return and remittance of the taxes due are received by the Tax Collector after the fifteenth day of the month, the taxes are then delinquent and the operator shall pay, in addition to one hundred percent (100%) of the taxes due, interest and penalties as prescribed in Subsection 16.A. of this Article.

B. The discount granted by this section shall remunerate the operator for keeping tax records, filing reports and remitting the tax when due as required by this chapter.

**SECTION 16. Interest and Penalties.**

A. If an operator fails to file a return or remit the taxes due prior to the fifteenth day of the month, the operator shall pay, in addition to one hundred percent (100%) of the taxes due, the following interest and penalties:

1. One and one-half percent (1-1/2%) interest per month on the total amount of taxes due from the fifteenth day of the month to the date of filing; and
2. A penalty of ten percent (10%) of the total amount of the taxes due.

B. In addition to the penalties provided herein, the following persons shall be guilty of an offense and upon conviction thereof shall be punished by a fine of not more than the penalty set out in Section 1-8 of the Code of the City of McAlester, excluding costs:

1. any operator or occupant who willfully fails to file a return as required by this chapter, or who files or causes to be filed, or makes or causes to be made, or causes to be given any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this chapter which is willfully false;
2. any operator who willfully fails to file a bond required by this chapter or who willfully fails to file a registration certificate and such data in connection therewith as the Tax Collector may require, by regulation or otherwise, or who fails to display or surrender the license as required by this chapter, or who assigns or transfers such license;
3. any operator who willfully fails to charge separately from the rent the tax herein imposed, or who willfully fails to state such tax separately on any evidence of occupancy and on any bill, statement or

receipt of rent issued or employed by the operator, or who willfully fails or refuses to collect tax from the occupant;

4. any operator who willfully refers or causes reference to be made to this tax in a form or manner other than that required by this chapter; and

5. any operator who willfully fails to keep the records required by this chapter.

C. The affidavit of the Tax Collector to the effect that a tax has not been paid, that a return, bond, or registration certificate has not been filed, or that information has not been supplied pursuant to the provisions of this chapter, shall be presumptive evidence thereof.

#### **SECTION 17. Confidential Records.**

The confidential and privileged nature of the records and files concerning the administration of this tax is legislatively recognized and declared, and to protect the same, the provisions of 68 O.S. Section 205, and each subsection thereof, are hereby adopted by reference and made fully effective and applicable to administration of this tax as if they were herein set forth in full.

#### **SECTION 18. Amendments.**

The people of the City of McAlester, Oklahoma, shall by their approval of this chapter at the election herein provided, authorize the Council of the City of McAlester, Oklahoma, by Ordinance duly enacted, to make such changes or additions in the method and manner of administration and enforcing this chapter as may be necessary or proper for efficiency and fairness, except that the rate of the tax herein provided shall not be changed without approval of the qualified electors of the City of McAlester as herein provided.

#### **SECTION 19. Provisions Cumulative.**

The provisions hereof shall be cumulative and in addition to any and all other taxing provisions of the City.

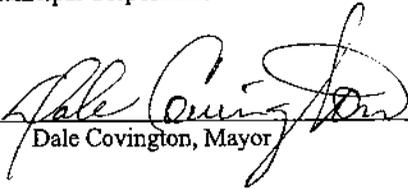
#### **SECTION 20. Purpose of Revenues.**

It is hereby declared to be the purpose of this Ordinance to provide revenues for the following specific purposes, and no others, to-wit:

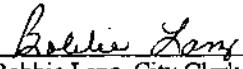
1. for the operation of the Tourism and related departments of the City of McAlester;
2. to adopt agreements, plans, policies, and programs to encourage the development of the City as a convention, trade show, and tourist center; and
3. to construct, reconstruct, operate, maintain and repair buildings and facilities of the City of McAlester necessary to foster the development of the City as a convention, trade show, and tourist center, and to acquire land in connection therewith.

PASSED and ADOPTED in regular session this 24<sup>th</sup> day of April 2001.

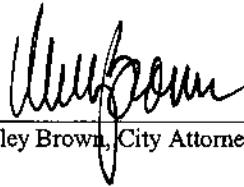
CITY OF McALESTER, OKLAHOMA  
A Municipal Corporation

By   
Dale Covington, Mayor

ATTEST:

  
Bobbie Lanz, City Clerk

Approved as to form and legality this 24<sup>th</sup> day of April 2001.

By   
Wesley Brown, City Attorney

Council Chambers  
Municipal Building  
June 9, 2009

The McAlester Airport Authority met in a Regular session on Tuesday, June 9, 2009, at 6:00 P.M. after proper notice and agenda was posted June 4, 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. Browne seconded by Mr. Fiedler to approve the following:

- **Approval of Minutes from the May 26, 2009, Regular Meeting of the McAlester Airport Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item k regarding the Claims for the period of May 27, 2009 through June 9, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)* In the amount of \$2,510.00.

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. Browne moved for the meeting to be adjourned, seconded by Mr. Fiedler. The vote was taken as follows:

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

Chairman Priddle declared the motion carried.

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Kevin Priddle, Chairman

ATTEST:

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Cora Middleton, Secretary

Council Chambers  
Municipal Building  
June 9, 2009

The McAlester Public Works Authority met in a Regular session on Tuesday, June 9, 2009, at 6:00 P.M. after proper notice and agenda was posted June 4, 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. Condit and seconded by Mr. Fiedler to approve the following:

- **Approval of Minutes from the May 26, 2009, Regular Meeting of the McAlester Public Works Authority.** *(Cora Middleton, City Clerk)*
- **Accept, and place on file, the Oklahoma Department of Environmental Quality Permit No. SL000061090388 for the 14<sup>th</sup> Street and Village Boulevard Sanitary Sewer Line Extension.** *(David Medley, Utilities Director)*
- **Accept, and place on file, the Oklahoma Department of Environmental Quality Permit No. WL000061090387 for the 14<sup>th</sup> Street Water Line Extension.** *(David Medley, Utilities Director)*
- **Confirm action taken on City Council Agenda Item k regarding the Claims for the period of May 27, 2009 through June 9, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)* In the amount of \$185,872.16.
- **Confirm action taken on City Council Agenda Item 4 regarding Ordinance relating to the imposition of a City Excise Tax (Sales Tax) of One Percent (1%); providing that said Excise Tax shall replace a one percent (1%) Excise Tax presently being levied; providing for the use of the proceeds of said Excise Tax; providing for the effective date and stated termination date of said Excise Tax; providing for severability of provisions; and containing other provisions related thereto.** *(Kevin E. Priddle, Mayor; Sam Mason, Councilmember and John Browne, Councilmember)*
- **Confirm action taken on City Council Agenda Item 5 regarding a Resolution calling for an election regarding submitting to the registered qualified electors the question of approval or rejection of the creation of indebtedness by the McAlester Public Works Authority, Oklahoma as the beneficiary thereof; and containing other provisions relating thereto.** *(Kevin E. Priddle, Mayor; Sam Mason, Councilmember and John Browne, Councilmember)*

- **Confirm action taken on City Council Agenda Item 6 regarding a Resolution calling for an election regarding submitting to the registered qualified electors the question of approval or rejection of the creation of indebtedness by the McAlester Public Works Authority, Oklahoma as the beneficiary thereof; and containing other provisions relating thereto. (Kevin E. Priddle, Mayor; Sam Mason, Councilmember and John Browne, Councilmember)**
- **Confirm action taken on City Council Agenda Item 7 regarding a Resolution amending the City's Non-Uniform Pay Plan or other benefits. (Donnie Condit and John Browne, Councilmember's)**
- **Confirm action taken on City Council Agenda Item 8 regarding a proposal by Midwest Employers Casualty Company regarding excess workers compensation insurance. (Mark B. Roath, City Manager)**

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. Condit moved for the meeting to be adjourned, seconded by Mr. Fiedler. The vote was taken as follows:

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

Chairman Priddle declared the motion carried.

ATTEST:

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Kevin Priddle, Chairman

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Cora Middleton, Secretary

Council Chambers  
Municipal Building  
May 26, 2009

The McAlester Retirement Trust Authority met in Regular session on Tuesday, May 26, 2009, at 6:00 P.M. after proper notice and agenda was posted May 21, 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. Browne seconded by Mr. Garvin to approve the following:

- **Approval of the Minutes from the April 28, 2009, Regular Meeting of the McAlester Retirement Trust.** *(Cora Middleton, City Clerk)*
- **Approval of Retirement Benefit Payments for the period of June, 2009.** *(Sherry Alessi, Assistant Chief Financial Officer)* In the amount of \$44,583.36.

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

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

Chairman Priddle declared the motion carried.

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

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

Chairman Priddle declared the motion carried.

ATTEST:

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Kevin E. Priddle, Chairman

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Cora Middleton, Secretary