



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, November 11, 2008 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

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

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

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

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

CALL TO ORDER

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

- Scott Walker, Executive Director of 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 the Minutes from the October 27, 2008, Special Meeting of the City Council.**
(Cora Middleton, City Clerk)
- B. **Approval of the Minutes from the October 28, 2008, Regular Meeting of the City Council.**
(Cora Middleton, City Clerk)
- C. **Concur with Mayor's appointment of Emma Watts to the Board of Ethics for a term to expire July 2009.** *(Kevin E. Priddle, Mayor)*
- D. **Concur with Mayor's appointment of Mary Ellen Keeter to the Housing Authority Board for a term to expire July 2012.** *(Kevin E. Priddle, Mayor)*
- E. **Approval of Claims for the period of October 29, 2008 through November 11, 2008.** *(Sherry Alessi, Assistant City Financial Officer)*

ITEMS REMOVED FROM CONSENT AGENDA

PUBLIC HEARING

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

SCHEDULED BUSINESS

- 1. **Presentation about the Award recognizing the City's West Wastewater Treatment Plant from the Oklahoma Water Pollution Control Association.** *(David Medley, Utilities Director)*

Executive Summary

This agenda item involves a presentation on the award given the City by the Oklahoma Water Pollution Control Association.

- 2. **Presentation about a Report on Collection of Past Due Fines by the Part-time Warrant Officer.** *(Karen Boatright, Municipal Court Administrator)*

Executive Summary

This agenda item involves a presentation on the collections made by the part-time Warrant Officer in the Municipal Court Division.

- 3. **Discussion, and possible action, on a Request by Benefit Partners to undertake a Defined Benefit Retirement Plan and Trust Experience Analysis in an amount not to exceed \$8,000.00.** *(Bruce R. Nordstrom, Benefit Partners)*

Executive Summary

This agenda item involves an experience analysis, which Benefit Partners recommends be undertaken related to the City's Defined Benefit Retirement Plan.

- 4. **Discussion, and possible action, an Ordinance amending General Zoning Ordinance No. 1843 and accompanying map by rezoning Lot 10 in the Village Addition No.#3 and a tract of land in Lot 54 in townsite Addition No.#4, City of McAlester, Pittsburg County, State of Oklahoma, from C-2 (Neighborhood Convenience) to C-3 (General Commercial).** *(Terry Miller, Applicant)*

Executive Summary

This agenda item involves a rezone request from C-2 to C-3 by Terry Miller.

5. **Discussion, and possible action, on a Variance Request by Central Design Group II, L.L.C., representing Candlewood Suites, regarding relief from the electrical requirement set forth in City Code Section 18-144(b).** *(Jerry Campbell, Project Manager)*

Executive Summary

This agenda item involves a variance request to the City's electrical code, which is set forth in Section 18-144(b) for Candlewood Suites.

6. **Discussion, and possible action, directing the City Manager or his designee, within thirty days, to prepare and submit to the City Council a list of qualified professional consultants to access the feasibility of the Thunder Creek Golf Course being a public course.** *(Kevin Priddle, Mayor)*

Executive Summary

This agenda item involves compiling a list of qualified professional consultants for Council consideration to engage in order to determine if the Thunder Creek Golf Course should be a public course.

7. **Discussion, and possible action, authorizing the Mayor to sign an Oklahoma Highway Safety Office Contract, in the amount of \$30,000.00, for overtime traffic enforcement and equipment.** *(Jim Lyles, Chief-of-Police)*

Executive Summary

This agenda item involves a grant award to the McAlester Police Department for overtime traffic enforcement and purchase of two police traffic radar units.

8. **Discussion, and possible action, approving Change Order No# 1 to the Northern Equipment Co., Inc. Contract involving the 2008 Water Treatment Plant Modifications Enhanced Coagulation Project including replacing certain equipment and a time extension of ninety-eight days to said contract.** *(David Medley, Utilities Director)*

Executive Summary

This agenda item involves Change Order No#1 to the Northern Equipment Co., Inc. Contract to replace two Chemical Feed Tanks and install three roll up doors at a cost of \$101,926.85 and a contract extension of 98 days.

9. **Discussion, and possible action, approving a fee increase for Melburger Brawley for additional professional services related to Change Order No#1 for the 2008 Water Treatment Plant Modifications Enhanced Coagulation Project.** *(David Medley, Utilities Director)*

Executive Summary

This agenda item involves additional professional services by Melburger Brawley related to Change Order No#1 for the above described project.

NEW BUSINESS

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

CITY MANAGER'S REPORT

REMARKS AND INQUIRIES BY CITY COUNCIL

RECESS COUNCIL MEETING**CONVENE AS McALESTER AIRPORT AUTHORITY**

Majority of a Quorum required for approval

- **Approval of the Minutes from the October 28, 2008, Regular Meeting of the McAlester Airport Authority. (Cora Middleton, City Clerk)**
- **Confirm action taken on City Council Agenda Item E regarding the Claims for the period of October 29, 2008 through November 11, 2008. (Sherry Alessi, Assistant Chief Financial Officer)**

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

Majority of a Quorum required for approval

- **Approval of the Minutes from the October 28, 2008, Regular Meeting of the McAlester Public Works Authority. (Cora Middleton, City Clerk)**
- **Confirm action taken on City Council Agenda Item E regarding the Claims for the period of October 29, 2008 through November 11, 2008. (Sherry Alessi, Assistant Chief Financial Officer)**
- **Confirm action taken on City Council Agenda Item 1 regarding presentation about the Award recognizing the City's West Wastewater Treatment Plant from the Oklahoma Water Pollution Control Association. (David Medley, Utilities Director)**
- **Confirm action taken on City Council Agenda Item 3 regarding a Request by Benefit Partners to undertake a Defined Benefit Retirement Plan and Trust Experience Analysis in an amount not to exceed \$8,000.00. (Bruce R. Nordstrom, Benefit Partners)**
- **Confirm action taken on City Council Agenda Item 8 regarding approving Change Order No# 1 to the Northern Equipment Co., Inc. Contract involving the 2008 Water Treatment Plant Modifications Enhanced Coagulation Project including replacing certain equipment and a time extension of ninety-eight days to said contract. (David Medley, Utilities Director)**
- **Confirm action taken on City Council Agenda Item 9 regarding approving a fee increase for Melburger Brawley for additional professional services related to Change Order No#1 for the 2008 Water Treatment Plant Modifications Enhanced Coagulation Project. (David Medley, Utilities Director)**

ADJOURN MPWARECONVENE COUNCIL MEETING**EXECUTIVE SESSION**

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

- **Section 307 (B) (2) – Discussion concerning current status of the collective bargaining negotiations with the IAFF and FOP.**

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this ___ day of ____, 2008 at ___ a.m./ p.m. as required by law in accordance with Section 303 of the Oklahoma Statutes and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of McAlester website: www.cityofmcalester.com.

Cora M. Middleton, City Clerk

Council Conference Room
Municipal Building
October 27, 2008

The McAlester City Council met in Special session on Monday, October 27, 2008, at 6:00 P.M. after proper notice and agenda was posted October 23, 2008, at 5:15 P.M.

CALL TO ORDER

Mayor Lewis called the meeting to order. Council Roll Call was as follows:

Present: Chris Fiedler, John Browne, Donnie Condit, Haven Wilkinson, Buddy Garvin, Sam Mason & Mayor Priddle
Absent: None
Presiding: Kevin E. Priddle, Mayor

Staff Present: Mark Roath, City Manager and Cora Middleton, City Clerk

Mayor Priddle asked Councilman Mason to give the invocation and lead the Pledge of Allegiance.

SCHEDULED BUSINESS

- 1. Discussion, review, and possible action, on City bond indebtedness including potential scenarios for restructuring said debt. (Rick Smith, Municipal Finance Services, Inc.)**

Mayor Priddle introduced John Wolff of Municipal Finance Services, Inc.

Mr. Wolff began by explaining that his firm had been involved with the City of McAlester since the summer of 2005. During this time they had worked to help the City understand its financial position, indebtedness and help make some tough decisions over the past three (3) years. He added that the transactions that he was going to explain had transpired long before his services had been retained by the City.

Mr. Wolff then reviewed a report that had been distributed to the Council. During his review he stated that his intent tonight was to show the Council how the MPWA bond issues tied to the City's indebtedness and the uses and collections of sales tax. He explained that the 1999 and 2002 bonds had been used to refund the 1992 and 1995 bonds and issue additional proceeds for projects that were needed in 1999 and 2002. Mr. Wolff stated that a key point was that the 1992 series was used to refund a 1979 and 1980 series. He added that starting in 1992 through 2002 either a substantial or a moderate portion of those bonds were used to refund prior debt and roll in more funds for additional projects. He commented that he could not address what all those dollars were used for but there was certainly intent to use them for various projects. He commented that the key thing was that the information on the bond issuances from 1992 until now

and where those monies went is laid out for the Council to review in the report that had been distributed. Mr. Wolff explained the difference in taxable and tax exempt debt.

There was discussion among the Council on the bond issuance analysis that was included in the report handed out by Mr. Wolff, what the standard practice of most cities was regarding debt, when the various bonds were callable and which could be paid early without penalty.

Mr. Wolff explained that these transactions were very complicated and they had done their best to grasp what had occurred.

Allen Brooks of The Public Finance Law Group PLLC, commented that they had spent three (3) or four (4) days looking at the records trying to figure out why things had been done the way they were.

There was further discussion among the Council regarding the debt related to the sales tax bonds, if the tax expired when the bonds were paid and if only a portion of a bond could be called.

Mr. Brooks stated that to answer those questions, the debt documents would have to be reviewed. Each bond could be different.

Mr. Wolff commented that their firm would need direction from the governing body when they were ready to address the issue of financing new or refinancing old debt. He added that the Council would need to look at capital planning for the next five (5), ten (10), and twenty (20) years and how to accomplish those objectives with debt load.

Mayor Priddle agreed that this was not the time to refinance and this meeting had not been for that purpose. It was merely a meeting to help the Council understand the City's current financial situation.

Councilman Mason commented that the current Council was not here when the situation that mortgaged our future happened. He added that it appeared that this was a result of either non-existent or poor planning. He further commented that Mr. Brooks had always been honest and upfront and Mr. Wolff had confirmed what we had to do to address an issue three (3) years ago. Councilman Mason stated that it did not seem the City had the money to look at things in the future that needed to be done today and the Council would need help when the appropriate time came. He added that he hoped the Council would look into engaging their firm when that time came and he appreciated their time in being here.

Mayor Priddle thanked Mr. Wolff and Mr. Brooks for their time and expertise.

ADJOURNMENT

There being no further business to come before the Council, Councilman Wilkinson moved for the Special Meeting to be adjourned. The motion was seconded by Councilman Condit and the vote was taken as follows:

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

Mayor Priddle declared the motion carried, and the meeting was adjourned at 8:19 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk

Council Chambers
Municipal Building
October 28, 2008

The McAlester City Council met in regular session on Tuesday, October 28, 2008, at 6:00 P.M. after proper notice and agenda was posted October 23, 2008, at 5:15 P.M.

CALL TO ORDER

Mayor Priddle called the meeting to order. Council Roll Call was as follows:

Present: Chris Fiedler, John Browne, Haven Wilkinson, Buddy Garvin, Sam Mason & Mayor Priddle
Absent: Donnie Condit
Presiding: Kevin E. Priddle, Mayor

Staff Present: Mark Roath, City Manager; Dennis Lalli, Building Inspector; William J. Ervin, Jr., City Attorney and Cora Middleton, City Clerk

INVOCATION & PLEDGE OF ALLEGIANCE

- **J.T. Carnell, Minister of the First Church of the Nazarene.**

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 the Minutes from the October 10, 2008, Special Meeting of the City Council.** *(Cora Middleton, City Clerk)*
- Approval of the Minutes from the October 14, 2008, Regular Meeting of the City Council.** *(Cora Middleton, City Clerk)*
- Approval of Claims for October 15, 2008 through October 28, 2008.** *(Sherry Alessi, Assistant City Financial Officer)*

Councilman Mason commented that Mr. Roath was going to remove item "C".

Councilman Fiedler moved to approve items "A and B" of the consent agenda. The motion was seconded by Councilman Browne.

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

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

Mayor Priddle declared the motion carried.

ITEMS REMOVED FROM CONSENT AGENDA

C. **Approval of Claims for October 15, 2008 through October 28, 2008.** (*Sherry Alessi, Assistant City Financial Officer*) In the following amounts: General Fund - \$119,532.20; Parking Authority - \$195.22; Nutrition - \$972.73; Revolving Evidence - \$9,000.00; Educational Fund - \$58,842.57; SE Expo Center/Tourism Fund - \$10,667.47; E-911 - \$8,148.51; Economic Development - \$9250.00 and CIP Fund - \$11,514.74.

Councilman Mason moved to approve Consent Agenda item “C”, seconded by Councilman Wilkinson.

Before the vote, Mr. Roath explained that a claim in the amount of \$40,000.00 had inadvertently been placed on the list. He added that it needed to be removed until such time that the staff comes back with a contract.

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

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

Mayor Priddle declared the motion carried.

PUBLIC HEARING

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

Councilman Wilkinson moved to open the Public Hearing. The motion was seconded by Councilman Fiedler.

Before the vote, Mayor Priddle read the title to the Ordinance that was being considered.

Mr. Roath then explained that the Ordinance if approved would amend the budget in the following areas: 1. a late payment from the ADA account would lower the amount that had been carried over from the previous year. 2. The Airport had received an FAA grant late and this would increase the funds available in that account and 3. Additional improvements had been proposed and additional funds were needed to complete those improvements.

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

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

Mayor Priddle declared the motion carried, and the Public Hearing was opened at 6:07 P.M.

There were no comments concerning the Ordinance, and Councilman Browne moved to close the Public Hearing. The motion was seconded by Councilman Fiedler and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was closed at 6:10 P.M.

SCHEDULED BUSINESS

1. Presentation of the Mayor's Property of the Month by Ward. (Kevin E. Priddle, Mayor)

Executive Summary

This agenda item involves the Mayor's Property of the Month by Ward.

Mayor Priddle presented the Mayor's Property of the Month awards to the following citizens:

Ward One	--	Mr. & Mrs. Robert Lee, 1102 E. Adams
Ward Two	--	Harold & Deborah Dalton, 2012 Hardy Springs Rd.
Ward Three	--	Mike & Debbie Dusenberry, 304 Edgewood
Ward Four	--	William & Dorothy Crone, 400 W. Adams
Ward Five	--	Michael Day, 2215 Sycamore Road
Ward Six	--	Brian West, 714 E. Osage

2. Presentation and Place on File the Revenue and Expense Review for September, 2008. (Kevin E. Priddle, Mayor)

Executive Summary

This agenda item involves the Mayor's financial review for the month of September, 2008.

Mayor Priddle briefly reviewed the Revenue and Expense analysis, explaining some of the variances.

Councilman Browne asked to review the annual revenue again.

Mayor Priddle commented that the revenue was up 15.2% from the budget and that the City of McAlester had not been affected by the world economy.

Councilman Garvin thanked the Mayor for the information he had furnished with the review.

Mayor Priddle commented that he felt it was important that the citizens had this information available for their review.

There was no vote on this item.

3. Presentation and Place on File the Annual Financial Statements and Independent Auditor's Reports for the Fiscal Year ending June, 2007. (Rheba Henderson, Hulme, Rahhal, Henderson, Inc.)

Executive Summary

This agenda item involves the Independent Auditor's Report for the Fiscal Year 2006-2007.

Rheba Henderson addressed the Council and distributed a document that was a new format for the management responses to the Audit. She then reviewed some of the highlights from the Audit commenting that the assets of the City were listed in the General Fund and the liabilities or debts were in the MPWA fund.

Mayor Priddle commented that there seemed to be significant improvement over the past years audit.

Ms. Henderson highlighted each of the various sections and commented that the overall audit was good and had not exceeded the budget. She also stated that the bond requirements had been met and she had seen some improvements.

Mayor Priddle commented that the individuals from Crawford and Associates would be here soon to begin the initial steps for the 2007/2008 Audit but that Ms. Henderson would actually still be performing the audit.

Ms. Henderson reviewed the new format for the management letter and stated that the only item that still was unresolved was the resolution of the BKD issues. She encouraged the Council to set a pay back schedule.

Mayor Priddle commented that the Audit & Finance Advisory Committee had reviewed the Audit in depth and seemed satisfied with the overall improvements.

Councilman Mason moved to approve and place on file the 2006-2007 Fiscal Year Audit. The motion was seconded by Councilman Fiedler.

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

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

NAY: None

Mayor Priddle declared the motion carried.

4. Consider, and act upon, a Resolution declaring certain structures as Dilapidated and Detrimental to the Health, Safety, or Welfare of the General Public. (Dennis Lalli, Building Inspector)

Executive Summary

This agenda item involves a Resolution listing structures proposed to be declared dilapidated to the health, safety, or welfare of the General Public and subject to removal.

Councilman Fiedler moved to approve the list of condemnations that were for consideration by the Council. The motion was seconded by Councilman Garvin. Following is the list of the properties that were for consideration by the Council for condemnation:

1. 3804 N. 5th, Block 27 North McAlester, Lot 1.
2. 711 E. Electric, McAlester Addition, Block 32, Lot 6 & Vacated Alley.
3. 601 W. Tyler, Block 131, Lots 9 & 10.
4. 801 W. Harrison, Block 135, Lot 6.
5. 607 E. Monroe, Block 213, Lot 7.
6. 210 E. Jackson, Block 216, E 56' of W 59' of Lot 2.
7. 419 W. Madison, Block 223, E 89 1/2' of Lots 6 & 7.
8. 14 E. Jefferson, Block 270, W 79 1/2' of Lot 3.
9. 305 N. 1st, Block 301, N. 135' of Lot 8.
10. 111 S. 6th, Block 398, Lot 1.
11. 514 W. Cherokee, Block 435, W 60' of Lot 2.
12. 400 W. Delaware, Block 440, Lot 1 & 20' of Vacated Delaware.
13. 816 E. Osage, Block 564, E 1/2 of Lot 2.
14. 1516 Park Drive, Newton Heights, Block 2, Lot 37.

Before the vote, Mr. Roath commented that he had requested that Mr. Lalli take additional photos of the following properties; 210 E. Jackson and 1516 Park Drive

Dennis Lalli Building Inspector, explained what actually qualifies a structure as a dilapidated building and stated that there had been fifty-two (52) condemnations since August of 2007.

Mr. Roath added that thirty (30) some structures had been condemned since the first of the year.

Eldon Conner addressed the Council regarding the property located at 514 W. Cherokee. He explained that he was in the process of demolishing the building that was located on the lot and he felt that he could have it finished within thirty (30) days. He indicated that he was recycling as much of the lumber as he could to be used in another structure.

Mr. Lalli, Mr. Roath and Mayor Priddle explained to Mr. Conner that if the Council condemned his property he would have ten (10) days to file for a remodel permit, for a \$2500.00 fee and then ninety (90) days to complete the remodel. If he were to completely have the structure removed within that time period his fee would be refunded to him.

Hilda Woodmore addressed the Council regarding the property at 210 E. Jackson. She explained that this property was in probate and it was the heir's intent to sell it as a fixer upper.

Mr. Ervin explained that should the Council follow through with the condemnation of this property, the representative of the estate would have the right to seek advice from the legal counsel handling the probate proceedings.

Wendell Cook addressed the Council regarding the properties at 1516 Park Drive and 711 E. Electric. He stated that his intent was to sell both properties but the property at 1516 Park Drive

still contained personal possessions and could not be sold until those items had been removed. He added that when the property at 1516 Park Drive had come before the Council about two (2) years ago he had obtained a remodel permit and had actually completed nine and a half of the requirements. Mr. Cook stated that he had threatened to sue the City previously about an attempt to condemn his property and if necessary he would do so again.

Mayor Priddle asked why was this property on the list.

Mr. Lalli explained that there had been numerous complaints about animals going in and out of the structure.

Lynnette Keith addressed the Council regarding the property at 400 W. Delaware asking that the Council reconsider condemning that property.

Mr. Ervin explained the steps that Ms. Keith would need to take to keep the structure from being demolished.

Councilman Fiedler moved to remove the properties at 1516 Park Drive and 514 W Cherokee from the condemnation list. The motion failed for lack of a second.

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

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

NAY: None

Mayor Priddle declared the motion carried.

5. **Consider, and act upon, a Resolution directing the City Manager to develop an Identity Theft Prevention Program for City Council consideration and possible adoption as required by the Federal Trade Commission for communities providing utility services or otherwise accepting payment for municipal services in arrears.**
(Mark B. Roath, City Manager)

Executive Summary

This agenda item involves a Federal Trade Commission ruling that cities accepting payment for utility services are mandated to develop an Identity Theft Prevention Program.

Mr. Roath explained that this directed his office and staff to develop a draft Identity Theft Prevention Program with an extended deadline of May 1, 2009. He recommended that they present that program to the Council approximately forty-five (45) days prior to that deadline.

Councilman Mason moved to approve RESOLUTION NO. 08-20, directing the City Manager to develop an Identity Theft Prevention Program for City Council consideration and possible adoption as required by the Federal Trade Commission for communities providing utility services or otherwise accepting payment for municipal services in arrears. The motion was seconded by Councilman Garvin.

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

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

NAY: None

Mayor Priddle declared the motion carried.

6. **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 a budget amendment involving ADA, FAA Grant and City Hall Remodel Project.

ORDINANCE NO. 2305

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.

Mr. Roath once again explained the three exhibits to the budget amendment beginning with A-1. He stated that this exhibit dealt with the funds that had been appropriated to comply with a court order regarding ADA violations and a payment in the amount of \$9,723.00 had been made late in the previous fiscal year that lowered the amount of funds that had been carried over to this fiscal year. He explained that exhibit A-2 dealt with an FAA grant that had been received by the City late in the previous fiscal year, in the amount of \$337,746.00. This would increase the amount of funds available for the new airport project expenditures. Mr. Roath explained that the final exhibit dealt with the renovations of offices in City Hall. He stated that the additional request of \$12,500.00 would allow the completion of the improvements to the finance department area and the clerk's office. He added that it would also include improving the area in front of the Council Chambers and repairs to the damaged tiles in front of City Hall.

Mr. Roath then complimented the staff from Facilities Maintenance for their work. He explained that there had been two (2) employees working with an inmate crew and they had been doing a very good job.

Councilman Mason moved for approval of **ORDINANCE NO. 2305**, seconded by Councilman Fiedler.

Before the vote, Councilman Browne stated that he did not support spending for any further renovations and he would like to have that exhibit separated from the Ordinance. He added that he did support the first two items on the budget amendment.

Councilman Browne moved to amend the original motion and remove item three from the budget amendment. Councilman Fiedler seconded the motion.

Before the vote on the amendment, Mr. Roath commented that he understood Councilman Browne's comments. He stated that he was attempting to improve accessibility to City Hall, improve the morale of the employees and their working conditions and the tiles in front of the building were a safety concern.

Councilman Fiedler stated that he was not against the remodeling but he thought it could be postponed until after the first of the year.

Mr. Roath stated that the City had access to a good inmate crew at this time and the carpet and tile installers may not be available at a later date and it would be advantageous to complete all of the work now. He added that this was a nominal amount, one tenth of one tenth of the budget.

Councilman Browne asked for verification on the vote. Did a yes vote mean we do want or not want the item?

Mayor Priddle stated that a yes vote meant that you do not want the additional \$12,500.00 improvements to City Hall.

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

AYE: Councilman Browne, Garvin & Fiedler

NAY: Councilman Wilkinson, Mason & Mayor Priddle

Mayor Priddle declared the amendment failed due to a tie.

Mayor Priddle stated that the vote on items one and two would be taken and a yes vote meant you were voting for those items.

There was no further on the original motion and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

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

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

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

NAY: None

Mayor Priddle declared the motion carried.

7. **Consider, and act upon, declaring as surplus equipment certain cellular telephones and accessories and authorizing the City Manager to sell, donate or dispose of said items. (James Stanford, Information Technology Manager)**

Executive Summary

This agenda item involves declaring certain non-usable cellular telephones as surplus or obsolete equipment and authorizing the City Manager to sell, donate or dispose of said items.

Mr. Roath explained that about a year ago the City entered into an agreement for cellular service with Cingular. As you know, Cingular was purchased by AT&T. AT&T would not furnish the City with phone replacements at the agreements terms, so the City has now changed to US Cellular and has several non-usable phones that could be sold, donated or disposed of. He then explained that all City information had been removed from the phones and the value of these phones that could be sold or donated may or may not be close to \$600.00.

Councilman Mason commented that the statement needed to be made that the value was less than \$600.00.

Mr. Roath commented that further information had been obtained after the agendas were distributed and this had been furnished to the Council before the meeting. He stated that the document furnished the cost of the phones and their current market price, not including the broken phones.

Councilman Mason requested that this statement be entered into the minutes:

The mentioned statement was as follows:

Cost for cell phones:

Kyocera	76	@	\$ 0.01 = \$ 0.75
LG	8	@	\$ 0.00 = \$ 0.00
Nokia	77	@	\$ 0.00 = \$ 0.00
Blackberry	10	@	\$49.99 = \$499.90
Total cost			\$500.65

Current Market Price: (EBay and Amazon averages) excluding broken phones.

Kyocera	47	@	\$ 0.00 = \$ 0.00
LG	8	@	\$ 0.00 = \$ 0.00
Nokia	68	@	\$ 1.00 = \$ 68.00
Blackberry	8	@	\$ 33.00 = \$264.00
Total value			\$332.00

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

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

NAY: None

Mayor Priddle declared the motion carried.

NEW BUSINESS

None

CITY MANAGER'S REPORT

Mr. Roath stated that he did not have a report at this time.

REMARKS AND INQUIRIES BY CITY COUNCIL

Councilman Fiedler commented that it was nice to see the citizens take advantage of the free trash and dump. He reported that Thursday there would be a Career Day sponsored by MEDS and Eastern Oklahoma State College. He stated that the number of ambulance runs was about 500 over last year.

Councilman Browne thanked Ron Di Palola for the donation of security cameras to be used at Komar Park. He commended the Planning Commission, stating that he had attended his first meeting and everything worked very smoothly through their process. He announced that on November 6th at 6:00 P.M. there would be another Neighborhood Watch meeting at the Girl Scout building.

Councilman Wilkinson commented that the clean up was going good and he asked that the trash be put into the dumpsters. He reminded everyone that Halloween was Friday and asked that they watch out for the kids.

Councilman Garvin commended Mr. Roath and the City employees for the improvement at the landfill. He thanked the Police Department for their involvement in things that have been occurring in Fifth Ward.

Councilman Mason stated that he did not have anything to add.

Mayor Priddle stated that he had spoken with Clyde Heathcock at Crime Stoppers. They are looking for their first endeavor and they are willing to highlight the Komar Park and the damage to the Girl Scout building in Third Ward. He announced that Pride In McAlester was having their Garbage Gala on November 7th at Third and Choctaw followed by a garage sale on the eighth and ninth.

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 Wilkinson and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried, and the Regular Meeting was recessed at 8:10 P.M.

RECONVENE COUNCIL MEETING

The Regular Meeting was reconvened at 8:13 P.M.

Mayor Priddle announced that the City's chief negotiator had a death in the family so there would not be an Executive Session as scheduled.

ADJOURNMENT

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

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

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 8:14 P.M.

Kevin E. Priddle, Mayor

ATTEST:

Cora Middleton, City Clerk

**CLAIMS FROM OCT. 29, 2008
THRU
NOV. 11, 2008**

CKET: 04005 Regular Payments

NDOR SET: 01

ND : 01 GENERAL FUND

NDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-A00028	"A" PLUS LAWN SERVICE					
		I-08-22820	01 -5542308	CONTRACTED SE OCT MOWING CONTRACT	043887	1,200.00
-A00200	ADAMS TRUE VALUE					
		I-120042	01 -5547203	REPAIRS & MAI OPEN PO FOR GATE AND	043888	80.25
		I-120458	01 -5547203	REPAIRS & MAI OPEN PO FOR GATE AND	043888	159.00
-A00362	ALLEGIANCE COMMUNICATIO					
		I-08-22249.	01 -5320202	OPERATING EXP ANNUAL CABLE SERVICE	043889	109.99
-A00500	AMERICAN MUNICIPAL SERV					
		I-2874	01 -5213338	CREDIT CARD M COLLECTIONS SEPT	043890	535.67
-A00751	ATWOODS					
		I-2912957	01 -5542203	REPAIRS & MAI SUPPLIES	043891	223.95
		I-3106272	01 -5542203	REPAIRS & MAI SUPPLIES	043891	59.24
		I-3116288	01 -5542203	REPAIRS & MAI SUPPLIES	043891	44.66
		I-3160792	01 -5548203	REPAIRS & MAI MAINTENANCE SUPPLIES FOR	043891	91.48
		I-3160832	01 -5542203	REPAIRS & MAI OPEN PO FOR MISC. REPAIR	043891	21.16
		I-3162215	01 -5542203	REPAIRS & MAI OPEN PO FOR MISC. REPAIR	043891	22.47
		I-3162359	01 -5542203	REPAIRS & MAI OPEN PO FOR MISC. REPAIR	043891	36.42
		I-3164283	01 -5542203	REPAIRS & MAI OPEN PO FOR MISC. REPAIR	043891	45.48
		I-3165356	01 -5542203	REPAIRS & MAI OPEN PO FOR MISC. REPAIR	043891	19.19
		I-3165507	01 -5542203	REPAIRS & MAI OPEN PO FOR MISC. REPAIR	043891	25.98
		I-3166197	01 -5542203	REPAIRS & MAI OPEN PO FOR MISC. REPAIR	043891	17.53
		I-3166236	01 -5542203	REPAIRS & MAI OPEN PO FOR MISC. REPAIR	043892	13.45
-A00770	AUTO PARTS CO					
		I-827124	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	39.95
		I-827394	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	80.99
		I-827458	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	193.33
		I-827570	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	130.09
		I-827647	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	135.99
		I-827749	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	45.89
		I-827781	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	122.10
		I-827786	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	97.27
		I-827807	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	54.27
		I-827862	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	205.22
		I-827889	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	15.79
		I-827899	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	217.71
		I-827937	01 -5862203	REPAIRS & MAI AUTO PARTS	043893	253.50
-B00110	BARRETT'S AUTO PRODUCTS					
		I-35460	01 -5862203	REPAIRS & MAI TIRE REPAIR MATERIALS	043894	181.30
		I-35668	01 -5865202	OPERATING SUP LEATHER & CLOTH GLOVES	043894	142.20
-B00150	BEALES GOODYEAR TIRES					
		I-MC-157429	01 -5431316	REPAIRS & MAI 2 TIRES FOR MEDIC #2	043895	240.64
		I-MC-157471	01 -5862203	REPAIRS & MAI TIRES FOR C-30	043895	212.24

CKET: 04005 Regular Payments

NDOR SET: 01

ND : 01 GENERAL FUND

NDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-B00150	BEALES GOODYEAR TIRES		continued			
		I-MC-157543	01 -5862203	REPAIRS & MAI TIRES FOR PK-10	043895	848.00
		I-MC-157544	01 -5862203	REPAIRS & MAI TIRES FOR PK-28	043895	1,058.00
-B00490	BRIGGS PRINTING					
		I-54359	01 -5101319	MISCELLANEOUS BUS. CARDS BUDDY GARVIN	043900	68.50
-B00650	BWI TEXARKANA, INC.					
		I-08951284	01 -5542203	REPAIRS & MAI PARTS FOR GREENHOUSE	043901	343.41
-C00530	CMI INC					
		I-733066	01 -5321202	OPERATING SUP DISPOSABLE MOUTHPIECES	043904	165.00
		I-733066	01 -5321202	OPERATING SUP SHIPPING	043904	7.17
-C00827	COY'S SAW SHOP					
		I-762976	01 -5431203	REPAIRS & MAI CHAIN SAW REPAIRS	043905	24.00
-C00840	CRAWFORD & ASSOCIATES					
		I-3768	01 -5215301	AUDITING PREP OF PERFORMETER	043906	1,116.29
		I-3768	01 -5215301	AUDITING PREP OF PERFORMETER	043906	1,717.43
		I-3769	01 -5215302	CONSULTANTS PROF SERVICES RENDERED	043906	4,635.00
-C00855	CROWDER FIRE DEPT					
		I-08-22753	01 -5431202	OPERATING SUP SKID UNIT	043908	900.00
-D00098	DARRELL MILLER					
		I-08-22613	01 -5321331	EMPLOYEE TRAV LABORATORY CORP OF AMERIC	043909	43.33
		I-08-22613	01 -5321331	EMPLOYEE TRAV WARREN CLINIC	043909	150.96
-D00211	DEBRA L. CAFFREY					
		I-08-22889	01 -5211331	EMPLOYEE TRAV TOLLS	043911	6.70
		I-08-22889	01 -5211331	EMPLOYEE TRAV 680 MILES @ .585	043911	397.69
-D00402	DIAMOND TROPHY					
		I-750195	01 -5542202	OPERATING SUP AWARDS SKATEFEST COMPETIT	043914	190.35
-E00266	ERVIN & ERVIN ATTORNEYS					
		I-08-22906	01 -5214302	CONSULTANTS/L RETAINER FEE NOV 2008	043917	2,516.68
-E00284	ETHEL BELL					
		I-08-22854	01 -5215323	DAMAGES PROP. DAMAGE CLAIM	043918	150.00
-F00021	FALCON ASSOC. INC.					
		I-4904	01 -5653317	ADVERTISING & AD FOR DIRECT OF PLANNING	043919	135.00
		I-4918	01 -5653317	ADVERTISING & AD FOR DIRECT OF PLANNING	043919	135.00
-F00140	FIRE SERVICE TRAINING					
		I-08-21973	01 -5431331	EMPLOYEE TRAV FIRE FIGHTER/ACADEMY 02	043920	2,850.00
		I-08-22504	01 -5431331	EMPLOYEE TRAV ROPE RESCUE OPERATIONS	043920	350.00

CHECK: 04005 Regular Payments

ENDOR SET: 01

FUND : 01 GENERAL FUND

ENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-F00170 FIRST NATIONAL BANK						
	I-NOV. 2008		01 -5865510	CAPITAL LEASE LEASE 121 ROAD GRADER	043921	3,091.82
-F00200 FLAMECO FIRE & SAFETY C						
	I-14473		01 -5653213	SAFETY SUPPLI ANNUAL INSPECT ON FIR EXT	043922	1,114.00
-G00490 GRISSOM IMPLEMENT INC						
	I-4577		01 -5862203	REPAIRS & MAI BELT, CHECK VALVE	043925	12.25
	I-5072		01 -5862203	REPAIRS & MAI BELT, CHECK VALVE	043925	74.00
-H00281 HULME RAHAL HENDERSON,						
	I-2575		01 -5215301	AUDITING AUDIT FOR FINANCIALS	043927	14,430.00
-I00061 IKON OFFICE SOLUTIONS,						
	I-5009602375		01 -5321308	CONTRACTED SE COPIER: F1027	043928	15.90
	I-5009602375		01 -5321308	CONTRACTED SE COPIER: CANON IR3300	043928	83.21
-I00110 IMPRESS OFFICE SUPPLY						
	I-025873		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	39.99
	I-025979		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	24.28
	I-026021		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	16.50
	I-026038		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	8.99
	I-026119		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	9.44
	I-026147		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	16.58
	I-026273		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	10.85
	I-026310		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	3.87
	I-026335		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	17.63
	I-026376		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	7.16
	I-026536		01 -5211202	OPERATING SUP SUPPLIES	043929	155.76
	I-026553		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	29.90
	I-026574		01 -5431202	OPERATING SUP OFFICE SUPPLIES	043929	7.43
	I-026591		01 -5652202	OPERATING SUP BLANKET FOR OFFICE SUPPLI	043929	204.23
-I00120 INCODE						
	I-70686		01 -5225349	INCODE SOFTWA 6 MTHS NETWORK SUPPORT	043931	200.00
-I00140 INDIAN NATION WHOLESALE						
	C-780860		01 -5865202	OPERATING SUP CREDIT MEMO	043932	8.40-
	I-4767686		01 -5862202	OPERATING SUP 5 CASES @ 46.75	043932	208.32
	I-4767686		01 -5865202	OPERATING SUP 5 CASES @ 46.75 EACH	043932	208.32
-I00201 INTERN'T'L ASSOC OF HOST						
	I-110854		01 -5321331	EMPLOYEE TRAV NEGOTIATORS SCHOOL	043933	990.00
-L00067 LABORATORY CONSULTANT S						
	I-021682		01 -5653348	DRUG TESTING RANDOM DRUG TESTING	043936	50.00
	I-021743		01 -5653348	DRUG TESTING RANDOM DRUG TESTING	043936	100.00
	I-021744		01 -5653348	DRUG TESTING RANDOM DRUG TESTING	043936	50.00
	I-021828		01 -5653348	DRUG TESTING RANDOM DRUG TESTING	043936	50.00

CKET: 04005 Regular Payments

NDOR SET: 01

ND : 01 GENERAL FUND

ENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
.-L00067	LABORATORY CONSULTANT S		continued			
		I-021945	01 -5653348	DRUG TESTING RANDOM DRUG TESTING	043936	234.00
.-L00115	LARRY YOUNG					
		I-08-22849	01 -5542316	REPAIRS & MAI REPAIR GRILL @ LAKE PARK	043937	300.00
.-L00275	LEONARD & RINEER, P.C.					
		I-08-22874	01 -5214302	CONSULTANTS/L PROFESSIONAL SERVICES	043939	112.50
.-L00325	LIBERTY FLAGS INC					
		I-47451	01 -5542316	REPAIRS & MAI REPAIR FLAG POLE STIPE CN	043940	92.80
.-L00428	LOWE'S CREDIT SERVICES					
		I-09494	01 -5542203	REPAIRS & MAI OPEN PO	043941	94.94
		I-09500	01 -5548203	REPAIRS & MAI MAINTENANCE SUPPLIES	043941	126.49
		I-09748	01 -5548203	REPAIRS & MAI MAINTENANCE SUPPLIES	043941	73.38
		I-09848	01 -5548203	REPAIRS & MAI MAINTENANCE SUPPLIES	043941	24.01
		I-09999	01 -5542202	OPERATING SUP CHRISTMAS SUPPLIES	043941	458.08
		I-11043	01 -5542203	REPAIRS & MAI OPEN PO	043941	108.80
		I-13170	01 -5542203	REPAIRS & MAI OPEN PO	043941	71.88
-M00095	MARK MOY					
		I-08-22755	01 -5862203	REPAIRS & MAI BLANKET PO FOR AUTO REPAI	043942	176.86
		I-31995	01 -5862203	REPAIRS & MAI BLANKET PO FOR AUTO REPAI	043942	136.26
		I-32006	01 -5862203	REPAIRS & MAI REPAIR UNIT 73	043942	273.58
		I-32009	01 -5862203	REPAIRS & MAI REPAIR UNIT 80	043942	1,161.86
		I-9-8	01 -5862203	REPAIRS & MAI BLANKET PO FOR AUTO PARTS	043942	79.00
-M00340	MHM RESOURCES INC.					
		I-125A10100970	01 -5653348	DRUG TESTING FSA MONTHLY FEE	043943	105.00
-M00470	MILLER BROS. ENTERPRISE					
		I-10581-06	01 -5431203	REPAIRS & MAI OVERHEAD DOOR REPAIRS	043944	105.00
-M00498	MISSOURI MUNICIPAL LEAG					
		I-24293	01 -5653317	ADVERTISING & AD FOR DIR OF PLANNING &	043946	50.00
		I-24299	01 -5653317	ADVERTISING & AD FOR DIR OF PLANNING &	043946	50.00
-M00548	MONSTER.COM					
		I-3883974	01 -5653317	ADVERTISING & AD FOR DIR. OF PLANNING	043947	225.00
-M00570	MOORE MEDICAL CORP.					
		I-95437257 RI	01 -5431202	OPERATING SUP MEDICAL SUPPLIES	043948	658.81
-MC0001	MC ALESTER AUTO PARTS,					
		I-01219105	01 -5862203	REPAIRS & MAI PARTS FOR POLICE UNIT 60	043949	675.00
-MC0169	MCALESTER REG HEALTH					
		I-CITYLAB 11/2/08	01 -5653348	DRUG TESTING NEW HIRE DRUG TESTS	043951	234.00

ACCOUNT: 04005 Regular Payments

PAYOR SET: 01

FUND : 01 GENERAL FUND

PAYOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-N00101	NAT'L COMMUNITY DEVELOP					
		I-JOBANN-POST-08-130	01 -5653317	ADVERTISING & AD-DIRECTOR OF PLANNING	043954	200.00
-N00153	NATIONAL SAFETY COUNCIL					
		I-R5373543	01 -5653213	SAFETY SUPPLI DEFENSIVE DRIVING COURSE	043955	590.00
-N00250	MCALESTER NEWS CAPITAL					
		I-03523254	01 -5212317	ADVERTISING & COUNCIL PUBLICATIONS	043957	16.20
		I-111608	01 -5542202	OPERATING SUP YEARLY SUBSCRIPTION	043957	102.00
		I-SEPT 08	01 -5653317	ADVERTISING & EMPLOYMENT ADS	043957	275.40
-N00271	NIX FORD					
		I-107270	01 -5431316	REPAIRS & MAI VEHICLE REPAIRS	043958	81.00
-000128	OKLA. MUN CLERKS, TREAS					
		I-08-22778	01 -5212331	EMPLOYEE TRAV REGISTRATION 2008 REGION	043960	100.00
-000520	OIL-OK INDEPENDENT LIVI					
		I-OCT & NOV	01 -5215355	OIL-OK FOR IN MONTHLY AGREEMENT FEE	043963	4,000.00
-000530	OML-OK MUNICIPAL LEAGUE					
		I-08-22796	01 -5101331	EMPLOYEE TRAV DISTRICT DINNER MEETING	043964	30.00
		I-08-22796	01 -5212331	EMPLOYEE TRAV DISTRICT DINNER MEETING	043964	30.00
-000531	OKLAHOMA MUNICIPAL SERV					
		I-015816	01 -5214330	DUES & SUBSCR MUN JUDGES ASSOC DUES	043965	35.00
-000560	OMCCA					
		I-027050	01 -5213330	DUES & SUBSCR 08-09 OMCCA MEMBERSHIP	043966	110.00
-000592	ORTIVUS					
		I-INV027011	01 -5431202	OPERATING SUP MONTHLY SERVICE FEE	043967	350.00
-000615	THE ATHERTON HOTEL @ OS					
		I-HT-5076	01 -5211331	EMPLOYEE TRAV 3 NIGHTS @ OMCT&FOA CONF.	043968	290.01
		I-HT-5076	01 -5212331	EMPLOYEE TRAV 3 NIGHTS @ OMCT&FOA CONF.	043968	300.01
-P00250	PETTY CASH					
		I-08-22863	01 -5212331	EMPLOYEE TRAV CORA M (FALL CONFERENCE)	043970	266.70
		I-08-22863	01 -5320202	OPERATING EXP WALMART-KEY	043970	1.27
		I-08-22863	01 -5321202	OPERATING SUP KEY-POLICE SUPPLY SAFE	043970	4.75
		I-08-22863	01 -5652202	OPERATING SUP POSTAGE	043970	5.95
		I-08-22863	01 -5653202	OPERATING SUP FNB-SAVINGS	043970	25.00
		I-08-22863	01 -5865202	OPERATING SUP SMITH KEY-LANDFILL KEYS	043970	17.70
		I-08-22872	01 -5211202	OPERATING SUP CLERK & TREASURER SEMINAR	043970	20.00
		I-08-22872	01 -5213331	EMPLOYEE TRAV RED FLAG CONFERENCE	043970	24.07
		I-08-22872	01 -5213331	EMPLOYEE TRAV RED FLAG CONFERENCE	043970	195.85
		I-08-22872	01 -5431331	EMPLOYEE TRAV FIRE DEPT STILLWATER TRAI	043970	557.57
		I-08-22872	01 -5431331	EMPLOYEE TRAV FIRE DEPT STILLWATER TRAI	043970	86.42

CKET: 04005 Regular Payments

NDOR SET: 01

ND : 01 GENERAL FUND

NDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-P00250	PETTY CASH			continued		
		I-08-22872	01 -5542203	REPAIRS & MAI RADIO SHACK	043970	3.26
-P00310	PITNEY BOWES					
		I-3127966-OT08	01 -5215312	EQUIPMENT REN MODEL W3R5	043971	252.39
		I-3127966-OT08	01 -5215312	EQUIPMENT REN MODEL D14D	043971	1,290.00
		I-3127966-OT08	01 -5215312	EQUIPMENT REN MODEL II FSC	043971	279.00
-R00229	RENAISSANCE HOTEL					
		I-08-22779	01 -5212331	EMPLOYEE TRAV 2 NIGHTS TO ATTEND MEETIN	043974	248.25
-R00245	RESERVE ACCOUNT-PITNEY					
		I-358315	01 -5215312	EQUIPMENT REN EZ SEALING SOLUTION	043975	77.98
-R00388	RISK MANAGEMENT DIVISIO					
		I-5520091074	01 -5431202	OPERATING SUP AUTO LIABILITY COVERAGE	043976	360.00
-S00150	SEARS COMMERCIAL ONE					
		I-020455314244	01 -5862204	SMALL TOOLS TOOL ALLOWANCE FOR DOYLE	043977	402.86
-S00250	SHERATON MIDWEST CITY H					
		I-08-22338	01 -5213331	EMPLOYEE TRAV HOTEL STAY FOR OMCCA	043978	166.00
-S00510	SOUTHERN SUPPLY & EQUIP					
		I-42845	01 -5862203	REPAIRS & MAI BLANKET PO FOR SMALL	043981	47.93
		I-42846	01 -5862203	REPAIRS & MAI BLANKET PO FOR SMALL	043981	41.45
		I-42847	01 -5862203	REPAIRS & MAI BLANKET PO FOR SMALL	043981	42.86
		I-43019	01 -5862203	REPAIRS & MAI BLANKET PO FOR SMALL	043981	13.57
		I-43244	01 -5862203	REPAIRS & MAI BLANKET PO FOR SMALL	043981	130.83
-S00725	STAPLES CREDIT PLAN					
		I-08-22425	01 -5653202	OPERATING SUP INK CARTRIDGES & KEYBOARD	043982	209.92
		I-3110364786	01 -5321202	OPERATING SUP BLANKET PO MISC. SUPPIES	043982	37.70
		I-53436	01 -5542202	OPERATING SUP SAFE FOR STIPE CENTER	043982	114.49
-S00770	STATEWIDE COMMUNICATION					
		I-1201	01 -5431203	REPAIRS & MAI ANTENNA & LIGHTBAR REPAIR	043983	169.95
-S00937	SUPREME PRINTING					
		I-33391	01 -5212202	OPERATING SUP MINUTE BOOK 81/2 x 11	043984	284.70
		I-33391	01 -5212202	OPERATING SUP RESOLUTION BOOK	043984	284.70
		I-33391	01 -5212202	OPERATING SUP SHIPPING	043984	13.74
-T00058	BIZTEL					
		I-3259	01 -5653202	OPERATING SUP LABOR-MOVING PHONE LINE	043986	85.00
-T00066	TEREX UTILITIES SOUTH I					
		I-SA-50294	01 -5862203	REPAIRS & MAI RUBBER PADS FOR BUCKET TR	043987	88.04

CKET: 04005 Regular Payments

NDOR SET: 01

ND : 01 GENERAL FUND

NDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-T00303 THOMPSON WEST						
		I-816986416	01 -5210330	DUES & SUBSCR OK STAT 2009 PP	043988	35.00
-T00313 TRACE ANALYTICS INC.						
		I-C08-3427-	01 -5431203	REPAIRS & MAI SHIPPING & HANDLING FEES	043989	6.00
-T00370 TIPPIT INSURANCE						
		I-27480	01 -5215321	AUTO INSURANC INS 2008 PD #71,	043990	70.00
-T00630 TWIN CITIES READY MIX						
		I-23797	01 -5865218	STREET RE-SUR OPEN OP CONCRETE	043992	427.50
		I-24359	01 -5865218	STREET RE-SUR BLANKET PO FOR CONCRETE	043992	342.00
		I-24683	01 -5865218	STREET RE-SUR BLANKET PO FOR CONCRETE	043992	245.00
		I-25040	01 -5865218	STREET RE-SUR OPEN OP CONCRETE	043992	855.00
		I-25041	01 -5865218	STREET RE-SUR BLANKET PO FOR CONCRETE	043992	85.50
		I-427.50	01 -5865218	STREET RE-SUR OPEN OP CONCRETE	043992	427.50
-U00057 U.S. DEPT OF AGRICULTUR						
		I-91008	01 -5865212	PARTICIPATION REMOVAL OF BEAVERS	043994	175.00
-U00110 UNIFORM GROUP						
		I-90708305	01 -5653202	OPERATING SUP SHIPPING CHRG SHIRT SAMPL	043995	23.25
-U00130 UNITED SAFETY & CLAIMS						
		I-08-22905	01 -5215106	WORKMAN'S COM WORKERS COMP	043996	25,597.86
		I-7316	01 -5215106	WORKMAN'S COM SERVICE FEE FOR NOV	043998	1,175.00
-W00040 WALMART COMMUNITY BRC						
		I-00587	01 -5542202	OPERATING SUP CHRISTMAS SUPPLIES	043999	319.36
		I-01600	01 -5320202	OPERATING EXP MINI CASSETTS	043999	39.88
		I-01600	01 -5320202	OPERATING EXP KEY TAGS	043999	4.30
		I-07855	01 -5542202	OPERATING SUP OPEN PO FOR OPERATING	043999	146.41
		I-07855	01 -5542202	OPERATING SUP CHRISTMAS SUPPLIES	043999	87.12
		I-07861	01 -5542202	OPERATING SUP CHRISTMAS SUPPLIES	043999	80.84
		I-08915	01 -5542202	OPERATING SUP OPEN PO FOR OPERATING	043999	153.59
		I-TR# 00081	01 -5320202	OPERATING EXP AAA BATTERIES-20	043999	11.00
		I-TR# 00081	01 -5320202	OPERATING EXP C BATTERIES-8	043999	11.00
		I-TR# 00081	01 -5320202	OPERATING EXP GE ANSWERING SYSTEM	043999	15.97
-W00270 WHITE ELECTRICAL SUPPLY						
		I-226571	01 -5548203	REPAIRS & MAI MAINTENANCE SUPPLIES	044002	24.78
		I-226574	01 -5548203	REPAIRS & MAI MAINTENANCE SUPPLIES	044002	99.82
		I-227343	01 -5548203	REPAIRS & MAI MAINTENANCE SUPPLIES	044002	201.16
		I-227442	01 -5548203	REPAIRS & MAI MAINTENANCE SUPPLIES	044002	23.52
-W00473 WALKER COMPANIES STAMP						
		I-08-22805	01 -5210202	OPERATING SUP NOTARY STAMP FOR LINDA D.	044003	31.50
X00020 XEROX CORP-MAJOR ACCOUN						

CHECK: 04005 Regular Payments

PAYOR SET: 01

FUND : 01 GENERAL FUND

PAYOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-X00020	XEROX CORP-MAJOR ACCOUN		continued			
		I-036095528	01 -5215312	EQUIPMENT REN BLANKET PO	044004	1,116.29
		I-036449192	01 -5215312	EQUIPMENT REN BLANKET PO	044004	1,116.29
			FUND 01 GENERAL FUND		TOTAL:	95,039.15

CHECKET: 04005 Regular Payments

ENDOR SET: 01

IND : 02 MPWA

ENDOR	NAME	ITEM #	G/L	ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-1	MISC VENDOR						
	DAYS INN	I-P17531-00	02	-5973331	EMPLOYEE TRAV CLASS D OPERATOR SCHOOL	043885	125.90
	DAYS INN	I-P17531-01	02	-5973331	EMPLOYEE TRAV CLASS D OPERATOR SCHOOL	043886	125.90
-A00751	ATWOODS						
		I-3034357	02	-5866207	CLOTHING ALLO BOOT ALLOWANCE	043891	81.95
		I-3116561	02	-5973203	REPAIRS & MAI MAINTENANCE MATERIALS FOR	043891	292.24
		I-3117061	02	-5973203	REPAIRS & MAI MAINTENANCE MATERIALS FOR	043891	160.90
-A00770	AUTO PARTS CO						
		I-827813	02	-5862205	PETROLEUM PRO HYD & HUB OIL, HYDRAULIC	043893	187.77
		I-827813	02	-5862205	PETROLEUM PRO HYD & HUB OIL, HYDRAULIC	043893	236.55
-B00180	BEMAC SUPPLY						
		I-S1405251.002	02	-5973203	REPAIRS & MAI 8" X 90 DEG ELBOW	043896	388.06
		I-S1405251.002	02	-5973203	REPAIRS & MAI 8 X 10 FLANGE REDUCER	043896	718.53
		I-S1412904.001	02	-5216202	OPERATING SUP SMALL PUMPS	043896	233.84
		I-S1415477	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	134.43
		I-S1416337	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	425.29
		I-S1416712	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	14.95
		I-S1417073	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	18.95
		I-S1417498	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	101.30
		I-S1417564	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	183.65
		I-S1418723	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	45.10
		I-S1418907	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	138.39
		I-S1419264	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	18.67
		I-S1419891	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	6.34
		I-S1420484	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	16.86
		I-S1420549	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043896	110.78
		I-S1420877	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043897	15.56
		I-S1421088	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043897	119.82
		I-S1421110	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043897	6.25
		I-S1421302	02	-5975202	OPERATING SUP OPEN PO FOR MAINT. SUPPLY	043897	101.30
-B00360	BLUE BOOK (USA)						
		I-694746	02	-5973203	REPAIRS & MAI 02 SENSOR COMMANDER	043899	163.63
-B00490	BRIGGS PRINTING						
		I-54353	02	-5975202	OPERATING SUP BUS CARDS FOR TIM MURRAY	043900	68.50
-C00245	CATHEY & ASSOCIATES, L.						
		I-20681	02	-5862203	REPAIRS & MAI GLASS FOR DOZER @ LANDFIL	043902	247.95
-C00489	UNITED FUEL & ENERGY/CL						
		I-0003594	02	-5862205	PETROLEUM PRO HYDRAULIC FLUID	043903	2,956.80
		I-0003594	02	-5862205	PETROLEUM PRO CENEX DEX III MERCON ATF	043903	962.50
-C00850	CRONATRON WELDING SYSTE						
		I-7394642	02	-5862203	REPAIRS & MAI WELDING SUPPLIES	043907	1,186.27

CKET: 04005 Regular Payments

NDOR SET: 01

ND : 02 MPWA

NDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-D00140	DATAMATIC, LTD					
	I-015785	02	-5216316	REPAIRS & MAI MAINENANCE CONTRACT	043910	3,104.50
-D00322	DEPT. OF ENVIR. QUALITY					
	I-TOC 4502561	02	-5973329	DEQ FEES CERT. FEES FOR MARK COS	043913	51.00
-E00230	ENLOW FORD TRACTOR, INC					
	I-351079	02	-5862203	REPAIRS & MAI MOWER PARTS WASTE WATER	043915	518.10
-E00265	ERMI ENVIRONMENTAL LABS					
	I-0805430	02	-5973304	LAB TESTING LAB TESTING	043916	125.00
	I-0805689	02	-5973304	LAB TESTING LAB TESTING	043916	175.25
	I-0805901	02	-5973304	LAB TESTING LAB TESTING	043916	125.00
	I-0806014	02	-5973304	LAB TESTING LAB TESTING	043916	175.25
	I-0806211	02	-5973304	LAB TESTING LAB TESTING	043916	125.00
	I-0806267	02	-5973304	LAB TESTING LAB TESTING	043916	175.25
-F00310	FRONTIER INTNL. TRUCKS					
	I-750960	02	-5862203	REPAIRS & MAI SW-4 DRIVE SHAFT PARTS	043923	479.91
-H00281	HULME RAHAL HENDERSON,					
	I-2575	02	-5267301	AUDITING AUDIT FOR FINANCIALS	043927	14,430.00
-I00110	IMPRESS OFFICE SUPPLY					
	I-26408	02	-5216202	OPERATING SUP OPEN PO FOR SUPPLIES	043930	66.36
-I00140	INDIAN NATION WHOLESALE					
	I-4757404	02	-5864202	OPERATING SUP JANITORIAL SUPPLIES	043932	310.44
	I-4767685	02	-5216202	OPERATING SUP KLEENEX - 1 CASE	043932	60.45
	I-4767685	02	-5216202	OPERATING SUP HANDI WIPES - ONE CASE	043932	35.00
-MC0020	MC CLAINS LUMBER CO.					
	I-1117498	02	-5862203	REPAIRS & MAI LUMBER & NAILS,SCREWS	043950	166.97
-MC0208	MCALESTER WELDING					
	I-08-22735	02	-5862203	REPAIRS & MAI OXY, ACETYLENE, CO2, ARGO	043952	276.00
-N00179	NATIONAL WATER WORKS					
	I-8002363	02	-5975211	WATER METERS 66-3/4" SR2 WATER METERS	043956	4,365.90
	I-8002363-2	02	-5975211	WATER METERS WATER METERS	043956	815.10
-N00347	MEHLBURGER BRAWLEY / NR					
	I-MC-07-03-07	02	-5974401	CAPITAL OUTLA 2008 WTP MODIFICATION	043959	3,433.66
-O00275	OKLA DEPT OF COMMERCE					
	I-NOV. 2008	02	-5267521	CDBG LOAN #89 CDBG-EDIF #8908 ECON. DEV	043961	1,145.83
-O00320	OKLA. ONE-CALL SYSTEM					
	I-AMU0362	02	-5975202	OPERATING SUP MEMBERSHIP FEE FOR 2009	043962	266.75

ACCOUNT: 04005 Regular Payments

PAYOR SET: 01

FUND : 02 MPWA

PAYOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-P00250 PETTY CASH						
		I-08-22863	02 -5973331	EMPLOYEE TRAV CLASS D WASTEWATER SCHOOL	043970	73.36
		I-08-22872	02 -5216331	TRAVEL & TRAI RED FLAG CONFERENCE	043970	22.99
		I-08-22872	02 -5974203	REPAIRS & MAI PART FOR FORKLIFT	043970	12.10
		I-08-22872	02 -5974331	EMPLOYEE TRAV DEQ SAMPLES TO TULSA	043970	18.79
-P00420 POSTMASTER						
		I-08-22871	02 -5216317	POSTAGE POSTAGE FOR UTILITY BILLS	043973	4,500.00
-S00290 SHERWIN WILLIAMS						
		I-4387-1	02 -5974203	REPAIRS & MAI PAINT FOR CLARIFIER	043979	143.35
-S00725 STAPLES CREDIT PLAN						
		I-119278	02 -5973203	REPAIRS & MAI PRINTER INK & SUPPLIES	043982	224.72
-T00605 TULSA CITY-COUNTY						
		I-7970-	02 -5974304	LAB TESTING COLIFORM TESTING FOR 6	043991	380.00
-U00053 UTILITY SUPPLY						
		I-035584	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	043993	117.18
		I-035585	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	043993	187.50
		I-035586	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	043993	176.06
		I-035992	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	043993	141.40
		I-035993	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	043993	37.95
		I-035995	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	043993	168.57
		I-035996	02 -5975209	UTILITY MAINT MAINTENANCE SUPPLIES	043993	43.54
		I-036132	02 -5975209	UTILITY MAINT 200 CURB STOPS 1" B41-344	043993	6,634.00
		I-036132	02 -5975209	UTILITY MAINT 200-CORP STOPS 1" CCX-PJ	043993	4,628.00
-U00130 UNITED SAFETY & CLAIMS						
		I-08-22905	02 -5267106	WORKMAN'S COM WORKERS COMP	043996	25,597.86
		I-12-07-47	02 -5267106	WORKMAN'S COM WORKERS COMP SETTLEMENT	043997	11,560.00
-W00130 WATER PRODUCTS						
		I-08-22421	02 -5216202	OPERATING SUP LARGE WATER PUMPS	044000	280.00
-Z00010 ZEE MEDICAL INK						
		I-0021757893	02 -5866202	OPERATING SUP FIRST AIDE SUP. FOR SHOP	044005	44.90
			FUND 02 MPWA	TOTAL:		95,013.92

ACCOUNT: 04005 Regular Payments
ENDOR SET: 01
FUND : 03 AIRPORT AUTHORITY

ENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
L-F00170	FIRST NATIONAL BANK					
		I-NOV. 2008	03 -5876511	FNB LOAN #119 LOAN#119817 AIRPORT AUTH	043921	2,510.00
L-G00490	GRISSOM IMPLEMENT INC					
		I-52858	03 -5876203	REPAIRS & MAI MAINTENANCE SUPPLIES	043925	27.23
L-W00269	WHITES TRACTORS					
		I-727505	03 -5876203	REPAIRS & MAI MAINTENANCE SUPPLIES	044001	58.00
			FUND 03	AIRPORT AUTHORITY	TOTAL:	2,595.23

CHECK: 04005 Regular Payments

PAYOR SET: 01

FUND : 08 NUTRITION

ENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-D00213 DEBBIE COMPTON						
		I-08-22852	08 -5549308	CONTRACT SERV 300 MILES @ .585	043912	175.50
		I-08-22852	08 -5549308	CONTRACT SERV 12 DAYS @ 15.00 A DAY	043912	180.00
-G00220 GENE CARR						
		I-08-22853	08 -5549308	CONTRACT SERV 300 MILES @ .585	043924	175.50
-K00186 KENNY BAKER						
		I-08-22851	08 -5549308	CONTRACT SERV 96 MILES @ .585	043935	56.16
		I-08-22851	08 -5549308	CONTRACT SERV 12 DAYS @ 15.00 A DAY	043935	180.00
			FUND 08 NUTRITION		TOTAL:	767.16

CKET: 04005 Regular Payments
NDOR SET: 01
ND : 11 EMPLOYEE RETIREMENT

ENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
.-B00196	BENEFIT PARTNERS INC.	I-13545	11 -5220302	CONSULTANTS ACTUARIAL SERVICES	043898	10,058.00
			FUND	11 EMPLOYEE RETIREMENT	TOTAL:	10,058.00

CHECK: 04005 Regular Payments

PAYOR SET: 01

FUND : 24 AIRPORT GRANT

PAYOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-K00066 KATCON INC.						
		I-#1	24 -5876404	RE-NUMBER & R PARTIAL PAYMENT #1	043934	10,731.60
		I-#2	24 -5876404	RE-NUMBER & R PARTIAL PAYMETN #2	043934	118,553.40
-L00220 LBR, INC.						
		I-4039	24 -5876404	RE-NUMBER & R ENGINEERING SERVICES	043938	2,800.00
		I-4040	24 -5876404	RE-NUMBER & R ENGINEERING SERVICES	043938	9,260.00
		I-4041	24 -5876404	RE-NUMBER & R ENGINEERING SERVICES	043938	30,392.00
		I-4042	24 -5876404	RE-NUMBER & R ENGINEERING SERVICES	043938	4,280.00
		I-4043	24 -5876404	RE-NUMBER & R ENGINEERING SERVICES	043938	4,150.00
		I-4045	24 -5876404	RE-NUMBER & R ENGINEERING SERVICES	043938	3,799.00
			FUND	24 AIRPORT GRANT	TOTAL:	183,966.00

CHECK: 04005 Regular Payments

PAYOR SET: 01

FUND : 28 SE EXPO CTR/TOURISM FUND

ENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-H00268	HUDIBURG CHEVROLET					
		I-8F19989	28 -5654401	CAPITAL OUTLA NEW CREW CAB PICKUP FOR	043926	20,274.00
-M00480	MILLER GLASS					
		I-7524	28 -5654203	REPAIR & MAIN REPLACE BROKEN GLASS	043945	383.00
-P00210	PEPSI COLA					
		I-131659	28 -5654210	CONCESSION SU BAG N BOX & CO2	043969	55.00
-P00250	PETTY CASH					
		I-08-22872	28 -5654331	TRAVEL & TRAI KIAMICHI BOND MEETING	043970	94.19
-P00350	PB COUNTY TAG AGENCY					
		I-08-22799	28 -5654202	OPERATING SUP TAG & TITLE 2008 CHEV PU	043972	30.00
-S00443	SOUTHEAST EXPO CENTER					
		I-08-22719	28 -5654349	COUNCIL PARTN PARTNERSHIP FOR COLLEGE	043985	2,250.00
-W00040	WALMART COMMUNITY BRC					
		I-029794	28 -5654210	CONCESSION SU CONCESSION SUPPLIES FOR	043999	41.18
		I-030161	28 -5654210	CONCESSION SU CONCESSION SUPPLIES FOR	043999	62.58
			FUND 28	SE EXPO CTR/TOURISM FUND TOTAL:		23,189.95

CKET: 04005 Regular Payments

NDOR SET: 01

ND : 30 ECONOMIC DEVELOPMENT

NDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-000275	OKLA DEPT OF COMMERCE					
		I-NOV. 2008	30 -5211510	CDBG / EDIF D CDBG-EDIF CONT. #12248 ED	043961	282.50
				FUND 30 ECONOMIC DEVELOPMENT	TOTAL:	282.50

CHECK: 04005 Regular Payments

ENDORSET: 01

ND : 33 CDBG GRANTS FUND

NDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-MC0230	MCGUIRE BROTHERS CONST.					
		I-#1	33 -5871403	CDBG - SMALL 2008 WATER & SEWER IMPROV	043953	31,579.07
-N00347	MEHLBURGER BRAWLEY / NR					
		I-MC-08-01-03	33 -5871403	CDBG - SMALL WATER & WASTEWATER IMPROV	043959	2,449.00
			FUND 33	CDBG GRANTS FUND	TOTAL:	34,028.07

CKET: 04005 Regular Payments

ENDOR SET: 01

ND : 41 CIP FUND

ENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
<hr/>						
-M00480	MILLER GLASS					
		I-7608	41 -5215401	CAPITAL PROJE REPAIR OF WINDOW	043945	419.00
-S00446	SOUTHEAST TILE CO.					
		I-918	41 -5215401	CAPITAL PROJE COVERBASE & GLUE	043980	618.18
-W00270	WHITE ELECTRICAL SUPPLY					
		I-225414	41 -5215401	CAPITAL PROJE REMODEL ON 2ND FLOOR	044002	88.47
		I-226328	41 -5215401	CAPITAL PROJE REMODEL ON 2ND FLOOR	044002	96.92
		I-227154	41 -5215401	CAPITAL PROJE LIGHT FIXTURES 2ND FLOOR	044002	819.84
			FUND 41	CIP FUND	TOTAL:	2,042.41
					REPORT GRAND TOTAL:	446,982.39

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM		GROUP BUDGET	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
08-2009	01 -5101319	MISCELLANEOUS	68.50	3,000	1,929.64		
	01 -5101331	EMPLOYEE TRAVEL & TRAININ	30.00	2,500	2,215.00		
	01 -5210202	OPERATING SUPPLIES	31.50	5,500	1,788.82		
	01 -5210330	DUES & SUBSCRIPTIONS	35.00	2,103	1,667.65		
	01 -5211202	OPERATING SUPPLIES	175.76	6,050	4,031.16		
	01 -5211331	EMPLOYEE TRAVEL & TRAININ	694.40	5,000	3,022.69		
	01 -5212202	OPERATING SUPPLIES	583.14	2,400	1,503.21		
	01 -5212317	ADVERTISING & PRINTING	16.20	5,000	3,101.64		
	01 -5212331	EMPLOYEE TRAVEL & TRAININ	944.96	2,000	865.04		
	01 -5213330	DUES & SUBSCRIPTIONS	110.00	800	655.00		
	01 -5213331	EMPLOYEE TRAVEL & TRAINING	385.92	2,000	1,375.08		
	01 -5213338	CREDIT CARD MACHINE	535.67	5,500	3,257.26		
	01 -5214302	CONSULTANTS/LABOR RELATION	2,629.18	119,965	70,390.09		
	01 -5214330	DUES & SUBSCRIPTIONS	35.00	35	0.00		
	01 -5215106	WORKMAN'S COMP	26,772.86	188,525	58,163.54		
	01 -5215301	AUDITING	17,263.72	25,000	7,386.28		
	01 -5215302	CONSULTANTS	4,635.00	40,000	27,120.00		
	01 -5215312	EQUIPMENT RENTALS	4,131.95	50,806	27,757.00		
	01 -5215321	AUTO INSURANCE	70.00	44,394	24,325.22		
	01 -5215323	DAMAGES	150.00	40,000	9,516.93		
	01 -5215355	OIL-OK FOR INDEPENDENT LIV	4,000.00	24,000	0.00		
	01 -5225349	INCODE SOFTWARE MAINTENANC	200.00	27,400	2,921.00		
	01 -5320202	OPERATING EXPENSE	193.41	5,000	2,814.80		
	01 -5321202	OPERATING SUPPLIES	214.62	15,000	11,228.06		
	01 -5321308	CONTRACTED SERVICES	99.11	20,683	15,515.06		
	01 -5321331	EMPLOYEE TRAVEL & TRAININ	1,184.29	12,000	9,846.32		
	01 -5431202	OPERATING SUPPLIES	2,461.43	27,000	14,288.85		
	01 -5431203	REPAIRS & MAINT SUPPLIES	304.95	18,000	16,900.50		
	01 -5431316	REPAIRS & MAINTENANCE	321.64	16,000	8,104.95		
	01 -5431331	EMPLOYEE TRAVEL & TRAININ	3,843.99	12,000	2,063.46		
	01 -5542202	OPERATING SUPPLIES	1,652.24	48,000	37,535.92		
	01 -5542203	REPAIRS & MAINT SUPPLIES	1,151.82	26,000	9,923.50		
	01 -5542308	CONTRACTED SERVICES	1,200.00	25,000	13,478.37		
	01 -5542316	REPAIRS & MAINTENANCE	392.80	20,000	11,102.71		
	01 -5547203	REPAIRS & MAINT SUPPLIES	239.25	10,000	5,149.87		
	01 -5548203	REPAIRS & MAINTENANCE SUPP	664.64	40,000	15,161.26		
	01 -5652202	OPERATING SUPPLIES	210.18	5,200	2,657.97		
	01 -5653202	OPERATING SUPPLIES	343.17	2,500	1,367.27		
	01 -5653213	SAFETY SUPPLIES	1,704.00	8,500	5,052.05		
	01 -5653317	ADVERTISING & PRINTING	1,070.40	4,000	1,876.07		
	01 -5653348	DRUG TESTING & MISC. FEES	823.00	8,000	5,764.50		
	01 -5862202	OPERATING SUPPLIES	208.32	2,000	1,345.84		
	01 -5862203	REPAIRS & MAINT SUPPLIES	6,845.13	170,670	77,149.84		
	01 -5862204	SMALL TOOLS	402.86	5,000	1,088.74		
	01 -5865202	OPERATING SUPPLIES	359.82	2,000	933.98		

** G/L ACCOUNT TOTALS **

AR	ACCOUNT	NAME	AMOUNT	LINE ITEM		GROUP BUDGET	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
	01 -5865212	PARTICIPATION SUPPLIES	175.00	5,000	4,825.00		
	01 -5865218	STREET RE-SURFACING	2,382.50	150,000	87,630.48		
	01 -5865510	CAPITAL LEASE	3,091.82	37,101	0.00		
	02 -5216202	OPERATING SUPPLIES	675.65	13,385	1,693.71		
	02 -5216316	REPAIRS & MAINTENANCE	3,104.50	7,305	2,613.50		
	02 -5216317	POSTAGE	4,500.00	50,000	36,500.00		
	02 -5216331	TRAVEL & TRAINING	22.99	1,500	1,438.01		
	02 -5267106	WORKMAN'S COMP	37,157.86	188,525	91,054.14		
	02 -5267301	AUDITING	14,430.00	25,000	10,220.00		
	02 -5267521	CDBG LOAN #8908	1,145.83	13,750	0.04		
	02 -5862203	REPAIRS & MAINT SUPPLIES	2,875.20	239,000	140,906.73		
	02 -5862205	PETROLEUM PRODUCTS	4,343.62	180,000	99,780.64		
	02 -5864202	OPERATING SUPPLIES	310.44	8,500	1,818.66		
	02 -5866202	OPERATING SUPPLIES	44.90	2,000	925.52		
	02 -5866207	CLOTHING ALLOWANCE	81.95	4,000	3,918.05		
	02 -5973203	REPAIRS & MAINT SUPPLIES	1,948.08	57,500	42,802.78		
	02 -5973304	LAB TESTING	900.75	20,000	5,972.24		
	02 -5973329	DEQ FEES	51.00	13,000	12,181.00		
	02 -5973331	EMPLOYEE TRAVEL & TRAININ	325.16	2,000	1,396.37		
	02 -5974203	REPAIRS & MAINT SUPPLIES	155.45	40,000	24,639.56		
	02 -5974304	LAB TESTING	380.00	31,000	9,430.30		
	02 -5974331	EMPLOYEE TRAVEL & TRAININ	18.79	1,000	938.30		
	02 -5974401	CAPITAL OUTLAY	3,433.66	1,006,785	321,140.49		
	02 -5975202	OPERATING SUPPLIES	1,792.89	30,000	21,701.27		
	02 -5975209	UTILITY MAINTENANCE SUPP.	12,134.20	30,000	10,031.73		
	02 -5975211	WATER METERS	5,181.00	20,000	5,507.32		
	03 -5876203	REPAIRS & MAINT SUPPLIES	85.23	3,000	1,008.37		
	03 -5876511	FNB LOAN #119817 PAYMENTS	2,510.00	30,120	0.00		
	08 -5549308	CONTRACT SERVICES	767.16	13,530	7,448.75		
	11 -5220302	CONSULTANTS	10,058.00	0	10,058.00- Y		
	24 -5876404	RE-NUMBER & REPAIR APRON	183,966.00	356,170	172,204.00		
	28 -5654202	OPERATING SUPPLIES	30.00	7,726	2,051.50		
	28 -5654203	REPAIR & MAINT SUPPLIES	383.00	16,000	7,332.70		
	28 -5654210	CONCESSION SUPPLIES	158.76	25,200	19,462.26		
	28 -5654331	TRAVEL & TRAINING	94.19	2,000	769.10		
	28 -5654349	COUNCIL PARTNERSHIP	2,250.00	5,000	2,750.00		
	28 -5654401	CAPITAL OUTLAY	20,274.00	58,274	38,000.00		
	30 -5211510	CDBG / EDIF DURALINE LOAN	282.50	3,390	0.00		
	33 -5871403	CDBG - SMALL CITIES	34,028.07	159,000	19,525.54		
	41 -5215401	CAPITAL PROJECTS	2,042.41	37,500	19,017.66		
	** 2008-2009 YEAR TOTALS **		446,982.39				

NO ERRORS

** END OF REPORT **



McAlester City Council

AGENDA REPORT

Meeting Date: November 11, 2008 **Item Number:** 1
Department: City Manager
Prepared By: Mark B. Roath **Account Code:** _____
Date Prepared: November 4, 2008 **Budgeted Amount:** _____
Exhibits: _____

Subject

Presentation about the Award recognizing the City's West Wastewater Treatment Plant from the Oklahoma Water Pollution Control Association.

Recommendation

Discussion

Mr. David Medley, Utilities Director, was recently notified that the City's West Wastewater received an award from the Oklahoma Water Pollution Control Association in the category of medium wastewater plant. He will present information about the award and the City's plant facility.

Approved By

Initial

Date

Department Head

City Manager

MBR

11/04/08



McAlester City Council

AGENDA REPORT

Meeting Date: November 11, 2008 Item Number: 2
Department: City Manager
Prepared By: Mark B. Roath Account Code: _____
Date Prepared: November 4, 2008 Budgeted Amount: _____
Exhibits: One

Subject

Presentation about a Report on Collection of Past Due Fines by the Part-time Warrant Officer.

Recommendation

Discussion

Ms. Karen Boatright, Municipal Court Administrator, prepared a Warrant Officer Status Report, which detailed the collections attributed to the part-time Warrant Officer. Attached is a copy of her report.

Approved By

Initial

Date

Department Head

City Manager

MBR

11/04/08

WARRANT OFFICER STATUS REPORT
October 28, 2008
By Karen Boatright, Municipal Court Administrator

The Warrant Officer for the City of McAlester is retired officer Chuck Courts. Officer Courts started on the 16th of September in the court clerk's office collecting outstanding warrants and as a bailiff (arraignment court). Officer Courts works on Tuesday, Wednesday and Thursday of each week.

<u>Money collected by days:</u> Sept 16.....\$ 583	Oct 011903
17.....2062	02.....2226
18.....997	03.....830
20.....320	04.....568
21.....1187	07.....627
22.....1642	08.....1264
23.....1262	09.....373
26.....1766	13.....446
27.....110	14.....968
30.....366	15.....2003
	16.....1519
<hr/>	
\$10,295	\$12,727
<hr/>	
Total \$23,022 <hr/>	

Expense of the Warrant Officer:

Salary from Sept 16 to Oct 16 -	\$2,857.50
Supply cost.....	183.93
Cell phone.....	*
Install phone.....	475.00
	\$3,516.43

* The Warrant Officer cellular telephone cost has yet to be determined.

At this time, all contacts are being made by phone. Many have said, *"Thank you for calling me and not arresting me"*.



McAlester City Council

AGENDA REPORT

Meeting Date: November 11, 2008 Item Number: 3
Department: City Manager
Prepared By: Mark B. Roath Account Code: _____
Date Prepared: November 4, 2008 Budgeted Amount: _____
Exhibits: One

Subject

Discussion, and possible action, on a Request by Benefit Partners to undertake a Defined Benefit Retirement Plan and Trust Experience Analysis in an amount not to exceed \$8,000.00.

Recommendation

Discussion

Mr. Bruce R. Nordstrom, Benefit Partners, recently met with the Non-Uniform Committee to discuss the City's retirement plan. During his discussion, he recommended that the City consider the above experience analysis (see attached letter).

Approved By

Initial

Date

Department Head

City Manager

MBR

11/04/08



Benefit Partners

A division of Apex Global Partners

October 29, 2008

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

RE: City of McAlester Defined Benefit Retirement Plan and Trust Experience Analysis

Dear Mark:

As you requested during our meeting on October 8th, we have estimated the cost of performing an experience analysis for the City of McAlester Defined Benefit Retirement Plan and Trust.

As we discussed, there are many reasons to perform such an analysis from time to time. The most important reason is to verify that the results produced by the valuation program are reasonable. The true cost of any benefit plan is the amount of benefits provided to participants plus the expenses of administering the plan, less the investment earning on plan assets. Actuarial assumptions are used to model future behavior and allow future benefit amounts to be estimated as the benefits are earned by participants. The estimated future costs become true costs only as those benefits are paid out to participants. Therefore, assumptions that are not reasonable may result in overstated or understated liabilities in the valuation results that go unnoticed for several years.

For example, assume a plan provides a generous early retirement benefit at age 60 but the valuation is prepared assuming that eligible participants will retire at age 65. For the years when benefits are accruing for active participants, the costs assume retirement at age 65 and do not include provision for the early retirement benefit. The "extra" benefit for each participant would not be recognized and included in plan liabilities until the participants reach age 60 and retire. At this point, their benefits start 5 years earlier than assumed and the liability for those benefits is significantly higher than previously calculated. The inappropriate early retirement assumption has masked the true cost of the plan. It would be preferable to identify the extra costs as early as possible. Once identified, the extra costs could be funded or the benefits could be reduced or eliminated if they are seen as being too generous.

The SEC has put significant focus on valuation assumptions in recent years, requiring registrants to report significant assumptions, disclose how often assumptions are compared to actual experience and provide a summary of how closely experience matches assumptions. While public plans do not currently face such requirements, the users of financial statements are becoming more sophisticated, learning to ask similar questions and adjust plan liabilities where assumptions may not be appropriate or carefully reviewed on a timely basis.



October 29, 2008

Page 2

Other reasons to review experience include allowing an organization to make meaningful plans around the future benefit costs and to drive a decision process that has correct inputs, and to review whether the benefits being provided are reasonable and appropriate for the plan population.

Since we have snapshot data at 6 dates, we have five years of actual participant experience that we can measure and review. We recommend that there are too few participants to prepare a meaningful review of mortality and morbidity (disability), so we will continue to use published tables. However, we believe it is important to review experience related to salary increases, termination, retirement, and election of retirement optional form of payment, including participation in the DROP and bonus programs. Most of this information should be readily available from the census data we collect for the annual valuation.

We expect that the fees for this project will not exceed \$8,000, including the review of the above data elements, our report on the proposed assumption changes and a projection of the cost impact to the City of making suggested changes, and one meeting in McAlester to discuss the results of the study. The cost does not include our standard load for expenses and the fees and out-of-pocket costs for any follow-up or additional meetings you may desire. The project should be completed within 5-6 weeks of receiving your approval to proceed.

Thank you for the opportunity to discuss this project. If you have any questions, please don't hesitate to call me. We look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to be 'Bruce R. Nordstrom', with a long horizontal line extending to the right.

Bruce R. Nordstrom, ASA, EA, MAAA



McAlester City Council

AGENDA REPORT

Meeting Date:	November 11, 2008	Item Number:	4
Department:	Planning and Community Development	Account Code:	
Prepared By:	Jamie Jo Benson	Budgeted Amount:	
Date Prepared:	November 4, 2008	Exhibits:	Three

Subject

Discussion, and possible action, an Ordinance amending General Zoning Ordinance No. 1843 and accompanying map by rezoning Lot 10 in the Village Addition No.#3 and a tract of land in Lot 54 in Townsite Addition No.#4, City of McAlester, Pittsburg County, State of Oklahoma, from C-2 (Neighborhood Convenience) to C-3 (General Commercial).

Recommendation

Motion to adopt an Ordinance amending Ordinance No. 1843 and accompanying map by rezoning Lot 10 in the Village Addition No#3 and a tract of land in Lot 54 in Townsite Addition No#4 from C-2 (Neighborhood Convenience) to C-3 (General Commercial).

Discussion

At its September 16, 2008 meeting, the Planning Commission held a public hearing, considered and now recommends approval of a rezone request for property described as Lot 10 in the Village Addition No#3 and a tract of land in Lot 54 in Townsite Addition No#4, City of McAlester, Pittsburg County, State of Oklahoma, from C-2 (Neighborhood Convenience) to C-3 (General Commercial). Planning and Community Development staff notes that this request is consistent with the City's Comprehensive Plan and Zoning Ordinance.

Mr. Terry D. Miller, residing at 120 E. Carl Albert, stated that he represents 4-Way Resources and Mike Miller. He showed the Planning Commission various options for development of this property. In addition, he stated that lots of businesses along 69 Highway would benefit from the extension of utilities, which would be needed for the project.

A motion was made by John McNally and seconded by Karl Scifres to recommend approval of the rezone request as follows: AYE: Way, Bolinger, Otis, Moore, McNally, Kanard, Scifres & Emmons. NAY: None. Motion carried 8-0.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	JJB	11/4/08
City Manager	MBR	11/4/08

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR: LOT 10, IN THE VILLAGE NO. III ADDITION TO THE CITY OF MCALESTER AND A TRACT OF LAND IN LOT 54, TOWNSITE ADDITION NO. 4, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, IN THE VILLAGE NO. III ADDITION TO THE CITY OF MCALESTER; THENCE S 87°11'43" W ALONG THE NORTHERLY BOUNDRY OF THE VILLAGE NO II ADDITION TO THE CITY OF MCALESTER, FOR A DISTANCE OF 56.33 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT(NON-TANGENT CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 553.65 FEET AND A CENTRAL ANGLE OF 27°02'36", AND A CHORD OF 258.90 FEET BEARING N 79°17'57" W); THENCE ALONG SAID CURVE FOR A DISTANCE OF 261.43 FEET; THENCE N 22°34'59" E A DISTANCE OF 145.49 FEET; THENCE S 89°47'01" E A DISTANCE OF 78.25 FEET; THENCE N 60°36'38" E A DISTANCE OF 202.62 FEET; THENCE S 00°00'00" E A DISTANCE OF 278.79 FEET TO THE POINT OF BEGINNING; CITY OF MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM C-2 (NEIGHBORHOOD CONVENIENCE COMMERCIAL) TO C-3 (GENERAL COMMERCIAL).

* * * * *

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA, that:

SECTION 1. GENERAL ORDINANCE NO. 1843, of the year 1989, and accompanying map thereto, as amended, is hereby further amended insofar as the same relates to certain parcels of land described as follows:

LOT 10, IN THE VILLAGE NO. III ADDITION TO THE CITY OF MCALESTER AND A TRACT OF LAND IN LOT 54, TOWNSITE ADDITION NO. 4, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, IN THE VILLAGE NO. III ADDITION TO THE CITY OF MCALESTER; THENCE S 87°11'43" W ALONG THE NORTHERLY BOUNDRY OF THE VILLAGE NO II ADDITION TO THE CITY OF MCALESTER, FOR A DISTANCE OF 56.33 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT(NON-TANGENT CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 553.65 FEET AND A CENTRAL ANGLE OF 27°02'36", AND A CHORD OF 258.90 FEET BEARING N 79°17'57" W); THENCE ALONG SAID CURVE FOR A DISTANCE OF 261.43 FEET; THENCE N 22°34'59" E A DISTANCE OF 145.49 FEET; THENCE S 89°47'01" E A DISTANCE OF 78.25 FEET; THENCE N 60°36'38" E A DISTANCE OF 202.62 FEET; THENCE S 00°00'00" E A DISTANCE OF 278.79 FEET TO THE POINT OF BEGINNING; CITY OF MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA BY CHANGING ITS CURRENT REZONING AND USE FROM C-2(NEIGHBORHOOD CONVENIENCE COMMERCIAL) TO C-3 (GENERAL COMMERCIAL).

SECTION 2. PUBLICATION AND EFFECTIVE DATE

The zoning change adopted by this ordinance shall be published within 15 days of approval in a newspaper of general circulation in McAlester, Oklahoma and the change shall become effective 30 days after approval by the City Council as required by Oklahoma General Statutes.

APPROVED this _____ day of _____, 2008.

CITY OF McALESTER, OKLAHOMA
Municipal Corporation

By _____
Kevin E. Priddle, Mayor

(SEAL)

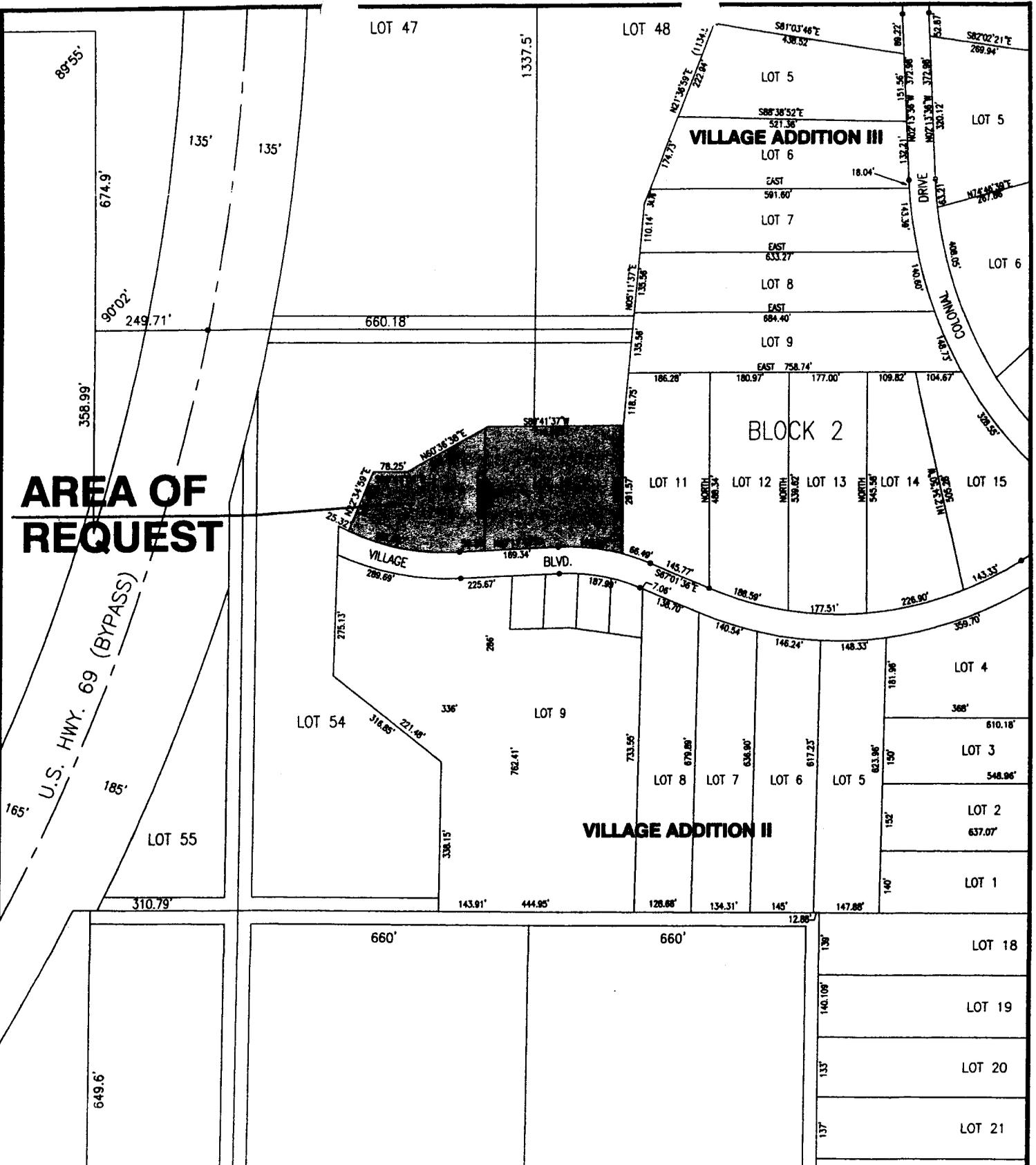
ATTEST:

Cora Middleton, City Clerk

Approved as to form and legality this _____ day of _____, 2008.

By _____
William J. Ervin, City Attorney

AREA OF REQUEST

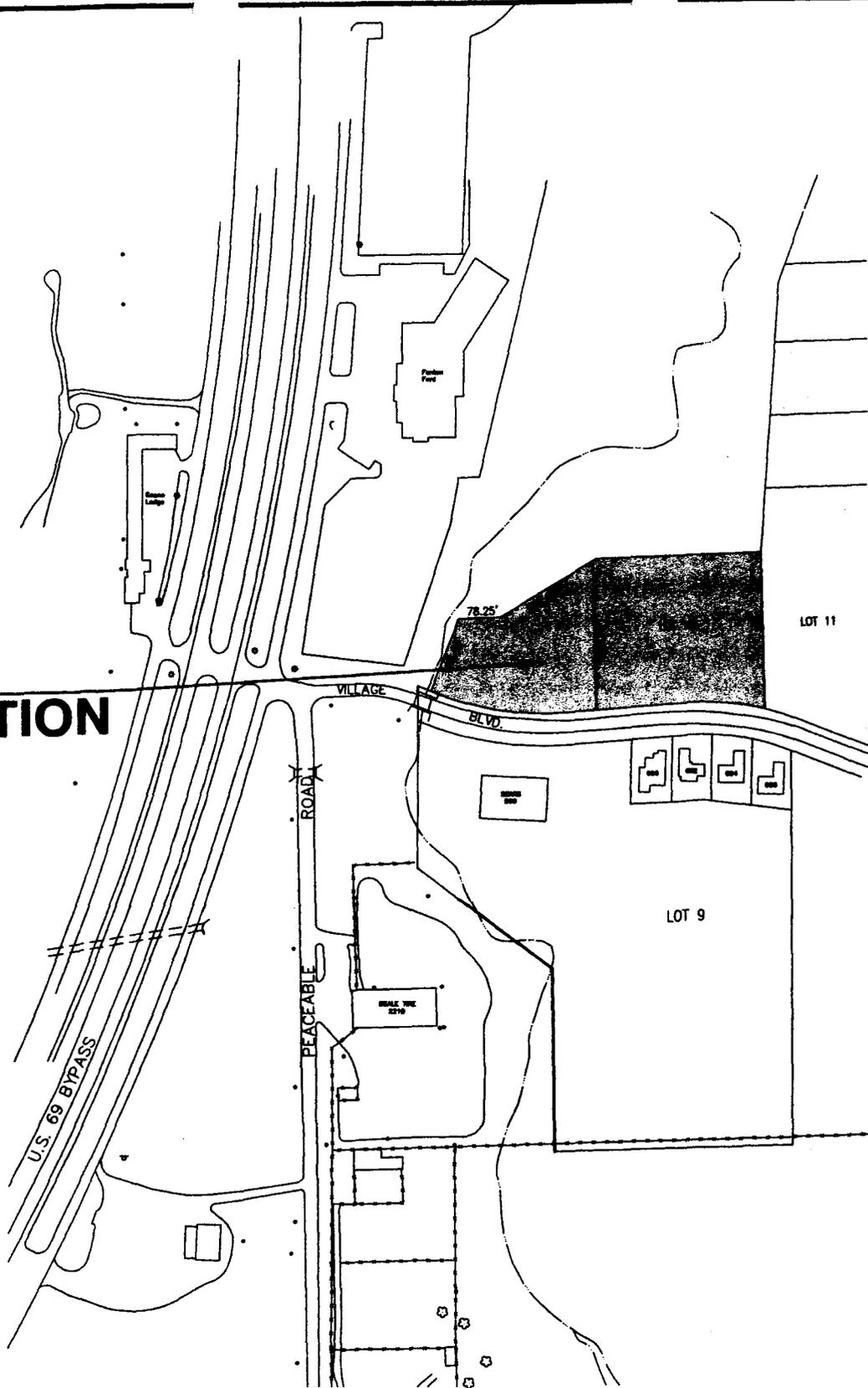


SCALE: 1" = 300'



Prepared By:
City of McAlester
Engineering Department

SITE LOCATION



SCALE: 1" = 300'



Prepared By:
City of McAlester
Engineering Department



McAlester City Council

AGENDA REPORT

Meeting Date: November 11, 2008 **Item Number:** 5
Department: City Manager
Prepared By: Mark B. Roath **Account Code:** _____
Date Prepared: November 4, 2008 **Budgeted Amount:** _____
Exhibits: Eight

Subject

Discussion, and possible action, on a Variance Request by Central Design Group II, L.L.C., representing Candlewood Suites, regarding relief from the electrical requirement set forth in City Code Section 18-144(b).

Recommendation

Motion to (approve/disapprove) a variance from City Code Section 18-144(b) for Candlewood Suites.

Discussion

Mr. Jerry Campbell, Project Manager for Central Design Group II, L.L.C., has submitted a letter and submittal documents in support of his request.

Note: I have attached a copy of my letter to Mayor Kevin E. Priddle and Vice-Mayor Buddy Garvin, on the same subject, dated October 16, 2008 for background information. As stated in my letter, the City Administration recommends that the City Council continue to enforce the current Electrical Code as-is. If the City Council desires to change the standard for this particular hotel, then there appears to be two options: (1) Amend the current Code Section 18-144(b) to allow for a lesser standard an/or an exception to it; or (2) Establish an Electrical Appeals Board—that is, similar to the City’s current Mechanical Appeals Board (Code Sec. 18-252) to hear a variance request.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>11/04/08</u>



November 3, 2008

Mr. Mark Roath
28 E Washington
PO Box 578
McAlester, OK 74502

Re: Candlewood Suites
Code Variance Request for City Council Agenda

Dear Mr. Roath,

Thank you for your time in meeting with interested parties concerning a code variance request for the new Candlewood Suites being built along South George Nigh Expressway. We ask that the following variance request be presented as part of the City Council agenda for their next regularly scheduled meeting to take place Tuesday, November 11th at 6:00pm:

We respectfully request that the provisions for electrical wiring and conduit currently adopted by the City of McAlester in the 2005 National Electric Code be enforced in lieu of City Ordinance Section 18-144(b).

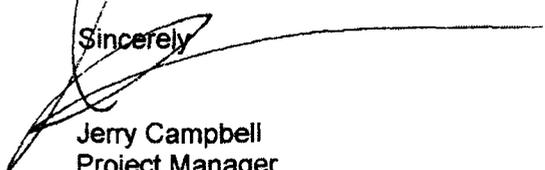
City Ordinance Section 18-144(b) requires metallic or rigid non-metallic electrical conduit be used in all commercial buildings. This requirement imposes a substantial increase in the cost of the electrical wiring system and has not been required in other jurisdictions where similar hotels have been constructed.

Hotels present a unique exception to the City Ordinance Section 18-144(b) requirements because hotel guestrooms are considered residential building area, instead of commercial. The 2005 National Electric Code adopted by the City of McAlester allows Romex wiring to be used in lieu of rigid conduit in residential building areas.

By granting this request for a variance, Romex wiring could be used in the guestroom areas as provided in the 2005 National Electric Code. MC cable would be required for all commercial areas of the hotel. Attached is a letter from a professional engineer licensed in the state of Oklahoma confirming this interpretation of the code. Also attached is a letter from the professional engineer who was requested by the City of McAlester to review this issue.

Consideration of this request by the City Council is greatly appreciated. Should there be any questions please feel free to contact me at any time.

Sincerely,


Jerry Campbell
Project Manager

Central Design Group II, L.L.C.

Architects • Planners

200 Old 63 South, Suite 305 • Columbia, MO 65201 • Fax 866.885.0160 • Phone 573.441.9391

cdg@socket.net

MALICOAT-WINSLOW ENGINEERS, P.C.
5649 NORTH CLEARVIEW ROAD
COLUMBIA, MISSOURI 65202-9687

FREDDIE L. MALICOAT, P.E.
573-875-1300 EXT 22

MECHANICAL AND ELECTRICAL ENGINEERS
email: info@mwengrs.com
Fax 573-875-1305

CARROLL E. WINSLOW, P.E.
573-875-1300 EXT 23

September 16, 2008

Central Design Group
2511 Old 63 South
Suite B
Columbia, Mo.
Attention: Jerry Campbell

Re: Candlewood Suites
McAlester, OK
MW Job #: 08115

Response to use of Romex wiring:

According to my interpretation of the 2005 NEC Article 334, Romex wiring would be approved for use in all guest room circuiting. MC cable or EMT would be used in all other locations.

Confirm this interpretation as a variance to Division IV Section 18-144 paragraph B of the McAlester Code.

Fred Malicoat, P.E.
Malicoat-Winslow Engineers, P.C.
FM:rl

graham & associates
professional consulting engineers

11150 colchester court
yukon, oklahoma 73099
Jack H. Graham, P.E., F.NSPE
President

(405) 373-2594

October 8, 2008

City of McAlester, Oklahoma
P.O. Box 478
1st & Washington
McAlester, Oklahoma 74502

Attn Mr. Mark I. Roath, Esq.
City Manager

Ref: Division IV, Section 18-144 (B) of the McAlester City Code
and McAlester Candlewood Suites. G&A#0829

The National Electrical Code® Article 334 allows Nonmetallic-Sheathed Cables: Types NM, NMC and NMS in dwelling units. Type NM has a trade name of Romex.

As the result of a conversation with Mr. Jerry Campbell, Central Design Group LLC, we understand the McAlester Candlewood Suites will have two distinct areas that they define as commercial and dwelling areas. The two areas will be separated with a two hour fire wall. The commercial area will be wired according to McAlester Building And Building Regulations Sec. 18-44 and the dwelling area to be wired according to NEC Article 334.

As I understand the portion of the McAlester Code that I received there is no allowance for dwelling units within a commercial facility - no allowance for two wiring methods.

If the McAlester Code Enforcement Authorities agree that the firewall separation results in two categories of construction (commercial and dwelling). If the Contractor complies with your Sec. 18-44 (commercial area) and the NEC Articles 334 and 210-60 (dwelling areas) we would recommend acceptance of the proposed project.

If we can be of further service please contact us.

GRAHAM & ASSOCIATES
PROFESSIONAL CONSULTING ENGINEERS

BY Jack H. Graham
Jack H. Graham P.E., F.NSPE



graham & associates
professional consulting engineers

11150 colechester court
 yukon, oklahoma 73099

Jack H. Graham, P.E., F.NSPE
 President (405) 373-2994

October 6, 2008

City of McAlester, Oklahoma
P.O. Box 478
1st & Washington
McAlester, Oklahoma 74502

Attn Mr. Mark B. Roath, Esq.
City Manager

Ref: Division IV, Section 18-144 (B) of the McAlester City Code
and McAlester Candlewood Suites. G&A#0829

It is our opinion that if the Contractor complies with the
National Electrical Code® Article 334 and Article 210-60 and has
appropriate fire wall separation between nonresidential areas and
dwelling units the installation will be in compliance with NEC.

We believe municipalities have the right to add restrictions to
the NEC however; the NEC has no restriction on the use of type NM
(Romex) cable in dwelling units.

If we can be of further service please contact us.

GRAHAM & ASSOCIATES
PROFESSIONAL CONSULTING ENGINEERS

BY *Jack H. Graham*
Jack H. Graham P.E., F.NSPE





October 16, 2008

Honorable Kevin E. Priddle
City of McAlester
McAlester, Oklahoma

Vice-Mayor Buddy Garvin
City of McAlester
McAlester, Oklahoma

Re: McAlester Candlewood Suites v. McAlester Code Sec. 18-144 (b)

Dear Messrs. Priddle and Garvin:

As you are aware, representatives from Candlewood Suites has suggested that the City consider allowing them to not install EMT electrical wiring, *except* in the common areas of their proposed new, extended stay hotel.

A brief history of said request is in order. On about July 28, 2008, the City Administration met with representatives of Candlewood Suites. The purpose of the meeting was to discuss their proposed plans for a new hotel at the site of the current bowling alley off of Highway 69. During that meeting, the City Administration informed the Candlewood Suites representatives that Section 18-144 of the McAlester Code, entitled Special Requirements for Wiring in Commercial Buildings and Places of Public Assembly, Clause (b) required: "All wiring installed in commercial buildings must be placed in metallic raceways or in rigid nonmetallic conduit. Armored cable or flexible conduit shall be used only when, in the judgment of the electrical inspector, it is impractical to install other metallic raceways." In addition, they were given a copy of the Code Section. At that time, their General Contractor, Jim Nugent of Thomas Construction, estimated that the City's requirement would add an additional \$25,000 to the proposed hotel cost. It should be mentioned, that a member of the City Administration pointed out that the City had never had a fire in a hotel as a result of this requirement and that all hotels constructed in the City since this Code provision was enacted had complied (including the hotel being built outside the City limits near Walmart as well as the Hampton Inn, which is currently under construction as well). In fact, all commercial buildings constructed since the enactment of McAlester Code Sec. 18-144 (b) have installed EMT electrical wiring.

On September 17, 2008, a meeting was held with representatives of Candlewood Suites and Jim Mills, Kevin Priddle, Buddy Garvin, Mark Roath, and George Marcangeli.

At that meeting, a representative from Central Design Group presented the City with a letter from Mr. Fred Malicoat, P.E., for Malicoat-Winslow Engineers, P.C., which read in part, "According to my interpretation of the 2005 NEC Article 334, Romex wiring would be approved for use in all guest room circuiting. MC cable or EMT would be used in all other locations. . .Confirm this interpretation as a variance to Division IV Section 18-144 paragraph B of the McAlester Code." After some discussion on the City's Code, the Candlewood Suites representatives suggest that the City consider allowing them to use romex wiring in the guest rooms since their facility was to be built as an extended stay hotel in contrast to other hotels currently erected in McAlester and they estimated the cost to meet the City's electrical requirement at \$250,000. Because the City Administration did not have an electrical engineer on staff to seek advice as to whether our Code Section was appropriate given the type of hotel proposed to be erected, it was suggested that the City might consider engaging an electrical engineer to review the McAlester Code Section 18-144 (b).

After the September 17, 2008 meeting, I asked Mr. George Marcangeli to provide me with information on possible electrical engineers. Shortly thereafter, he suggested that I talk to Mr. Jack H. Graham of Graham and Associates of Yukon, Oklahoma. On October 2, 2008, I spoke with Mr. Graham, who agreed to review the City's Code Section 18-144 (b), talk to the architect for Candlewood Suites, and then to provide me with his written opinion on the issue. On October 6, 2008, he sent me a letter that read in part, "It is our opinion that if the Contractor complies with the National Electrical Code Article 334 and Article 210-60 and has appropriate fire wall separation between nonresidential areas and dwelling units the installation will be in compliance with NEC . . . *We believe municipalities have the right to add restrictions to the NEC however, the NEC has no restriction on the use of type NM (Romex) cable in dwelling units.*" (Emphasis Added) Upon receiving his letter and reading it, I telephoned Mr. Graham as to the second part of his letter. After he explained it, he indicated that he would write a second letter that further clarified his position. On October 8, 2008, he sent me another letter that read as follows: "The National Electrical Code Article 334 allows Nonmetallic-Sheathed Cable Types NM, NMC and NMS in dwelling units. Type NM has a trade name of Romex. . .As a result of a conversation with Mr. Jerry Campbell, Central Design Group, LLC, we understand the McAlester Candlewood Suites will have two distinct areas that they define as commercial and dwelling areas. The two areas will be separated with a two hour fire wall. The commercial area will be wired according to McAlester Building and Building Regulations Sec. 18-44 (sic) and dwelling area to be wired according to NEC Article 334. . .*As I understand the portion of the McAlester Code that I received there is no allowance for dwelling units within a commercial facility—no allowance for two wiring methods . . .* If the McAlester Code Enforcement Authorities agree that the firewall separation results in two categories of construction (commercial and dwelling). If the Contractor complies with your Sec. 18-44 (sic) (commercial area) and the NEC Articles 334 and 210-60 (dwelling areas) we would recommend acceptance of the proposed project." (Emphasis Added)

As stated in Mr. Graham's first letter, the City of McAlester has a right to add restrictions to the NEC. And, as stated in Mr. Graham's second letter, the McAlester Code, the electrical section, does not distinguish between commercial as opposed to commercial/dwelling. Apart from Mr. Graham's letters, the McAlester Code also does not

set out a process for appeal, which the McAlester Mechanical Code does under Sec. 18-252. As to the latter, I have asked the City Attorney's Office to provide a written opinion on the process of appeal—namely, should representatives of Candlewood Suites seek a variance to Sec. 18-144 (b).

As of this writing, however, the City Administration intends to adhere to the McAlester Code Section 18-144 (b) until either the City Council makes a change in the Code or Candlewood Suites seeks a variance, from an undetermined body, and is granted a variance.

If you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,



Mark B. Roath
City Manager

Enclosures

- c. City Council
George Marcangeli, City Engineer/Public Works Director
Leonard Howard, Electrical Inspector

Note: During my telephone conversation with Mr. Graham, he expressed that the estimated cost for Candlewood Suites to comply with the aforementioned McAlester Code Section appeared high.

as the National Electrical Code, 2002 edition, and all subsequent editions and amendments, recommended by the American Insurance Association; and the whole thereof, and the same is hereby incorporated as fully as if set out at length in this division. The provisions of such code shall be controlling in the installation and use of electrical equipment in buildings and structures within the corporate limits of the city; provided, however, that if any provision of such code conflicts with any other provision of this article the latter shall govern.

(Code 1974, § 7-96; Ord. No. 2055, § 2, 10-8-96; Ord. No. 2145, § 5, 2-26-02; Ord. No. 2188, § 5, 12-14-04)

Charter reference—Authority to adopt electrical code by reference, § 2-15.

State law reference—Adoption by reference, 11 O.S. § 14-107.

Sec. 18-142. Amendments to electrical code.

The National Electrical Code as adopted by the city is amended in the following particulars:

Chapter 3, article 300, paragraph 300-4(a)(1) is amended to read as follows:

(a) (1) Bored holes. In both exposed and concealed locations, where a cable or raceway type wiring method is installed through bored holes in joist, rafters, or similar structural wood members, holes shall be bored at the approximate center of the face of the member. Holes in studs for cable-type wiring methods shall be bored at the approximate center of the face of the member but not less than 1½ inches from the nearest edge. Where this distance cannot be maintained, the cable or raceway shall be protected from penetration by screws or nails by a steel plate or bushing at least ¼ inch (1.59 mm) thick, and of appropriate length and width installed to cover the area of the wiring.

(Code 1974, § 7-96.1)

Sec. 18-143. General equipment standards.

All electrical equipment installed or used by the city shall be in conformity with the provisions of this article, the statutes of the state and any orders, rules and regulations issued by authority thereof, and with approved electrical standards

for safety to persons or to property. Unless by this article, a statute of the state or any order, rule or regulation issued by authority thereof, a specific type or class of electrical equipment is disapproved for installation and use, conformity with the standards of Underwriters' Laboratories, Inc., shall be prima facie evidence of conformity with approved standards for safety to persons and property.

(Code 1974, § 7-97)

Sec. 18-144. Special requirements for wiring in commercial buildings and places of public assembly.

(a) For the purposes of this section the following definitions shall apply:

Electrical nonmetallic tubing (ENMT) means a pliable corrugated raceway of circular cross-section with integral or associated couplings, connectors and fittings listed for the installation of electric conductors. It is composed of a material that is resistant to moisture, chemical atmospheres and is flame retardant. Because of the corrugations, the raceway can be bent by hand with a reasonable force, but without other assistance.

Rigid nonmetallic conduit (RNMC) means a type of conduit and fittings of suitable nonmetallic material that is resistant to moisture and chemical atmospheres. For use aboveground it shall also be flame retardant, resistant to impact and crushing, resistant to distortion from heat under conditions likely to be encountered in service, and resistant to low temperature and sunlight effects. For use underground, the material shall be acceptably resistant to moisture and corrosive agents and shall be of sufficient strength to withstand abuse, such as by impact and by crushing, in handling and during installation. Where intended for direct burial, without encasement in concrete, the material shall also be capable of withstanding continued loading that is likely to be encountered after installation. Materials recognized as having suitable physical characteristics when properly formed and treated include: fiber, asbestos cement, soapstone, rigid polyvinyl chloride (sched-

ule 40 and schedule 80), fiberglass epoxy, high-density polyethylene for underground use and rigid PVC for aboveground.

(b) All wiring installed in commercial buildings must be placed in metallic raceways or in rigid nonmetallic conduit. Armored cable or flexible conduit shall be used only when, in the judgement of the electrical inspector, it is impractical to install other metallic raceways. Existing wiring in a safe condition, according to the judgement of the electrical inspector, may be retained. Any extensions shall be in compliance with this section.

(c) Wiring installed in churches, schools, lodges and all other places of public assembly may be installed in rigid nonmetallic conduits if it is in compliance with applicable provisions and requirements of the National Electrical Code as adopted by the city.
(Code 1974, § 7-98)

Sec. 18-145. Branch circuits; type C lamp cords prohibited in certain places.

In residential and mercantile occupancies, lighting branch circuits shall be confined to 1,000 watts, and not more than eight outlets per circuit will be allowed in the fire zone or fire limits. Branch circuit conductors shall not be smaller than no. 12. Type C lamp cord will not be permitted in the kitchen of restaurants or like places where grease accumulates, nor in part of a building where live poultry is confined.
(Code 1974, § 7-101)

Sec. 18-146. Ground connections prohibited in certain locations.

Ground connections shall not be made in toilets, adjacent to salt storage or acid vapors or in any location where the grounding conductor and fitting is likely to become corroded.
(Code 1974, § 7-102)

Sec. 18-147. Trailer hookups; electrical inspection required.

Before a trailer (mobile home) can be hooked up in a trailer park or lot, an electrical inspection

must be made by the codes department electrical inspector, to ensure that the trailer is in good working order and that the trailer park equipment is adequate to safely accommodate the trailer, and is in good working condition. Manufactured trailers (housing) free of axles shall be treated in a like manner. If deficiencies are found in either the trailer, or the park, by the inspector, no hookup or water service shall be allowed until the unsafe or hazardous conditions have been repaired or eliminated to the inspector's satisfaction.
(Code 1974, § 7-104)

Secs. 18-148—18-170. Reserved.

ARTICLE V. PLUMBING CODE*

DIVISION 1. GENERALLY

Sec. 18-171. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Generally. The definitions found in 59 O.S. § 1003 referencing the business, trade or occupation of a plumbing contractor, journeyman plumber or apprentice plumber, and/or the plumbing board or committee are hereby included in the city plumbing ordinances.

Apprentice or plumber's apprentice means any person 16 years of age or over who, as his principal occupation, is engaged in learning and assisting in the installation of plumbing under the direct supervision of a registered journeyman plumber or plumbing contractor.

Board means the state board of health.

Commissioner means the state commissioner of health.

*Cross references—Water supply system, § 106-26 et seq.; sewers and sewage disposal, § 106-201 et seq.

State law references—Plumbing and plumbing contractors, 59 O.S. § 1001 et seq.; duty of city to prescribe plumbing regulations, 59 O.S. § 1015.

MALICOAT-WINSLOW ENGINEERS, P.C.
5649 NORTH CLEARVIEW ROAD
COLUMBIA, MISSOURI 65202-9687

FREDDIE L. MALICOAT, P.E.
573-875-1300 EXT 22

MECHANICAL AND ELECTRICAL ENGINEERS
email: info@mwengrs.com
Fax 573-875-1305

CARROLL E. WINSLOW, P.E.
573-875-1300 EXT 23

September 16, 2008

Central Design Group
2511 Old 63 South
Suite B
Columbia, Mo.
Attention: Jerry Campbell

Re: Candlewood Suites
McAlester, OK
MW Job #: 08115

Response to use of Romex wiring:

According to my interpretation of the 2005 NEC Article 334, Romex wiring would be approved for use in all guest room circuiting. MC cable or EMT would be used in all other locations.

Confirm this interpretation as a variance to Division IV Section 18-144 paragraph B of the McAlester Code.

Fred Malicoat, P.E.
Malicoat-Winslow Engineers, P.C.
FM:rl

300.4 shall be considered supported and secured where such support does not exceed 1.8-m (6-ft) intervals.

(B) **Unsupported Cable.** Type MI cable shall be permitted to be unsupported where the cable is fished.

(C) **Cable Trays.** Type MI cable installed in cable trays shall comply with 392.8(B).

332.31 Single Conductors. Where single-conductor cables are used, all phase conductors and, where used, the neutral conductor shall be grouped together to minimize induced voltage on the sheath.

332.40 Boxes and Fittings.

(A) **Fittings.** Fittings used for connecting Type MI cable to boxes, cabinets, or other equipment shall be identified for such use.

(B) **Terminal Seals.** Where Type MI cable terminates, an end seal fitting shall be installed immediately after stripping to prevent the entrance of moisture into the insulation. The conductors extending beyond the sheath shall be individually provided with an insulating material.

332.80 Ampacity. The ampacity of Type MI cable shall be determined in accordance with 310.15. The conductor temperature at the end seal fitting shall not exceed the temperature rating of the listed end seal fitting, and the installation shall not exceed the temperature ratings of terminations or equipment.

(A) **Type MI Cable Installed in Cable Tray.** The ampacities for Type MI cable installed in cable tray shall be determined in accordance with 392.11.

(B) **Single Type MI Conductors Grouped Together.** Where single Type MI conductors are grouped together in a triangular or square configuration, as required by 332.31, and installed on a messenger or as open runs with a maintained free air space of not less than 2.15 times one conductor diameter ($2.15 \times O.D.$) of the largest conductor contained within the configuration and adjacent conductor configurations or cables, the ampacity of the conductors shall not exceed the allowable ampacities of Table 310.17.

III. Construction Specifications

332.104 Conductors. Type MI cable conductors shall be of solid copper, nickel, or nickel-coated copper with a resistance corresponding to standard AWG and kcmil sizes.

332.108 Equipment Grounding. Where the outer sheath is made of copper, it shall provide an adequate path for

equipment grounding purposes. Where made of steel, an equipment grounding conductor shall be provided.

332.112 Insulation. The conductor insulation in Type MI cable shall be a highly compressed refractory mineral that provides proper spacing for all conductors.

332.116 Sheath. The outer sheath shall be of a continuous construction to provide mechanical protection and moisture seal.

ARTICLE 334 Nonmetallic-Sheathed Cable Types NM, NMC, and NMS

I. General

334.1 Scope. This article covers the use, installation, and construction specifications of nonmetallic-sheathed cable.

334.2 Definition.

Nonmetallic-Sheathed Cable. A factory assembly of two or more insulated conductors having an outer sheath of nonmetallic material.

334.6 Listed. Type NM, Type NMC, and Type NMS cables shall be listed.

II. Installation

334.10 Uses Permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following:

- (1) One- and two-family dwellings.
- (2) Multifamily dwellings permitted to be of Types III, IV, and V construction except as prohibited in 334.12.
- (3) Other structures permitted to be of Types III, IV, and V construction except as prohibited in 334.12. Cables shall be concealed within walls, floors, or ceilings that provide a thermal barrier of material that has at least a 15-minute finish rating as identified in listings of fire-rated assemblies.

FPN No. 1: Building constructions are defined in NFPA 220-1999, *Standard on Types of Building Construction*, or the applicable building code, or both.

FPN No. 2: See Annex E for determination of building types [NFPA 220, Table 3-1].

- (4) Cable trays, where the cables are identified for the use.

FPN: See 310.10 for temperature limitation of conductors.

(A) **Type NM.** Type NM cable shall be permitted as follows:

- (1) For both exposed and concealed work in normally dry locations except as prohibited in 334.10(3).
- (2) To be installed or fished in air voids in masonry block or tile walls

(B) **Type NMC.** Type NMC cable shall be permitted as follows:

- (1) For both exposed and concealed work in dry, moist, damp, or corrosive locations, except as prohibited in 334.10(3)
- (2) In outside and inside walls of masonry block or tile
- (3) In a shallow chase in masonry, concrete, or adobe protected against nails or screws by a steel plate at least 1.59 mm (1/16 in.) thick and covered with plaster, adobe, or similar finish

(C) **Type NMS.** Type NMS cable shall be permitted as follows:

- (1) For both exposed and concealed work in normally dry locations except as prohibited in 334.10(3)
- (2) To be installed or fished in air voids in masonry block or tile walls
- (3) To be used as permitted in Article 780

334.12 Uses Not Permitted.

(A) **Types NM, NMC, and NMS.** Types NM, NMC, and NMS cables shall not be used as follows:

- (1) As open runs in dropped or suspended ceilings in other than one- and two-family and multifamily dwellings.
- (2) As service-entrance cable.
- (3) In commercial garages having hazardous (classified) locations as defined in 511.3.
- (4) In theaters and similar locations, except where permitted in 518.4.
- (5) In motion picture studios.
- (6) In storage battery rooms.
- (7) In hoistways or on elevators or escalators.
- (8) Embedded in poured cement, concrete, or aggregate.
- (9) In hazardous (classified) locations, except where permitted in the following:
 - a. 501.4(B), Exception
 - b. 502.4(B), Exception No. 1
 - c. 504.20
- (10) **Types NM and NMS.** Types NM and NMS cable shall not be used as follows:
 - a. Where exposed to corrosive fumes or vapors
 - b. Where embedded in masonry, concrete, adobe, fill, or plaster
 - c. In a shallow chase in masonry, concrete, or adobe and covered with plaster, adobe, or similar finish

d. Where exposed or subject to excessive moisture or dampness

334.15 Exposed Work. In exposed work, except as provided in 300.11(A), the cable shall be installed as specified in 334.15(A) through (C).

(A) **To Follow Surface.** The cable shall closely follow the surface of the building finish or of running boards.

(B) **Protection from Physical Damage.** The cable shall be protected from physical damage where necessary by conduit, electrical metallic tubing, Schedule 80 PVC rigid nonmetallic conduit, pipe, guard strips, listed surface metal or nonmetallic raceway, or other means. Where passing through a floor, the cable shall be enclosed in rigid metal conduit, intermediate metal conduit, electrical metallic tubing, Schedule 80 PVC rigid nonmetallic conduit, listed surface metal or nonmetallic raceway, or other metal pipe extending at least 150 mm (6 in.) above the floor.

(C) **In Unfinished Basements.** Where the cable is run at angles with joists in unfinished basements, it shall be permissible to secure cables not smaller than two 6 AWG or three 8 AWG conductors directly to the lower edges of the joists. Smaller cables shall be run either through bored holes in joists or on running boards.

334.17 Through or Parallel to Framing Members. Types NM, NMC, or NMS cable shall be protected in accordance with 300.4 where installed through or parallel to framing members. Grommets used as required in 300.4(B)(1) shall remain in place and be listed for the purpose of cable protection.

334.23 In Accessible Attics. The installation of cable in accessible attics or roof spaces shall also comply with 320.23.

334.24 Bending Radius. Bends in Types NM, NMC, and NMS cable shall be made so that the cable will not be damaged. The radius of the curve of the inner edge of any bend during or after installation shall not be less than five times the diameter of the cable.

334.30 Securing and Supporting. Nonmetallic-sheathed cable shall be secured by staples, cable ties, straps, hangers, or similar fittings designed and installed so as not to damage the cable at intervals not exceeding 1.4 m (4½ ft) and within 300 mm (12 in.) of every cabinet, box, or fitting. Flat cables shall not be stapled on edge.

(A) **Horizontal Runs through Holes and Notches.** In other than vertical runs, cables installed in accordance with 300.4 shall be considered supported and secured where

such support does not exceed 1.4-m (4½-ft) intervals and the nonmetallic-sheathed cable is securely fastened in place by an approved means within 300 mm (12 in.) of each box, cabinet, conduit body, or other nonmetallic-sheathed cable termination.

FPN: See 314.17(C) for support where nonmetallic boxes are used.

(B) Unsupported Cables. Nonmetallic-sheathed cable shall be permitted to be unsupported where the cable:

- (1) Is fished between access points, where concealed in finished buildings or finished panels for prefabricated buildings and supporting is impracticable
- (2) Is not more than 1.4 m (4½ ft) from the last point of support for connections within an accessible ceiling to luminaire(s) [lighting fixture(s)] or equipment

(C) Wiring Device Without a Separate Outlet Box. A wiring device identified for the use, without a separate outlet box, incorporating an integral cable clamp shall be permitted where the cable is secured in place at intervals not exceeding 1.4 m (4½ ft) and within 300 mm (12 in.) from the wiring device wall opening, and there shall be at least a 300 mm (12 in.) loop of unbroken cable or 150 mm (6 in.) of a cable end available on the interior side of the finished wall to permit replacement.

334.40 Boxes and Fittings.

(A) Boxes of Insulating Material. Nonmetallic outlet boxes shall be permitted as provided in 314.3.

(B) Devices of Insulating Material. Switch, outlet, and tap devices of insulating material shall be permitted to be used without boxes in exposed cable wiring and for rewiring in existing buildings where the cable is concealed and fished. Openings in such devices shall form a close fit around the outer covering of the cable, and the device shall fully enclose the part of the cable from which any part of the covering has been removed. Where connections to conductors are by binding-screw terminals, there shall be available as many terminals as conductors.

(C) Devices with Integral Enclosures. Wiring devices with integral enclosures identified for such use shall be permitted as provided in 300.15(E).

334.80 Ampacity. The ampacity of Types NM, NMC, and NMS cable shall be determined in accordance with 310.15. The ampacity shall be in accordance with the 60°C (140°F) conductor temperature rating. The 90°C (194°F) rating shall be permitted to be used for ampacity derating purposes, provided the final derated ampacity does not exceed that for a 60°C (140°F) rated conductor. The ampacity of

Types NM, NMC, and NMS cable installed in cable tray shall be determined in accordance with 392.11.

III. Construction Specifications

334.100 Construction. The outer cable sheath of nonmetallic-sheathed cable shall be a nonmetallic material.

334.104 Conductors. The insulated power conductors shall be sizes 14 AWG through 2 AWG with copper conductors or sizes 12 AWG through 2 AWG with aluminum or copper-clad aluminum conductors. The signaling conductors shall comply with 780.5.

334.108 Equipment Grounding. In addition to the insulated conductors, the cable shall be permitted to have an insulated or bare conductor for equipment grounding purposes only. Where provided, the grounding conductor shall be sized in accordance with Article 250.

334.112 Insulation. The insulated power conductors shall be one of the types listed in Table 310.13 that is suitable for branch circuit wiring or one that is identified for use in these cables. Conductor insulation shall be rated at 90°C (194°F).

FPN: Types NM, NMC, and NMS cable identified by the markings NM-B, NMC-B, and NMS-B meet this requirement.

334.116 Sheath. The outer sheath of nonmetallic-sheathed cable shall comply with 334.116(A), (B), and (C).

(A) Type NM. The overall covering shall be flame retardant and moisture resistant.

(B) Type NMC. The overall covering shall be flame retardant, moisture resistant, fungus resistant, and corrosion resistant.

(C) Type NMS. The overall covering shall be flame retardant and moisture resistant. The sheath shall be applied so as to separate the power conductors from the communications and signaling conductors. The signaling conductors shall be permitted to be shielded. An optional outer jacket shall be permitted.

FPN: For composite optical cable, see 770.5 and 770.52.

ARTICLE 336 Power and Control Tray Cable: Type TC

I. General

336.1 Scope. This article covers the use, installation, and construction specifications for power and control tray cable, Type TC.

332.24 Bending Radius. Bends in Type MI cable shall be so made that the cable will not be damaged. The radius of the inner edge of any bend shall not be less than required as follows:

- (1) Five times the external diameter of the metallic sheath for cable not more than 19 mm (¾ in.) in external diameter
- (2) Ten times the external diameter of the metallic sheath for cable greater than 19 mm (¾ in.) but not more than 25 mm (1 in.) in external diameter

332.30 Securing and Supporting. Type MI cable shall be supported and secured by staples, straps, hangers, or similar fittings, designed and installed so as not to damage the cable, at intervals not exceeding 1.8 m (6 ft).

(A) **Horizontal Runs Through Holes and Notches.** In other than vertical runs, cables installed in accordance with 300.4 shall be considered supported and secured where such support does not exceed 1.8 m (6 ft) intervals.

(B) **Unsupported Cable.** Type MI cable shall be permitted to be unsupported where the cable is fished between access points through concealed spaces in finished buildings or structures and supporting is impracticable.

(C) **Cable Trays.** All MI cable installed in cable trays shall comply with 392.8(B).

332.31 Single Conductors. Where single-conductor cables are used, all phase conductors and, where used, the neutral conductor shall be grouped together to minimize induced voltage on the sheath.

332.40 Boxes and Fittings.

(A) **Fittings.** Fittings used for connecting Type MI cable to boxes, cabinets, or other equipment shall be identified for such use.

(B) **Terminal Seals.** Where Type MI cable terminates, an end seal fitting shall be installed immediately after stripping to prevent the entrance of moisture into the insulation. The conductors extending beyond the sheath shall be individually provided with an insulating material.

332.80 Ampacity. The ampacity of Type MI cable shall be determined in accordance with 310.15. The conductor temperature at the end seal fitting shall not exceed the temperature rating of the listed end seal fitting, and the installation shall not exceed the temperature ratings of terminations or equipment.

(A) **Type MI Cable Installed in Cable Tray.** The ampacities for Type MI cable installed in cable tray shall be determined in accordance with 392.11.

(B) **Single Type MI Conductors Grouped Together.** Where single Type MI conductors are grouped together in a triangular or square configuration, as required by 332.31,

and installed on a messenger or exposed with a maintained free air space of not less than 2.15 times one conductor diameter ($2.15 \times \text{O.D.}$) of the largest conductor contained within the configuration and adjacent conductor configurations or cables, the ampacity of the conductors shall not exceed the allowable ampacities of Table 310.17.

III. Construction Specifications

332.104 Conductors. Type MI cable conductors shall be of solid copper, nickel, or nickel-coated copper with a resistance corresponding to standard AWG and kcmil sizes.

332.108 Equipment Grounding. Where the outer sheath is made of copper, it shall provide an adequate path for equipment grounding purposes. Where made of steel, an equipment grounding conductor shall be provided.

332.112 Insulation. The conductor insulation in Type MI cable shall be a highly compressed refractory mineral that provides proper spacing for all conductors.

332.116 Sheath. The outer sheath shall be of a continuous construction to provide mechanical protection and moisture seal.

ARTICLE 334 Nonmetallic-Sheathed Cable: Types NM, NMC, and NMS

I. General

334.1 Scope. This article covers the use, installation, and construction specifications of nonmetallic-sheathed cable.

334.2 Definitions.

Nonmetallic-Sheathed Cable. A factory assembly of two or more insulated conductors enclosed within an overall nonmetallic jacket.

Type NM. Insulated conductors enclosed within an overall nonmetallic jacket.

Type NMC. Insulated conductors enclosed within an overall, corrosion resistant, nonmetallic jacket.

Type NMS. Insulated power or control conductors with signaling, data, and communications conductors within an overall nonmetallic jacket.

334.6 Listed. Type NM, Type NMC, and Type NMS cables shall be listed.

II. Installation

334.10 Uses Permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following:

- (1) One- and two-family dwellings.
- (2) Multifamily dwellings permitted to be of Types III, IV, and V construction except as prohibited in 334.12.
- (3) Other structures permitted to be of Types III, IV, and V construction except as prohibited in 334.12. Cables shall be concealed within walls, floors, or ceilings that provide a thermal barrier of material that has at least a 15-minute finish rating as identified in listings of fire-rated assemblies.

FPN No. 1: Types of building construction and occupancy classifications are defined in NFPA 220-1999, *Standard on Types of Building Construction*, or the applicable building code, or both.

FPN No. 2: See Annex E for determination of building types [NFPA 220, Table 3-1].

- (4) Cable trays in structures permitted to be Types III, IV, or V where the cables are identified for the use.

FPN: See 310.10 for temperature limitation of conductors.

(A) Type NM. Type NM cable shall be permitted as follows:

- (1) For both exposed and concealed work in normally dry locations except as prohibited in 334.10(3)
- (2) To be installed or fished in air voids in masonry block or tile walls

(B) Type NMC. Type NMC cable shall be permitted as follows:

- (1) For both exposed and concealed work in dry, moist, damp, or corrosive locations, except as prohibited by 334.10(3)
- (2) In outside and inside walls of masonry block or tile
- (3) In a shallow chase in masonry, concrete, or adobe protected against nails or screws by a steel plate at least 1.59 mm ($\frac{1}{16}$ in.) thick and covered with plaster, adobe, or similar finish

(C) Type NMS. Type NMS cable shall be permitted as follows:

- (1) For both exposed and concealed work in normally dry locations except as prohibited by 334.10(3)
- (2) To be installed or fished in air voids in masonry block or tile walls

334.12 Uses Not Permitted.

(A) Types NM, NMC, and NMS. Types NM, NMC, and NMS cables shall not be permitted as follows:

- (1) In any dwelling or structure not specifically permitted in 334.10(1), (2), and (3)

- (2) Exposed in dropped or suspended ceilings in other than one- and two-family and multifamily dwellings
- (3) As service-entrance cable
- (4) In commercial garages having hazardous (classified) locations as defined in 511.3
- (5) In theaters and similar locations, except where permitted in 518.4(B)
- (6) In motion picture studios
- (7) In storage battery rooms
- (8) In hoistways or on elevators or escalators
- (9) Embedded in poured cement, concrete, or aggregate
- (10) In hazardous (classified) locations, except where permitted by the following:

- a. 501.10(B)(3)
- b. 502.10(B)(3)
- c. 504.20

11. HEALTH CARE SEE ~~517.61-C(1)~~

(B) Types NM and NMS. Types NM and NMS cables shall not be used under the following conditions or in the following locations:

- (1) Where exposed to corrosive fumes or vapors
- (2) Where embedded in masonry, concrete, adobe, fill, or plaster
- (3) In a shallow chase in masonry, concrete, or adobe and covered with plaster, adobe, or similar finish
- (4) Where exposed or subject to excessive moisture or dampness

334.15 Exposed Work. In exposed work, except as provided in 300.11(A), cable shall be installed as specified in 334.15(A) through (C).

(A) To Follow Surface. Cable shall closely follow the surface of the building finish or of running boards.

(B) Protection from Physical Damage. Cable shall be protected from physical damage where necessary by rigid metal conduit, intermediate metal conduit, electrical metallic tubing, Schedule 80 PVC rigid nonmetallic conduit, or other approved means. Where passing through a floor, the cable shall be enclosed in rigid metal conduit, intermediate metal conduit, electrical metallic tubing, Schedule 80 PVC rigid nonmetallic conduit, or other approved means extending at least 150 mm (6 in.) above the floor.

Where Type NMC cable is installed in shallow chases in masonry, concrete, or adobe, the cable shall be protected against nails or screws by a steel plate at least 1.59 mm ($\frac{1}{16}$ in.) thick and covered with plaster, adobe, or similar finish.

(C) In Unfinished Basements. Where cable is run at angles with joists in unfinished basements, it shall be permissible to secure cables not smaller than two 6 AWG or

three 8 AWG conductors directly to the lower edges of the joists. Smaller cables shall be run either through bored holes in joists or on running boards. NM cable used on a wall of an unfinished basement shall be permitted to be installed in a listed conduit or tubing. Conduit or tubing shall utilize a nonmetallic bushing or adapter at the point the cable enters the raceway. Metal conduit and tubings and metal outlet boxes shall be grounded.

334.17 Through or Parallel to Framing Members. Types NM, NMC, or NMS cable shall be protected in accordance with 300.4 where installed through or parallel to framing members. Grommets used as required in 300.4(B)(1) shall remain in place and be listed for the purpose of cable protection.

334.23 In Accessible Attics. The installation of cable in accessible attics or roof spaces shall also comply with 320.23.

334.24 Bending Radius. Bends in Types NM, NMC, and NMS cable shall be so made that the cable will not be damaged. The radius of the curve of the inner edge of any bend during or after installation shall not be less than five times the diameter of the cable.

334.30 Securing and Supporting. Nonmetallic-sheathed cable shall be supported and secured by staples, cable ties, straps, hangers, or similar fittings designed and installed so as not to damage the cable, at intervals not exceeding 1.4 m (4½ ft) and within 300 mm (12 in.) of every outlet box, junction box, cabinet, or fitting. Flat cables shall not be stapled on edge.

Sections of cable protected from physical damage by raceway shall not be required to be secured within the raceway.

(A) Horizontal Runs Through Holes and Notches. In other than vertical runs, cables installed in accordance with 300.4 shall be considered to be supported and secured where such support does not exceed 1.4-m (4½-ft) intervals and the nonmetallic-sheathed cable is securely fastened in place by an approved means within 300 mm (12 in.) of each box, cabinet, conduit body, or other nonmetallic-sheathed cable termination.

FPN: See 314.17(C) for support where nonmetallic boxes are used.

(B) Unsupported Cables. Nonmetallic-sheathed cable shall be permitted to be unsupported where the cable:

- (1) Is fished between access points through concealed spaces in finished buildings or structures and supporting is impracticable.
- (2) Is not more than 1.4 m (4½ ft) from the last point of cable support to the point of connection to a luminaire (lighting fixture) or other piece of electrical equipment and the cable and point of connection are within an accessible ceiling.

(C) Wiring Device Without a Separate Outlet Box. A wiring device identified for the use, without a separate outlet box, and incorporating an integral cable clamp shall be permitted where the cable is secured in place at intervals not exceeding 1.4 m (4½ ft) and within 300 mm (12 in.) from the wiring device wall opening, and there shall be at least a 300 mm (12 in.) loop of unbroken cable or 150 mm (6 in.) of a cable end available on the interior side of the finished wall to permit replacement.

334.40 Boxes and Fittings.

(A) Boxes of Insulating Material. Nonmetallic outlet boxes shall be permitted as provided by 314.3.

(B) Devices of Insulating Material. Switch, outlet, and tap devices of insulating material shall be permitted to be used without boxes in exposed cable wiring and for rewiring in existing buildings where the cable is concealed and fished. Openings in such devices shall form a close fit around the outer covering of the cable, and the device shall fully enclose the part of the cable from which any part of the covering has been removed. Where connections to conductors are by binding-screw terminals, there shall be available as many terminals as conductors.

(C) Devices with Integral Enclosures. Wiring devices with integral enclosures identified for such use shall be permitted as provided by 300.15(E).

334.80 Ampacity. The ampacity of Types NM, NMC, and NMS cable shall be determined in accordance with 310.15. The ampacity shall be in accordance with the 60°C (140°F) conductor temperature rating. The 90°C (194°F) rating shall be permitted to be used for ampacity derating purposes, provided the final derated ampacity does not exceed that for a 60°C (140°F) rated conductor. The ampacity of Types NM, NMC, and NMS cable installed in cable tray shall be determined in accordance with 392.11.

Where more than two NM cables containing two or more current-carrying conductors are bundled together and pass through wood framing that is to be fire- or draft-stopped using thermal insulation or sealing foam, the allowable ampacity of each conductor shall be adjusted in accordance with Table 310.15(B)(2)(a).

III. Construction Specifications

334.100 Construction. The outer cable sheath of nonmetallic-sheathed cable shall be a nonmetallic material.

334.104 Conductors. The 600 volt insulated conductors shall be sizes 14 AWG through 2 AWG copper conductors or sizes 12 AWG through 2 AWG aluminum or copper-clad aluminum conductors. The signaling conductors shall comply with 780.5. The communication conductors shall comply with Part V of Article 800.

334.108 Equipment Grounding. In addition to the insulated conductors, the cable shall have an insulated or bare conductor for equipment grounding purposes only.

334.112 Insulation. The insulated power conductors shall be one of the types listed in Table 310.13 that are suitable for branch circuit wiring or one that is identified for use in these cables. Conductor insulation shall be rated at 90°C (194°F).

FPN: Types NM, NMC, and NMS cable identified by the markings NM-B, NMC-B, and NMS-B meet this requirement.

334.116 Sheath. The outer sheath of nonmetallic-sheathed cable shall comply with 334.116(A), (B), and (C).

(A) **Type NM.** The overall covering shall be flame retardant and moisture resistant.

(B) **Type NMC.** The overall covering shall be flame retardant, moisture resistant, fungus resistant, and corrosion resistant.

(C) **Type NMS.** The overall covering shall be flame retardant and moisture resistant. The sheath shall be applied so as to separate the power conductors from the communications and signaling conductors. The signaling conductors shall be permitted to be shielded. An optional outer jacket shall be permitted.

FPN: For composite optical cable, see 770.9 and 770.133.

- (5) For Class 1 circuits as permitted in Parts II and III of Article 725.
- (6) For non-power-limited fire alarm circuits if conductors comply with the requirements of 760.27.
- (7) In industrial establishments where the conditions of maintenance and supervision ensure that only qualified persons service the installation, and where the cable is continuously supported and protected against physical damage using mechanical protection, such as struts, angles, or channels, Type TC tray cable that complies with the crush and impact requirements of Type MC cable and is identified for such use with the marking Type TC-ER shall be permitted between a cable tray and the utilization equipment or device. The cable shall be secured at intervals not exceeding 1.8 m (6 ft). Equipment grounding for the utilization equipment shall be provided by an equipment grounding conductor within the cable. In cables containing conductors sized 6 AWG or smaller, the equipment grounding conductor shall be provided within the cable or, at the time of installation, one or more insulated conductors shall be permanently identified as an equipment grounding conductor in accordance with 250.119(B).
- (8) Where installed in wet locations, Type TC cable shall also be resistant to moisture and corrosive agents.

FPN: See 310.10 for temperature limitation of conductors.

336.12 Uses Not Permitted. Type TC tray cable shall not be installed or used as follows:

- (1) Installed where it will be exposed to physical damage
- (2) Installed outside a raceway or cable tray system, except as permitted in 336.10(7)
- (3) Used where exposed to direct rays of the sun, unless identified as sunlight resistant
- (4) Direct buried, unless identified for such use

336.24 Bending Radius. Bends in Type TC cable shall be made so as not to damage the cable. For Type TC cable without metal shielding, the minimum bending radius shall be as follows:

- (1) Four times the overall diameter for cables 25 mm (1 in.) or less in diameter
- (2) Five times the overall diameter for cables larger than 25 mm (1 in.) but not more than 50 mm (2 in.) in diameter
- (3) Six times the overall diameter for cables larger than 50 mm (2 in.) in diameter

Type TC cables with metallic shielding shall have a minimum bending radius of not less than 12 times the cable overall diameter.

ARTICLE 336

Power and Control Tray Cable: Type TC

I. General

336.1 Scope. This article covers the use, installation, and construction specifications for power and control tray cable, Type TC.

336.2 Definition.

Power and Control Tray Cable, Type TC. A factory assembly of two or more insulated conductors, with or without associated bare or covered grounding conductors, under a nonmetallic jacket.

II. Installation

336.10 Uses Permitted. Type TC cable shall be permitted to be used as follows:

- (1) For power, lighting, control, and signal circuits.
- (2) In cable trays.
- (3) In raceways.
- (4) In outdoor locations supported by a messenger wire.

graham & associates
professional consulting engineers

11150 colechester court

yukon, oklahoma 73099

Jack H. Graham, P.E., F.NSPE

President

(405) 373-2594

October 6, 2008

City of McAlester, Oklahoma
P.O. Box 478
1st & Washington
McAlester, Oklahoma 74502

Attn Mr. Mark B. Roath, Esq.
City Manager

Ref: Division IV, Section 18-144 (B) of the McAlester City Code
and McAlester Candlewood Suites. G&A#0829

It is our opinion that if the Contractor complies with the
National Electrical Code© Article 334 and Article 210-60 and has
appropriate fire wall separation between nonresidential areas and
dwelling units the installation will be in compliance with NEC.

We believe municipalities have the right to add restrictions to
the NEC however; the NEC has no restriction on the use of type NM
(Romex) cable in dwelling units.

If we can be of further service please contact us.

GRAHAM & ASSOCIATES
PROFESSIONAL CONSULTING ENGINEERS

BY

Jack H. Graham
Jack H. Graham P.E., F.NSPE



graham & associates
professional consulting engineers

11150 colechester court
yukon, oklahoma 73099

Jack H. Graham, P.E., F. NSPE
President

(405) 373-2594

October 8, 2008

City of McAlester, Oklahoma
P.O. Box 478
1st & Washington
McAlester, Oklahoma 74502

Attn Mr. Mark L. Roath, Esq.
City Manager

Ref: Division IV, Section 18-144 (B) of the McAlester City Code
and McAlester Candlewood Suites. G&A#0829

The National Electrical Code© Article 334 allows Nonmetallic-
Sheathed Cable: Types NM, NMC and NMS in dwelling units. Type NM
has a trade name of Romex.

As the result of a conversation with Mr. Jerry Campbell, Central
Design Group LLC, we understand the McAlester Candlewood Suites
will have two distinct areas that they define as commercial and
dwelling areas. The two areas will be separated with a two hour
fire wall. The commercial area will be wired according to
McAlester Building And Building Regulations Sec. 18-44 and the
dwelling area to be wired according to NEC Article 334.

As I understand the portion of the McAlester Code that I received
there is no allowance for dwelling units within a commercial
facility - no allowance for two wiring methods.

If the McAlester Code Enforcement Authorities agree that the
firewall separation results in two categories of construction
(commercial and dwelling). If the Contractor complies with your
Sec. 18-44 (commercial area) and the NEC Articles 334 and 210-60
(dwelling areas) we would recommend acceptance of the proposed
project.

If we can be of further service please contact us.

GRAHAM & ASSOCIATES
PROFESSIONAL CONSULTING ENGINEERS

BY Jack H. Graham
Jack H. Graham P.E., F.NSPE





McAlester City Council

AGENDA REPORT

Meeting Date: November 11, 2008 **Item Number:** 6
Department: City Manager
Prepared By: Mark B. Roath **Account Code:** _____
Date Prepared: November 4, 2008 **Budgeted Amount:** _____
Exhibits: _____

Subject

Discussion, and possible action, directing the City Manager or his designee, within thirty days, to prepare and submit to the City Council a list of qualified professional consultants to access the feasibility of the Thunder Creek Golf Course being a public course.

Recommendation

Discussion

Mayor Kevin E. Priddle has asked that the City Council consider obtaining a list of qualified professional consultants to review the feasibility of the above course being reconstituted as a public course. This agenda item would entail identifying a professional individual or firm to potentially engage to undertake a thorough review of the facility.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	_____	_____
City Manager	<u>MBR</u>	<u>11/04/08</u>



McAlester City Council

AGENDA REPORT

Meeting Date: November 11, 2008 Item Number: 7
Department: Police
Prepared By: Jim Lyles Account Code: _____
Date Prepared: November 3, 2008 Budgeted Amount: _____
Exhibits: One

Subject

Discussion, and possible action, authorizing the Mayor to sign an Oklahoma Highway Safety Office Contract, in the amount of \$30,000.00, for overtime traffic enforcement and equipment.

Recommendation

Motion to authorize the Mayor to sign the Oklahoma Highway Safety Office Contract.

Discussion

This grant will provide the Department with funds that will pay for two radar units at approximately \$3,000.00 each. It also provides the Department with funds (approximately \$2,229.00 per month) to pay over time for officers who wish to work traffic enforcement around town for a ten month period ending in September of next year. Note: It is hoped that the Department will be able to sign on for another year as the Oklahoma Highway Safety Office expects this program to run past next years budget.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>JL</u>	<u>11/03/08</u>
City Manager	<u>MBR</u>	<u>11/03/08</u>

OKLAHOMA HIGHWAY SAFETY OFFICE CONTRACT - PART 1

Page 1 of 7 Pages

TITLE OF CONTRACT		
McAlester Traffic Enforcement		
CONTRACT EFFECTIVE DATE	CONTRACT NUMBER	HIGHWAY SAFETY FUNDS OBLIGATED
	PT-09-03-36-01	\$ 30,000.00
CONTRACT PERIOD		
FROM December 1, 2008		\$
TO September 30, 2009		\$
PROJECT PERIOD		
FROM December 1, 2008		\$ 30,000.00
TO September 30, 2009		

AFFIDAVIT

State of Oklahoma, County of Pittsburg, I, Kevin Pridle, of lawful age, being first duly sworn, on oath say, that I am the duly authorized agent of The City of McAlester of McAlester, Oklahoma, Oklahoma, for executing this contract with the Oklahoma Highway Safety Office (OHSO). I further state and agree to comply, to the best of my knowledge, information and belief, with all municipal, state and federal laws, regulations and directives governing grants including, but not limited to, those listed in this contract. Referenced documents are on file at the OHSO. I further state that any and all claims for reimbursement under this contract will be true and correct, that the work, services, or materials as shown by any claim will have been completed or supplied in accordance with the plans, specifications, orders, requests and all other terms of the contract prior to the filing of claims. I further state that I am the duly authorized agent of the contractor for the purpose of certifying the facts pertaining to the giving of things of value to governmental personnel in order to procure the contract or obtain payment, I am fully aware of the facts and circumstances surrounding the making of the contract and have been personally and directly involved in the proceedings leading to the procurement of the contract, and neither the contractor nor anyone subject to the contractor's direction or control has been paid, given or donated or agreed to pay, give or donate (to any officer or employee of the State of Oklahoma) any money or other things of value, either directly or indirectly, in procuring the contract or obtaining payment.

In reviewing this contract and the circumstances involved with its implementation, an opinion was derived by the undersigned that any negative environmental impact will be substantially outweighed by the projected benefits of this contract.

Date _____, 20____ Signature _____

Title _____

Subscribed and Sworn to, before me, this _____ day of _____, 20____

My Commission expires _____ Commission Number _____

Notary Public

AFFIDAVIT

State of Oklahoma, County of Oklahoma. I, Scott E. Watkins, of lawful age, being first duly sworn on oath say, that I am the duly authorized representative of the Governor of the State of Oklahoma and am duly authorized to carry out the statutory provisions of 47 O.S. 1971, Section 40-107, and all other laws, regulations and directives, pertinent to highway safety in the State of Oklahoma to the best of my knowledge, information, and belief.

Date _____, 20____ Signature _____

Director

Subscribed and Sworn to, before me, this _____ day of _____, 20____

My Commission expires _____ Commission Number _____

Notary Public

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ATTACHMENT

Project Director's Report

CONTRACT SUMMARY

Page 3 of 7 Pages

Title of Contract:		McAlester Traffic Enforcement	
Contract Number:		PT-09-03-36-01	
Responsible Agency:	McAlester Police Department	Reimbursement Information (where check is to be mailed):	
Project Director:	LT Don Hass	Payee: City of McAlester	
Phone Number:	918-421-4945	Address: P.O. Box 388	
Address:	P.O. Box 388 McAlester, OK 74502	Address: P.O. Box 388 McAlester, OK 74502	
Fax:	918-423-9173	Atten: Chief Jim Lyles	
Email:	Dhass2525@yahoo.com		
OHSO Funds Obligated:	\$ 30,000.00	Other Funds Obligated:	\$
Source of Other Funds:			
Total of OHSO and Other Funds:	\$ 30,000.00		
CONTRACT SUMMARY NARRATIVE SECTION			
The following pages of this <u>CONTRACT SUMMARY NARRATIVE SECTION</u> will contain: The Problem Identification, Project Goal, Project Description, Equipment and Equipment Justification, Evaluation, and Cost Assumption. The contract objectives must be time-framed and measurable. The narrative also needs to include personnel utilization.			
Project Goal:			
To decrease the number of KAB crashes in McAlester by 5%, from 39 in 2006 (most current OHSO data) to 37 in 2009.			
Problem Identification:			
McAlester experienced 39 KAB crashes in 2006. Pittsburg County experienced 134 KAB crashes in 2006.			
Project Description:			
The McAlester Police Department will use CLEET certified officers, working on an overtime basis, to conduct traffic enforcement activities at times and locations most likely to reduce the incidence of injury collisions. In addition, they will conduct Public Information and Education activities as appropriate to support their program.			
Equipment: Two Stalker traffic radar units to assist officers in enforcing speed limits.			
Evaluation: At the completion of the project, a comparison will be made between the number of KAB crashes occurring during the project period with the baseline data from 2006.			
Cost Assumption:			
The McAlester Police Department, may consider alternative funding sources to continue this project, such as increased fine revenues, should federal funding be discontinued.			

BUDGET SUMMARY

CONTRACT TITLE:		Federal Fiscal Year: 2009											PROGRAM AREA	
McAlester Traffic Enforcement		Project Number: PT-09-03-36-01											Police Traffic Services	
COST CATEGORY ITEMS	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Annual Total	
	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD	
I. PERSONNEL														
A. Salaries	P	x	x	2,229.00	2,229.00	2,229.00	2,229.00	2,229.00	2,229.00	2,229.00	2,229.00	2,229.00	2,229.00	22,290.00
	A													0.00
B. Benefits	P	x	x	171.00	171.00	171.00	171.00	171.00	171.00	171.00	171.00	171.00	171.00	1,710.00
	A													0.00
II. TRAVEL														
A. In-State Travel	P													0.00
	A													0.00
B. Out-of-State Travel	P													0.00
	A													0.00
III. OPERATING COSTS														
	P													0.00
	A													0.00
IV. CONTRACTUAL COSTS														
	P													0.00
	A													0.00
V. EQUIPMENT														
	P			6,000.00										6,000.00
	A													0.00
MONTHLY TOTAL														
	P	x	x	8,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	30,000.00
	A			0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

P = Projected Expenditures

A = Actual Expenditures (To be completed by Project Director each month.)

OHSO-P-2c (07/07)

BUDGET DETAILS

CONTRACT TITLE:		Federal Fiscal Year: 2009		PROGRAM AREA						
McAlester Traffic Enforcement		Project Number: PT-09-03-36-01		Police Traffic Services						
COST CATEGORY ITEMS	DESCRIPTION OF EXPENDITURE ITEMS	MONTH						TOTALS		
		OCT APR	NOV MAY	DEC JUN	JAN JUL	FEB AUG	MAR SEP	SEMI-ANNUAL ANNUAL		
I.A. 1	Salaries for overtime traffic enforcement (not to exceed 1 1/2 times regular rate, unless contractually required and approved by OHSO).	P	x	x	2,229.00	2,229.00	2,229.00	2,229.00	8,916.00	
		A							0.00	
		P			2,229.00	2,229.00	2,229.00	2,229.00	2,229.00	22,290.00
		A								0.00
I.B. 1	Benefits for overtime traffic enforcement (limited to 7.65% of overtime salary)	P	x	x	171.00	171.00	171.00	171.00	684.00	
		A							0.00	
		P			171.00	171.00	171.00	171.00	171.00	1,710.00
		A								0.00
V. 1	Cost of two police traffic radar units.	P	x	x	6,000.00				6,000.00	
		A							0.00	
		P								6,000.00
		A								0.00
		P							0.00	
		A							0.00	
		P								0.00
		A								0.00
		P							0.00	
		A							0.00	
		P								0.00
		A								0.00

P = Planned Budget
 A = Actual Expenditures (To be completed by Project Director each month.)

ACTIVITY / MILESTONES

CONTRACT TITLE:			Federal Fiscal Year: 2009									PROGRAM AREA			
McAlester Traffic Enforcement			Project Number: PT-09-03-36-01									Police Traffic Services			
No.	Activities		MILESTONES												
			1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Total
			OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
1	Number of hours of overtime traffic enforcement worked.	P	x	x	64	64	64	64	64	54	64	64	64	61	637
		A													
2	Number of traffic citations and written warnings issued (target is two per hour of one DUI arrest per 4 hours).	P	x	x	128	128	128	128	128	128	128	128	128	122	1274
		A													
3	Number of PI&E activities conducted (to include media contacts, safety presentations, etc.).	P	x	x	1	1	1	1	1	1	1	1	1	1	10
		A													
4	Support NHTSA's goals and law enforcement mobilizations: Click It or Ticket and Drunk Driving . Over the Limit. Under Arrest.	P								x			x		0
		A													
5	Submit a copy of the Single Audit Report or a letter of exemption (See General Contractual Provisions, page 7, No. 22).	P		x (2009)											0
		A													

P = Projected Activities

A = Actual Activities Accomplished (To be completed by Project Director each month.)

OHSO-P-2e (07/07)

ACTIVITY / MILESTONES

CONTRACT TITLE:			Federal Fiscal Year: 2009									PROGRAM AREA			
McAlester Traffic Enforcement			Project Number: PT-09-03-36-01									Police Traffic Services			
No.	Activities		MILESTONES												
			1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Total
			OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
6	Submit monthly claims to OHSO, including a breakdown of enforcement activity.	P	x	x	1	1	1	1	1	1	1	1	1	1	10
		A													
7	Submit project evaluation summary to OHSO by November 1, 2009.	P		x (2009)											0
		A													0
8.	Provide statement of certification/ training in OHSO funded equipment	P			x										0
		A													0
		P													0
		A													0
		P													0
		A													0

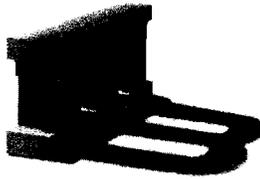
P = Projected Activities

A = Actual Activities Accomplished (To be completed by Project Director each month.)

OHSO-P-2e (07/07)

**OKLAHOMA HIGHWAY SAFETY OFFICE
Law Enforcement Activity Report Form**

AGENCY	McAlester Police Department							CONTRACT NUMBER			PT-09-03-36-01		
MONTH	October	November	December	January	February	March	April	May	June	July	August	September	Total
CATEGORY													
Speed Related													0
Seat Belt/ CR													0
DUI/DWI/APC													0
All Other													0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0



MEHLBURGER BRAWLEY

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

November 04, 2008

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

Re: 2008 Water Treatment Plant Modifications Enhanced Coagulation
McAlester, Oklahoma
Change Order No. One (1)

Dear Mr. Medley:

Enclosed for your review and execution are six (6) copies of Change Order No. One (1), which results in an addition of \$101,926.85 to the contract amount. This change order adds the removal and replacement of two (2) chemical feed tanks with three roll up doors for future maintenance to the current contract. Please see the Change Order for a full breakdown of the changes. Also included is additional time to process the shop drawings and fabrication.

Please place this item on the agenda for approval at your next meeting and upon approval please sign all six (6) copies. Return all six (6) copies to our office located at 521 S. 2nd Street, McAlester, OK 74501 for further processing.

Should you have any questions, please do not hesitate to contact our office at (918) 420-5500.

Sincerely,

Mehlburger Brawley

Robert Vaughan, P.E.
Project Manager

RV/mj
Enclosures

Project No. MC-07-03

cc w/enclosure:
Lowell Crowl, Northern Equipment Co., Inc.
Kenneth Little, Mehlburger Brawley
Rod Wallace, Mehlburger Brawley
Roger C. Ford, President, Mehlburger Brawley

Change Order No. One (1)

Date of Issuance: November 11, 2008 Effective Date: November 11, 2008

Project: 2008 Water Treatment Plant Modifications Enhanced Coagulation	Owner: City of McAlester	Owner's Contract No.: N/A
Contract: 2008 Water Treatment Plant Modifications Enhanced Coagulation		Date of Contract: July 29, 2008
Contractor: Northern Equipment Co., Inc.		Engineer's Project No.: MC-07-03

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Add the removal and replacement of two (2) Chemical Feed Tanks including chemical feed tanks, wall removal, installation of three roll up doors, labor, electrical, painting and credit for work not performed for the lump sum amount of \$101,926.85. (See attached for a full breakdown of the changes.)

Add 98 days (14 weeks) to Contract Time for processing shop drawings and fabrication of tanks.

Attachments: (List documents supporting change):

Contractor's Proposal dated October 16, 2008.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$676,599.99

Increase from previously approved Change Orders

No. N/A to No. N/A:

\$-0-

Contract Price prior to this Change Order:

\$676,599.99

Increase of this Change Order:

\$101,926.85

Contract Price incorporating this Change Order:

\$778,526.84

Original Contract Times: Working days Calendar days

Substantial completion (days or date): 90 Days (November 17, 2008)

Ready for final payment (days or date): N/A

Increase from previously approved Change Orders

No. N/A to No. N/A:

Substantial completion (days): -0-

Ready for final payment (days): N/A

Contract Times prior to this Change Order:

Substantial completion (days or date): 90 Days (November 17, 2008)

Ready for final payment (days or date): N/A

Increase of this Change Order: (See Attached)

Substantial completion (days or date): 98 Days

Ready for final payment (days or date): N/A

Contract Times with all approved Change Orders:

Substantial completion (days or date): 188 Days (February 23, 2009)

Ready for final payment (days or date): N/A

RECOMMENDED:

By: _____

Date: _____

Approved by Funding Agency (if applicable): _____



ACCEPTED:

By: _____

Date: _____

Owner (Authorized Signature)

ACCEPTED:

By: _____

Date: _____

Contractor (Authorized Signature)

Date: _____

McAlester Water Treatment Plant Chem Tank Replacement

Change Order No. 1

Caustic Tank (one)	\$14,810.00
a) Tank Gauge	\$3,760.00
b) Freight	\$1,050.00
Remove & replace tank	\$7,500.00
Touch up paint	\$500.00
Electrical	\$1,000.00
Fill Line Replacement - Sch 80	\$1,891.00
Roll up insulated door	\$9,000.00
Steel Frame for door	\$1,113.00
Credit for Bid line Item Repair of FRP Tank	(\$6,400.00)
Subtotal	\$34,224.00
15% Mark up	\$5,133.60
Total	\$39,357.60

Ferric Tank (one)	\$16,729.00
a) Tank Gauge	\$3,760.00
b) Freight	\$1,050.00
Remove & replace tank	\$7,500.00
Touch up paint	\$500.00
Electrical	\$1,000.00
Fill Line - Sch 80 PVC	\$1,891.00
Roll up insulated door	\$9,000.00
Steel Frame for door	\$1,113.00
Credit for Bid line Item Repair of FRP Tank	(\$6,400.00)
Subtotal	\$36,143.00
15% Mark up	\$5,421.45
Total	\$41,564.45

Roll up insulated door	\$9,000.00
Masonry	\$4,000.00
Steel Frame for door	\$1,113.00
Touch up paint	\$500.00
Electrical	\$1,000.00
Fill line - Sch 80 PVC	\$1,891.00
Subtotal	\$17,504.00
20% Mark up	\$3,500.80
Total	\$21,004.80

Total Change Order Request No. 1 **\$101,926.85**



McAlester City Council

AGENDA REPORT

Meeting Date: November 11, 2008 Item Number: 9
Department: Utilities
Prepared By: David Medley Account Code: _____
Date Prepared: November 4, 2008 Budgeted Amount: _____
Exhibits: One

Subject

Discussion, and possible action, approving a fee increase for Melburger Brawley for additional professional services related to Change Order No#1 for the 2008 Water Treatment Plant Modifications Enhanced Coagulation Project.

Recommendation

Motion to approve the fee increase for Melburger Brawley for additional professional services related to the Change Order No#1 for the 2008 Water Treatment Plant Modifications Enhanced Coagulation in the amount of \$8,235.06.

Discussion

Per the Melburger Brawley's contract for professional services for the 2008 Water Treatment Plant Modifications Enhanced Coagulation project, the fee for engineering services is to be based on the percentage of construction costs according to the standard fee schedule. Funds are available in the Water Treatment Plant's Capital Outlay account. These funds were budgeted for filter improvement projects which will be constructed later on in the fiscal year.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	<u>DM</u>	<u>11/04/08</u>
City Manager	<u>MBR</u>	<u>11/04/08</u>



**WORK ORDER FOR PROFESSIONAL
SERVICES
CITY OF MCALESTER, MCALESTER, OK
W. O. MC-07-03**

This will constitute authorization by the City of McAlester (Owner) for NRS, INC., to proceed with the following described as "Project":

Project: Water Treatment Plant Modifications – Enhanced Coagulation

- Prepare engineering Plans and Specifications for water treatment plant modifications for Enhanced Coagulation, as outlined in Engineering Report approved by City on November 15, 2007.
- Submit P&S to ODEQ to obtain a permit to construct, if required.
- Prepare bid packages, and assist owner in obtaining bids from contractors for the construction of the improvements.
- Prepare Contract documents, coordinate contract execution and preconstruction conference.
- Provide construction management services including review of contractors work, approving contractors pay estimates, review change order requests, and perform a final inspection.
- Provide inspection services during construction.
- Perform all work in accordance with STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES as prepared by ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE (EJCDC), approved by the City on August 28, 2007.

For performing the services described, the Engineer is to be paid based on a percentage of construction costs as per the standard fee scale in the contract. Based on the attached estimated cost of construction, the engineering fee for the project is estimated to be \$45,000.00. The inspection fee is estimated to be \$ 17,000.00. The fees may be higher or lower, based on actual construction costs as approved by the City Council.

The fee for engineering services shall be further broken down as follows:

Design, Plans and Specifications, 70%of Engineering Fee	\$ 31,500.00
Bidding, 10%of Engineering Fee	\$ 4,500.00
Construction, 20% of Engineering Fee	\$ 9,000.00
Inspection	<u>\$ 17,000.00</u>
Total	\$ 62,000.00

Work Order for Professional Services
City of McAlester
Water Treatment Plant Modifications – Enhanced Coagulation
Work Order No. MC-07-03
Page 2 of 2

APPROVED:

City of McAlester

By: _____
Don R. Lewis
Mayor

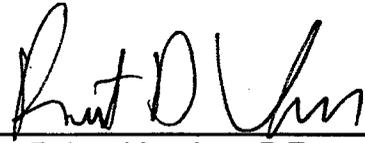
ACCEPTED:

NRS, INC.,

By:  _____
Dale Burke Jr, P.E.
Vice-President

ATTEST:

ATTEST:

 _____
Robert Vaughan, P.E.
Project Manager

DATE: _____

Council Chambers
Municipal Building
October 28, 2008

The McAlester Airport Authority met in regular session on Tuesday, October 28, 2008, at 6:00 P.M. after proper notice and agenda was posted October 23, 2008.

Present: Chris Fiedler, John Browne, Haven Wilkinson, Buddy Garvin, Sam Mason, William J. Ervin, Jr. & Kevin E. Priddle
Absent: Donnie Condit
Presiding: Kevin E. Priddle, Chairman

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

- **Approval of the Minutes from the October 14, 2008, Regular Meeting of the McAlester Airport Authority.** *(Cora Middleton, City Clerk)*
- **Confirm action taken on City Council Agenda Item C regarding the Claims for the period of October 15, 2008 through October 28, 2008.** *(Sherry Alessi, Assistant Chief Financial Officer)* In the amount of: \$1,648.99.
- **Confirm action taken on City Council Agenda Item 3 regarding Placing on File the Annual Financial Statements and Independent Auditor's Reports for the Fiscal Year ending June, 2007.** *(Rheba Henderson, Hulme, Rahhal, Henderson, Inc.)*
- **Confirm action taken on City Council Agenda Item 6 regarding an Ordinance amending Ordinance No. 2299, which established the Budget for Fiscal Year 2008-2009; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency.** *(Mark B. Roath, City Manager)*

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

AYE: Trustees Mason, Fiedler, Browne, Wilkinson, Garvin & 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. Wilkinson. The vote was taken as follows:

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

Chairman Priddle declared the motion carried.

ATTEST:

Kevin Priddle, Chairman

Cora Middleton, Secretary

Council Chambers
Municipal Building
October 28, 2008

The McAlester Public Works Authority met in Regular session on Tuesday, October 28, 2008, at 6:00 P.M. after proper notice and agenda was posted October 23, 2008.

Present: Chris Fiedler, John Browne, Haven Wilkinson, Buddy Garvin, Sam Mason, William J. Ervin. Jr. & Kevin E. Priddle
Absent: Donnie Condit
Presiding: Kevin E. Priddle, Chairman

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

- **Approval of the Minutes from the October 14, 2008, Regular Meeting of the McAlester Public Works Authority.** (*Cora Middleton, City Clerk*)
- **Confirm action taken on City Council Agenda Item C regarding the Claims for the period of October 15, 2008 through October 28, 2008.** (*Sherry Alessi, Assistant Chief Financial Officer*) In the amount of: \$148,969.91.
- **Confirm action taken on City Council Agenda Item 3 regarding Placing on File the Annual Financial Statements and Independent Auditor's Reports for the Fiscal Year ending June, 2007.** (*Rheba Henderson, Hulme, Rahhal, Henderson, Inc.*)

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

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

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

Chairman Priddle declared the motion carried.

ATTEST:

Kevin Priddle, Chairman

Cora Middleton, Secretary