



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, February 9, 2010 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

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

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

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

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

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#### CALL TO ORDER

*Announce the presence of a Quorum.*

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#### INVOCATION & PLEDGE OF ALLEGIANCE

- Ruth Atterberry, First United Methodist

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#### ROLL CALL

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#### 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**

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*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 January 26 2010, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for January 27, 2010 through February 9, 2010. *(Gayla Duke, Chief Financial Officer)*
- C. Concur with Mayor's appointment of John Titsworth to the Audit & Finance Advisory Committee for a term that expires August 15, 2010. *(Kevin E. Priddle, Mayor)*
- D. Accept, and place on file the quarterly report for quarter ending December 31, 2009 for Oklahomans for Independent Living. *(Mike Ward, Director O.I.L.)*

**ITEMS REMOVED FROM CONSENT AGENDA**

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**PUBLIC HEARING**

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

- An Ordinance amending Ordinance No. 2327 which established the budget for fiscal year 2009-2010; repealing all conflicting ordinances; providing for a severability clause; and Declaring an Emergency.
- An Ordinance amending the Code of Ordinances of the City of McAlester by amending the following Sections, 18-53(2) Fees; 18-98 Electrical Inspections and Permit Fees; 18-174 Plumbing Inspections and Permit Fees; 18-250(c) Mechanical Inspection and Permit Fees; 18-348 Moving of Building Fees; Residential Swimming Pool Fees; Construct of Water Well Fees; and Declaring an Emergency.
- An Ordinance amending the Code of Ordinances of the City of McAlester by amending Section 31-75 and Section 31-76 of Chapter 31, Article III, McAlester Codes, by establishing Sanitary Sewer Connection fees for inside and outside the corporate limits, and Declaring an Emergency.

**SCHEDULED BUSINESS**

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1. Consider, and Act Upon, a request from McAlester Main Street to have a Car Show, Cruise Night and Chili Cook-Off on September 18, 2010. *(Kathy Wall, Executive Director, McAlester Main Street and Mayor, Kevin Priddle)*

Executive Summary

This item involves a request for permission to hold a Car Show, Cruise Night and Chili Cook-off on September 18, 2010.

2. Quarterly Report Update of the McAlester Economic Development Service, Inc. (*Shari Cooper, Executive Director, MEDS; Dr. Kenneth R. Miller, President, MEDS*)

Executive Summary

This item involves a quarterly update from MEDS.

3. Consider, and act upon, a Resolution approving a Special Election on May 11, 2010, to authorize financing for the acquisition of a medical/physician office building. (*Shaun Beggs, President/CEO, MRHC*)

Executive Summary

This item involves approving a Resolution for a Special Election on May 11, 2010 for McAlester Regional Health Center.

4. **(POSTPONED)** Consider, and act upon, authorizing the Mayor to sign an Ordinance amending the Code of Ordinances of the City of McAlester for Inspections and Permit Fees, and declaring an emergency. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves authorizing the Mayor to sign an Ordinance amending the Code of Ordinances to increase building and inspections fees.

5. **(POSTPONED)** Consider, and act upon, authorizing the Mayor to sign an Ordinance amending the Code of Ordinances of the City of McAlester for Sanitary Sewer Connection Fees inside and outside the corporate limits, and declaring an emergency. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves authorizing the Mayor to sign an Ordinance amending the Code of Ordinances to increase sanitary sewer connection fees.

6. Consider, and act upon, a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction of the U.S. 69 Utility Relocate, ODOT State Job No. 14999 (04) as required by the Oklahoma Department of Transportation. (*David Medley, Utilities Director*)

Executive Summary

This item involves the Mayor to sign the work order for Mehlburger Brawley to complete work required for U.S. 69 Utility Relocate, ODOT State Job No. 14999 (04).

7. Consider, and act upon, an Ordinance amending Ordinance No. 2327 which established the budget for fiscal year 2009-2010; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Gayla Duke, Chief Financial Officer*)

**Exhibit A-1: Dedicated Sales Tax Fund.** Need to increase budget for bond payments. Error found in the statement and calculation for last year. New amounts are calculated Feb. 1<sup>st</sup>. Main adjustment is for '99B Series.

- Exhibit A-2: Repayment Fund (CIP):** Appropriate funds for Hwy 69 Utility Relocate design. Appropriate transfer from General Fund for Carolyn Heard settlement.
- Exhibit A-3: Juvenile Fund:** Appropriate funds for loan to Gifts and Contributions Fund for skate park.
- Exhibit A-4: Gifts & Contributions Fund:** Adjust budget for additional donation for Skate Park and appropriate loan from Juvenile Fund to complete skate park expansion.
- Exhibit A-5: General Fund:** Appropriate revenue from Carolyn Heard settlement.

Executive Summary

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

8. Consider, and act upon, approving contract with Tyler Technologies, Inc., to provide for Utility Billing On-Line and Court On-Line services. Consider, and act upon, City fees in association with On-Line and Credit Card Payments by phone. Should fees be approved, and appropriate Resolution or Ordinance will later follow. *(Gayla Duke, Chief Financial Officer)*

Executive Summary

This item involves the Mayor to sign the contract with Tyler Technologies, Inc. and associated fees.

9. Consider, and act upon, accepting a bid from American Ramp Company to purchase additional equipment for our skate park at Connelly Park. *(Mel Priddy, Director of Community Services)*

Executive Summary

This item involves accepting a bid from American Ramp Company to purchase equipment for the Connelly Park Skate Park.

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

Executive Summary

This item involves a proposal by the McAlester Airport Advisory Board to raise hangar rental rates.

11. Consider, and act upon, McAlester Airport Advisory Board Proposal to renew the rental and fuel fee contract with Bren Air, Inc. *(Mel Priddy, Director of Community Services)*

Executive Summary

This item involves a proposal by the McAlester Airport Advisory Board to renew contract with Bren Air, Inc.

12. Discussion, and possible action, on supporting and approval of certain costs related to the new fire station from the City's portion of the quarter cent excise tax for fire services and city funds. *(Harold Stewart, Fire Chief)*

Executive Summary

This item involves approval of costs related to the new fire station.

13. Consider and act upon, authorizing the Mayor to sign a Rental Agreement for a City owned dwelling located at Talawanda Lake Number 1. *(Peter J. Stasiak, Acting City Manager)*

Executive Summary

This item involves authorizing the Mayor to sign a Rental Agreement for a City owned dwelling located at Talawanda Lake Number 1.

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**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.*

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**CITY MANAGER'S REPORT**

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**REMARKS AND INQUIRIES BY CITY COUNCIL**

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**RECESS COUNCIL MEETING**

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**CONVENE AS McALESTER AIRPORT AUTHORITY**

*Majority of a Quorum required for approval*

- Approval of the Minutes from the January 26, 2010, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B regarding claims ending February 9, 2010. *(Gayla Duke, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 4, authorizing the Mayor to sign an Ordinance amending the Code of Ordinances of the City of McAlester for Inspections and Permit Fees, and declaring an emergency. *(Peter J. Stasiak, Acting City Manager)*
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign an Ordinance amending the Code of Ordinances of the City of McAlester for Sanitary Sewer Connection Fees inside and outside the corporate limits, and declaring an emergency. *(Peter J. Stasiak, Acting City Manager)*
- Confirm action taken on City Council Agenda Item 10, McAlester Airport Advisory Board Proposal to raise hangar rental rates by \$25.00 per hangar at the Airport. *(Mel Priddy, Director of Community Services)*

- Confirm action taken on City Council Agenda Item 11, Airport Advisory Board Proposal to renew the rental and fuel fee contract with Bren Air, Inc. (*Mel Priddy, Director of Community Services*)

ADJOURN MAU.

**CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the January 26, 2010, Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm Action taken on City Council Agenda Item B regarding claims ending February 9, 2010. (*Gayla Duke, Chief Financial Officer*)
- Confirm Action taken on City Council Agenda Item 1, a request from McAlester Main Street to have a Car Show, Cruise Night and Chili Cook-Off on September 18, 2010. (*Kathy Wall, Executive Director, McAlester Main Street*)
- Confirm Action taken on City Council Agenda Item 4, an Ordinance amending the Code of Ordinances of the City for inspections and permit fees, and declaring an emergency. (*Peter J. Stasiak, Acting City Manager*)
- Confirm Action taken on City Council Agenda Item 5, an Ordinance amending the Code of Ordinances of the City for sanitary sewer connection fees inside and outside the corporate limits, and declaring an emergency. (*Peter J. Stasiak, Acting City Manager*)
- Confirm Action taken on City Council Agenda Item 6, a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction of the U.S. 69 Utility Relocate, ODOT State Job No. 14999 (04) as required by the Oklahoma Department of Transportation. (*David Medley, Utilities Director*)
- Confirm Action taken on City Council Agenda Item 7 an Ordinance amending Ordinance No. 2327 which established the budget for fiscal year 2009-2010; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Gayla Duke, Chief Financial Officer*)
- Confirm Action taken on City Council Agenda Item 13, authorizing the Mayor to sign a Rental Agreement for a City owned dwelling located at Talawanda Lake Number 1. (*Peter J. Stasiak, Acting City Manager*)

ADJOURN MPWA.

**RECONVENE COUNCIL MEETING**

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**EXECUTIVE SESSION**

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*Recess into Executive Session in compliance with Section Title 25 Section 307 B.4 et.seq. Oklahoma Statutes, to wit:*

Section 307 (B) (4) – Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest.

- Barr v. City of McAlester
- Baird v. City of McAlester
- Phifer v. City of McAlester
- Few v. City of McAlester
- Wilson v. City of McAlester

**RECONVENE INTO OPEN SESSION**

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

**ADJOURNMENT**

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**CERTIFICATION**

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*I certify that this Notice of Meeting was posted on this \_\_\_\_\_ day of \_\_\_\_\_, 2010 at \_\_\_\_\_ a.m./ p.m. as required by law in accordance with Section 303 of the Oklahoma Statutes and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of McAlester website: [www.cityofmcalester.com](http://www.cityofmcalester.com).*

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Cora M. Middleton, City Clerk

Council Chambers  
Municipal Building  
January 26, 2010

The McAlester City Council met in Regular session on Tuesday, January 26, 2010, at 6:00 P.M. after proper notice and agenda was posted, January 21, 2010, at 5:20 P.M.

**CALL TO ORDER**

Mayor Priddle called the meeting to order.

**INVOCATION & PLEDGE OF ALLEGIANCE**

- **Fran Greathouse, First Christian Church**

**ROLL CALL**

Council Roll Call was as follows:

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

Absent: None

Presiding: Kevin E. Priddle, Mayor

Staff Present: Peter J. Stasiak, Acting City Manager/Planning and Community Development Director; Gayla Duke, Chief Financial Officer; John Modzelewski, Public Works Director/City Engineer; William J. Ervin, City Attorney and Cora Middleton, City Clerk

**CITIZENS' COMMENTS ON NON-AGENDA ITEMS**

None

**CONSENT AGENDA**

*All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

- A. **Approval of the Minutes from the January 5, 2010, Special Meeting of the McAlester City Council.** (Cora Middleton, City Clerk)
- B. **Approval of the Minutes from the January 12, 2010, Regular Meeting of the McAlester City Council.** (Cora Middleton, City Clerk)
- C. **Approval of Claims for January 13, 2010 through January 26, 2010.** (Gayla Duke, Chief Financial Officer) In the following amounts: General Fund - \$97,197.32; Parking Authority - \$167.96; Nutrition - \$717.02; Landfill Res./Sub-Title D - \$3,323.00; SE



Expo/Tourism Fund - \$14,814.30; E-911 - \$8,624.49 and Economic Development - \$12,655.82.

Councilman Fiedler moved for approval of the Consent Agenda. The motion was seconded by Councilman Browne. There was no discussion and the vote was taken as follows:

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

Mayor Priddle declared the motion carried.

### **ITEMS REMOVED FROM CONSENT AGENDA**

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None

Councilman Fiedler moved to open the Public Hearing to consider the four (4) Ordinances on the agenda. The motion was seconded by Councilman Mason. There was no discussion, and the vote was taken as follows:

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

Mayor Priddle declared the motion carried and the Public Hearing was opened at 6:05 P.M.

### **PUBLIC HEARING**

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

- An Ordinance amending Ordinance No. 2291, and repealing Resolution No. 06-30, creating Section 2-258, Emergency Fund and Declaring an Emergency.
- An Ordinance amending Ordinance No. 2327 which established the budget for fiscal year 2009-2010; repealing all conflicting ordinances; providing for a severability clause; and Declaring an Emergency.
- An Ordinance amending the Code of Ordinances of the City of McAlester by amending Section 31-75 and Section 31-76 of Chapter 31, Article III, McAlester Codes, by establishing Sanitary Sewer Connection fees for inside and outside the corporate limits, and Declaring an Emergency.
- An Ordinance amending the Code of Ordinances of the City of McAlester by amending the following Sections, 18-53(2) Fees; 18-98 Electrical Inspections and Permit Fees; 18-74 Plumbing Inspections and Permit Fees; 18-250(c) Mechanical Inspection and Permit Fees; 18-348 Moving of Building Fees; Residential Swimming Pool Fees; Construct of Water Well Fees; and Declaring an Emergency.

Travis Read addressed the Council concerning the proposed Ordinance to amend the Emergency Fund and repeal Resolution No. 06-30. He commented that once funds were directed into the Emergency Fund they should remain there and not be transferred out. He recommended that Resolution No. 06-30 be amended to discontinue or change what funds were to be placed into the Emergency Fund.

There were no comments or remarks on any of the other Ordinances from the Council or citizens. Councilman Mason moved to close the Public Hearing. The motion was seconded by Councilman Wilkinson. There was no discussion and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried and the Public Hearing was closed at 6:16 P.M.

### **SCHEDULED BUSINESS**

1. **(TABLED)** Consider, and act upon, a Resolution of the City of McAlester for direct settlement fund proceeds, obtained in Case Number C-2007-498; City of McAlester vs. Western Surety, ET AL., in the District Court of Pittsburg County State of Oklahoma.

#### **Executive Summary**

This item involves an approval of a Resolution for direct settlement fund proceeds City of McAlester vs. Western Surety, ET AL..

Councilman Browne moved to approve a Resolution of the City of McAlester for direct settlement fund proceeds, obtained in Case Number C-2007-498; City of McAlester vs. Western Surety, ET AL., in the District Court of Pittsburg County State of Oklahoma. The motion was seconded by Councilman Fiedler.

Before the vote, Acting City Manager Stasiak explained that this was a result of the Carolyn Hearod, Western Surety mitigation. He stated that the City was to receive \$70,000.00 from the settlement and they had identified the litigation fees associated with this case which totaled \$28,421.59 that had been paid out of the General Fund. He commented that there was \$41,578.41 left on the bond recovery side. He mentioned two options for the Council to consider. One option would be to deposit all \$70,000.00 into the General Fund and transfer the \$41,578.41 into the CIP fund for future projects or to deposit all \$70,000.00 into the General Fund and transfer the \$41,578.41 into Economic Development. He explained the reason for first depositing all of the proceeds into the General and then transferring out was to allow the transfers to be used toward reducing the \$3.2 million debt to the MPWA.

There was a lengthy discussion among the Council, the City Attorney and Mr. Stasiak regarding the two (2) options, the repayment of the debt owed by the City of McAlester and what the lawsuit was actually based on. They also discussed the position of the Bond Council, if it would be a violation of the law to put the funds into General Fund and that there was more than the Economic Development bond issue involved.

Ms. Duke commented that when discussing the \$3.2 million debt repayment with the Auditors, they wanted precise tracking of all monies put into the General Fund and then transferred to other funds to apply to the debt reduction. Mr. Ervin stated that what was commonly referred to

as CIP fund was actually a bond misappropriation fund and the resolutions were only drafts that could be changed. Ms. Duke suggested that the title of the fund be changed as well. Councilman Mason recommended tabling this item so the changes could be made to the resolution and then bring it back for Council consideration. Mr. Ervin stated that the resolution could be passed and the changes then be made. Councilman Mason stated that he would want a copy of the changed resolution furnished to the Council at the next meeting.

Mayor Priddle moved to approve RESOLUTION NO. 10-01, with the addition of section 2, \$28,421.59 to remain in the General Fund and section 3, remaining 41,578.41 transferred to the currently referred to as CIP Fund. The motion was seconded by Councilman Browne.

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

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

NAY: None

Mayor Priddle declared the motion carried.

2. Pride of McAlester Status Update Report. (*Mark Wilkett, Pride of McAlester*)

Executive Summary

This item involves an update on the Pride of McAlester Program.

Councilman Fiedler moved to open the floor for the status update report from Pride In McAlester. The motion was seconded by Vice-Mayor Garvin.

Mark Wilkett updated the Council on the membership status, the group's plans for the next year and their financial status. He explained that he had been nominated as President for the coming year and Mr. Collier was remaining an active member. He commented on the surveys they wanted to distribute to the citizens and the monthly newsletter they hoped to start producing.

Councilman Condit asked if the City could help distribute the surveys and Mr. Stasiak commented that staff was looking into that possibility. There was no action taken on this item.

3. Consider, and act upon, an Ordinance amending Ordinance No. 2291, which created Section 2-258, Emergency Funds, and Repealing Resolution No. 06-30, and declaring an emergency. (*Gayla Duke, Chief Financial Officer*)

Executive Summary

This agenda item involves a motion to amend Ordinance No. 2291.

Councilman Fiedler moved to consider an Ordinance amending Ordinance No. 2291, which created Section 2-258, Emergency Funds, and Repealing Resolution No. 06-30, and declaring an emergency. The motion was seconded by Councilman Browne.

Before the vote, Ms. Duke distributed additional information to the Council and explained her need for clarification on the proper calculation of funding for the Emergency Fund and how some areas of the current Ordinance were vague. She added that 100% of all Oil and Gas payments and the repayments received from Randy Green were put into the Emergency Fund.

There was a lengthy discussion among the Council, Ms. Duke, Mr. Stasiak and Mr. Ervin regarding revenue that was put into the Emergency Fund, if any funds could or should be removed from the Emergency Fund, if a Resolution could be repealed with an effective date, specifying how funds could be used that had not been put into the Emergency Fund, amending the Resolution instead of repealing it, having a good definition of what went into the Emergency Fund and when the balance for the Emergency Fund was to be calculated. The Council also discussed allowing the Senior Staff and the City Manager discretion on how to spend funds that had not been put into the Emergency Fund.

Mr. Stasiak stated that the City's concern going forward was that in the near future simple, routine purchases would become major purchases. He stated that the budget had been cut so tight that the community would begin to suffer. He added that it was not the City's intent to rehire employees with any of the funds not put into the Emergency Fund.

Mayor Priddle moved to amend RESOLUTION NO. 06-30 by adding at the end of the second paragraph the following: "only if funds are below the required 10%, retroactive to October 1, 2009." and that paragraph three be stricken in its entirety. The motion was seconded by Browne. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

4. Consider, and act upon, an Ordinance amending Ordinance No. 2327 which established the budget for fiscal year 2009-2010; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Gayla Duke, Chief Financial Officer)*

Exhibit A-1: **General Fund:** Need to reduce transfer to Nutrition fund for reduced budget in that fund. Also need to increase budget for Fire Department Clothing Allowance. Per contract retroactive increase for 08-09 year as well as 09-10 year.

Exhibit A-2: **CIP Fund:** Appropriate fund balance for water treatment plant for upgrade of filters #3, 4 & 5.

Executive Summary

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

**ORDINANCE NO. 2345**

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2327 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2009-2010; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

Councilman Fiedler moved to approve ORDINANCE NO. 2345, seconded by Councilman Condit.

Before the vote, Ms. Duke reviewed the two (2) exhibits for the budget amendment for the Council explaining the first exhibit was to decrease the amount budgeted for Nutrition and to increase the Fire Departments clothing allowance per the retroactive increases to the contract for 08-09 and 09-10 years. She commented that the second exhibit was to appropriate fund balance for the water treatment plant upgrades of filters #3, 4 and 5.

Mr. Stasiak explained that the last contract settlement with the Fire Departments' Union (IAFF) gave them an increase in their clothing allowance of \$75.00 per firefighter for fiscal year 08-09 and going into 09-10 this carried over as \$50.00 per firefighter and that dollar amount had not been put in this years' budget.

There was a brief discussion among the Council regarding the IAFF contract and various grievances' filed by the IAFF.

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

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

NAY: None

Mayor Priddle declared the motion carried.

Councilman Fiedler moved to approve the EMERGENCY CLAUSE, seconded by Councilman Condit. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

5. Consider, and act upon, authorizing the Mayor to sign Equipment Maintenance Agreements between the City of McAlister and BizTel Communications for the period of 01-16-2010 through 06-30-2010. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves authorizing the Mayor to sign an Equipment Maintenance Agreements with BizTel Communications.

Councilman Condit move to authorize the Mayor to sign Equipment Maintenance Agreements between the City of McAlester and BizTel Communications for the period of 01-16-2010 through 06-30-2010. The motion was seconded by Councilman Fiedler.

Before the vote, Mr. Stasiak explained that the item was for maintenance of the City's phone system at all of the City's facilities.

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

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

NAY: None

Mayor Priddle declared the motion carried.

6. Consider, and act upon, an Ordinance amending the Code of Ordinances of the City for inspections and permit fees, and declaring an emergency. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves authorizing the Mayor to sign an Ordinance amending the Code of Ordinances to increase building and inspections fees.

Councilman Fiedler moved to approve an Ordinance amending the Code of Ordinances of the City for inspections and permit fees, and declaring an emergency. The motion was seconded by Councilman Browne.

Before the vote, Mr. Stasiak requested that this item and item seven (7) be postponed until the next Council meeting due to errors in some of the information. There was no further discussion and Mayor Priddle stated that this item #6 and item #7 were postponed until the next meeting.

7. Consider, and act upon, an Ordinance amending the Code of Ordinances of the City for sanitary sewer connection fees inside and outside the corporate limits, and declaring an emergency. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves authorizing the Mayor to sign an Ordinance amending the Code of Ordinances to increase sanitary sewer connection fees.

Postponed until the next meeting per request by Acting City Manager Stasiak.

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

8. Consider, and act upon, a Resolution approving the sale of Oil and Gas Lease, on City of McAlester property as described in "Exhibit A" of submitted resolution. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves a motion to approve the sale of Oil and Gas Lease.

**Councilman Wilkinson moved to approve RESOLUTION NO. 10-02, approving a sale of Oil and Gas lease on certain City of McAlester property as described in "Exhibit A" of the resolution as follows.**

**EXHIBIT "A"**

**Tract No. 1:**

W/2 W/2; W/2 E/2 W/2; W/2 E/2 E/2 W/2 Less And Except the following Lots or partial Lots located in the Steven W. Taylor Industrial Park more particularly described as: Lot A-5; Less that part of Lot B-1 lying in the W/2 of Sec. 10-T5N, R14E described as beginning at the SW corner of said Lot B-1; thence N 42° 33' 04" W a distance of 300.00 feet along the Westerly lot line of Lot B-1; thence N 59° 25' 46" E a distance of 437.01 feet; thence S 87° 59' 19" E a distance of 487.00 feet; thence S 0° 37' 11" E a distance of 438.82 feet; thence N 87° 59' 19" W a distance of 632.55 feet along the South line of Lot B-1; thence S 73° 40' 10" W a distance of

34.05 feet to the point of beginning; less Lots B-2 and B-3; and less a tract of land in Lot B-7 described as: commencing at the NW corner of Lot B-7; thence S 00° 37' 11" E along the West line of Lot B-7 a distance of 100.00 feet to the point of beginning; thence S 89° 46' 57" E a distance of 1094.71 feet; thence S 04° 32' 48" E a distance of 510.92 feet; thence N 89° 46' 57" W a distance of 1129.70 feet to a point on the west line of Lot B-9; thence N 00° 37' 11" W a distance of 509.20 feet to the point of beginning, consisting of 195.64 net mineral acres, more or less, according to the official recorded map and plat thereof.

All In Section 10, Township 5 North, Range 14 East, Pittsburg County, Oklahoma.

**Tract No. 2:**

A tract in the SW/4 more particularly described as: beginning at the SW corner of the SW/4; thence E a distance of 1320 ft.; thence N a distance of 940 ft. to the S right-of-way line of railroad; thence SW along right-of-way line a distance of 1352 ft. to the W Section line; thence S to the point of beginning, less a tract more particularly described as: beginning at the intersection of the right-of-way of railroad and the E line of SW/4 SW/4; thence S a distance of 500 ft.; thence W a distance of 400 ft.; thence N to the S line of right-of-way; thence E along right-of-way to the point of beginning; and

The S 350 ft. of W 500 ft. of SE/4 SW/4; and

The E 554.7 ft. of N/2 SE/4 lying S of railroad right-of-way; and all that part of the N/2 SE/4, more particularly described as: beginning at the NE corner the SE/4, thence S 01° 11' 40" E a distance of 1202.34 ft. to the point of beginning; thence S 88° 43' 54" W a distance of 554.44 ft.; thence N 01° 11' 40" W a distance of 340.9 ft. to the S line of the railroad right-of-way; thence S 77° 45' 41" W along said right-of-way a distance of 737.39 ft. ; thence S 01° 16' 26" E a distance of 460.13 ft.; thence N 78° 51' 09" E a distance of 1297.07 ft. to E line SE/4; thence N 01° 11' 40" W a distance of 36.84 ft. to the point of beginning; and

A part of the S/2 SE/4, more particularly described as: beginning at the NE corner the SE/4; thence S 01° 11' 40" E a distance of 1202.34 ft. to the point of beginning; thence S 88° 43' 54" W a distance of 554.44 ft.; thence N 01° 11' 40" W a distance of 340.9 ft. to the S line of railroad right-of-way; thence S 77° 45' 41" W along said right-of-way a distance of 737.39 ft.; thence S 01° 16' 26" E a distance of 460.13 ft.; thence N 78° 51' 09" E a distance of 1297.07 ft. to E line SE/4; thence N 01° 11' 40" W a distance of 36.84 ft. to the point of beginning, consisting of 54.039 net mineral acres more or less.

All In Section 2, Township 5 North, Range 14 East, Pittsburg County, Oklahoma.

**Tract No. 3:**

A tract of land beginning at the Southwest corner of the SE/4 NE/4 NW/4; thence North a distance of 660 feet; thence East a distance of 660 feet; thence South a distance of 20 feet; thence West a distance of 640 feet; thence South a distance of 640 feet; thence West a distance of 20 feet to the point of beginning; AND beginning at the Northwest corner of Lot 2; thence East a distance of 2000 feet; thence South a distance of 20 feet; thence West a distance of 2000 feet; thence North a distance of 20 feet to the point of beginning; containing 1.52 acres, more or less.

All located in Section 31, Township 7 North, Range 16 East, Pittsburg County, Oklahoma.

**Tract No. 4:**

Tracts, pieces and parcels of land located and described as follows:

1. Part of Lot 2, Block 40; and
2. Part of Lot 1 & 2, Block 83; and
3. Part of Lot 3, Block 84

All in the City of McAlester, formerly South McAlester IT Pittsburg County, Oklahoma;

and

4. Lot 171, less the Northly 189'; and The S/2 of Lot 173 and part of Lot 172, TSA No. 1, Pittsburg County, OK.

All in Section 36, Township 6 North, Range 14 East, Pittsburg County, State of Oklahoma. and consisting of 4.979 net mineral acres, more or less. The motion was seconded by Vice-Mayor Garvin.

Before the vote, Mr. Stasiak explained that this was a request to authorize an auction of four (4) leases of Oil and Gas mineral interests owned by the City of McAlester.

There was a brief discussion between the Council and the City Attorney regarding the language of the lease, the minimum price per acre and the limitation of the time to advertise the auction. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried.

9. Midyear Budget Review – Section 5.07 (a), McAlester City Charter states: Midyear Budget Review. The City Manager shall submit a midyear review of the budget to the Council on or before the last day of January. This shall include the evaluation and modification, if necessary, of revenues and expenses. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

Presentation of the operating revenues and expenses for the period July 1, 2009 thru December 31, 2009.

Councilman Fiedler moved to open the floor for the Mid-year Budget Review. The motion was seconded by Councilman Condit.

Mr. Stasiak addressed the Council updating them on the current Budget status and the projections for the next six (6) months. He then reviewed the major funds in the Budget. He commented that he was looking at splitting the Expo and Tourism Fund in the future for budgeting purposes. He reviewed the reductions that had been made to the original budget to help with the revenue shortfalls. He stated that the City was currently down twenty-one (21) employees and those positions would not be filled and as of February 1, 2010 that number would become twenty-three (23). He commented that staff had identified the problem and they were



taking steps to handle it but, they could only affect the General Fund and the Public Works Fund. He added that it appeared to have a 17% decline.

There was a brief discussion among the Council and Mr. Stasiak concerning the changes that had been made, if those changes would stabilize the condition, if there was a possibility of future layoffs and if he could see any actual stabilization in the current economic pattern. There was no vote on this item.

10. Consider, and act upon, a Resolution authorizing the City of McAlester to commit Economic Development Bond Funds for the construction of a building and infrastructure at the Steven Taylor Industrial Park. (*Peter J. Stasiak, Acting City Manager*)

Executive Summary

This item involves a resolution authorizing Economic Development Bonds Funds for a construction of a building in Steven Taylor Industrial Park.

Councilman Condit moved to approve RESOLUTION NO. 10-03, authorizing the City of McAlester to commit Economic Development Bond Funds for the construction of a building and infrastructure at the Steven Taylor Industrial Park. The motion was seconded by Councilman Fiedler.

Before the vote, Mr. Stasiak explained that the Oklahoma Department of Commerce (DOC) through the Community Development Block Grant – Economic Development Infrastructure Financing program (CDBG-EDIF) had awarded the City of McAlester \$1.0 million for the construction of a building and required infrastructure to house Sabre Defense, Inc. He continued explaining that there were Economic Development funds available up to \$765,100.00 from two Revenue Bond Construction Accounts that could be used for the project. He added that the City of McAlester would remain the owner of the property used for the building construction.

There was a brief discussion among the Council regarding the worse case scenario, the projected construction time of nine (9) to twelve (12) months, when notification could be expected from the DOC and the City's commitment to complete the project should Sabre not come through on their commitment. There was no further discussion, and the vote was taken as follows:

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

NAY: Councilman Mason

Mayor Priddle declared the motion carried.

11. Report on City of McAlester's plan to implement once per week residential collection of solid waste.

Executive Summary

This item involves a report on once per week residential collection of solid waste.

Councilman Fiedler moved to open the floor for the report on the City's plan to implement once per week residential collection of solid waste. The motion was seconded by Councilman Condit.

Mr. Modzelewski addressed the Council to update them on the status of the implementation of the once per week residential trash collection. He commented that he had not completed his

analysis of the information but had furnished the Council a copy of the proposed letter to the residents and a map and schedule of the once per week trash collection. He added that at the next meeting he planned to have a recommendation for the Council regarding the once per week residential trash collection and privatization of the trash collection service.

Councilman Browne recommended that the price be reviewed if the City does proceed with once per week residential trash collection and in the time he had been on the Council this matter had created the most response.

Councilman Condit stated that the response he had received had so far been positive toward both the once per week collection and the fee remaining the same.

There was no action taken on this item.

### **NEW BUSINESS**

None

### **CITY MANAGER'S REPORT**

Acting City Manager Stasiak reported that at the end of last week the City had been contacted about the 69 Bypass interchange project. He stated the State of Oklahoma wanted to move the project up from 2015 to 2013. He added that they would be coming to the Council in the near future to get the Engineering going on this project. He commented that he would get more information to furnish the Council. Mr. Stasiak reported that the RFP's for the Strategic Plan had been sent out to three (3) companies and were due back by Friday, February 5<sup>th</sup>. He updated that Council on the "A" Street and Railroad crossings stating that the Railroad was waiting on the asphalt plant to reopen and that maybe next week if the plant did reopen the Railroad could finish their portion of the repairs. Mr. Stasiak reported that the City had received the final payment FEMA aid for the January 2007 Ice Storm. He stated that he had received notice from the Emergency Management to expect ice and he commented that the City was already making preparations for this. He mentioned the work session that had been scheduled for Thursday at 5:30 P.M. He reported that he and Ms. Duke would possibly be attending a Budgeting Seminar in Midwest City on Friday, January 29<sup>th</sup>, presented by OML and Mike Crawford.

### **REMARKS AND INQUIRIES BY CITY COUNCIL**

Councilman Fiedler commented on the water line and gas line breaks that Shared Blessings had experienced at their facility. He encouraged everyone that could to donate to the recovery effort in Haiti. He asked if there had been any preparation to open the Stipe Center and Expo if necessary during the coming ice storm.

Councilman Condit commented on the relief effort for Haiti. He expressed his appreciation to Mr. Stasiak for his quick response to the pot hole patches on Peaceable Road. He added that today was his 30<sup>th</sup> Wedding Anniversary.

Councilman Browne commented that when repairs to "A" Street were completed the City would begin repairs to "D" Street. He congratulated all of the candidates involved in the coming election and encouraged them to run a clean campaign.

Councilman Wilkinson did not have any comments for the meeting.

Vice-Mayor Garvin expressed his appreciation for the work that Mr. Stasiak was doing and for the work that Frank Phillips did. He commented that everyone should remember to check on their elderly neighbors during bad weather.

Councilman Mason commented that he hoped all the preparation for the ice storm would not be needed.

Mayor Priddle congratulated Mr. Stasiak and Ms. Duke for the speed in which the audit for year ending June 30, 2009 had been completed. He urged all citizens to prepare for the weather. He thanked the City staff and employees for their continued work on the Budget. He announced that he would give the State of the City Address next Tuesday, February 2, 2010, in the Council Chambers at 6:00 P.M.

#### RECESS COUNCIL MEETING

Mayor Priddle asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Wilkinson moved to recess the Regular Meeting and convene the Authorities. 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 Regular Meeting was recessed at 8:45 P.M.

#### RECONVENE COUNCIL MEETING

The Regular Meeting was reconvened at 8:49 P.M.

Councilman Browne moved to recess the Regular meeting for an Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public office or employee: City Manager in accordance with Title 25, Section 307.B.1. The motion was seconded by Vice-Mayor Garvin. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Priddle declared the motion carried and the Regular meeting was recessed at 8:50 P.M.

## **EXECUTIVE SESSION**

*Recess into Executive Session in compliance with Section Title 25 Section 307 B.1 et.seq. Oklahoma Statutes, to wit:*

- **Section 307 (B) (1) – Discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager.**

## **RECONVENE INTO OPEN SESSION**

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

The Regular meeting was reconvened at 9:15 P.M. Mayor Priddle reported that the Council had recessed the Regular Meeting for an Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employee: City Manager, in accordance with Title 25, Section 307.B.1. Only that matter was discussed, no action was taken and the Council returned to open session at 9:15 P.M. and this constituted the Minutes of the Executive Session.

## **ADJOURNMENT**

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

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

NAY: None

Mayor Priddle declared the motion carried, and the meeting was adjourned at 9:16 P.M.

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

ATTEST:

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

**CLAIMS FROM JANUARY 27, 2010  
THRU  
FEBRUARY 9, 2010**

PACKET: 04889 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-A00026	AT & T LONG DISTANCE					
	I-JAN 09	01 -5215315	TELEPHONE UTI LONG DISTANCE BILL	049287	142.11	
01-A00267	AIRGAS					
	I-106149568	01 -5431202	OPERATING SUP OXYGEN	049293	97.28	
	I-106162471	01 -5431202	OPERATING SUP OXYGEN	049293	47.94	
01-A00362	ALLEGIANCE COMMUNICATIO					
	I-1/25/10	01 -5320202	OPERATING EXP CABLE SERVICES	049295	116.74	
01-A00747	AT&T					
	I-09-27340	01 -5215315	TELEPHONE UTI 91842318025801	049288	1,035.42	
01-A00751	ATWOODS					
	I-3426619	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT	049296	45.94	
	I-3429654	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT	049296	44.67	
	I-3429721	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT	049296	23.27	
	I-3430107	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT	049296	48.31	
	I-3432383	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT	049296	3.96	
	I-3432884	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT	049296	104.98	
	I-3433688	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT	049296	120.90	
	I-3433718	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT	049296	15.44	
	I-3433788	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT	049296	69.82	
01-A00770	AUTO PARTS CO					
	C-853542	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	27.20-	
	I-854278	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	197.96	
	I-854372	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	155.58	
	I-854383	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	178.27	
	I-854384	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	19.90	
	I-854724	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	149.49	
	I-854737	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	35.98	
	I-854742	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	22.74	
	I-854755	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	94.94	
	I-854758	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	19.81	
	I-854778	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	5.72	
	I-854780	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049298	177.90	
	I-854781	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	28.00	
	I-854816	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	69.70	
	I-854848	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	50.91	
	I-854905	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	14.27	
	I-854923	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	150.48	
	I-854954	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	99.46	
	I-855017	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	56.42	
	I-855029	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	33.29	
	I-855064	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	110.60	
	I-855109	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	56.42	
	I-855149	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	53.03	
	I-855170	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	48.12	

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00770	AUTO PARTS CO		continued			
		I-855171	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049299	191.90
		I-855204	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049300	49.13
		I-855301	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049300	77.57
		I-855433	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049300	80.02
		I-855505	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049300	49.54
		I-855506	01 -5862203	REPAIRS & MAI SMALL AUTO PARTS	049300	88.01
01-B00490	BRIGGS PRINTING					
		I-55625	01 -5210202	OPERATING SUP BANNER FOR POLICE DE	049308	150.00
01-B00496	BRIAN WOODS					
		I-09-27364	01 -5544308	CONTRACT LABO REFEREE FEES - 3 GAMES	049310	60.00
01-C00320	CENTERPOINT ENERGY ARKL					
		I-09-27342	01 -5215314	GAS UTILITY 68551878	049289	24.30
01-C00430	CHIEF FIRE & SAFETY CO.					
		I-159315	01 -5431316	REPAIRS & MAI PARTS FOR VEHICLE RE	049313	471.72
01-C00840	CRAWFORD & ASSOCIATES					
		I-4757	01 -5215302	CONSULTANTS CONSULTING SERVICES	049315	2,312.50
01-D00097	DASH MEDICAL GLOVES					
		I-INV470184	01 -5321202	OPERATING SUP GLOVES	049316	329.40
01-D00130	DATA FLOW					
		I-55138	01 -5211202	OPERATING SUP AP CHECKS	049317	353.16
01-D00205	DAYLIGHT DONUTS					
		I-2503-36	01 -5210202	OPERATING SUP EMPLOYEE MTG 1/22/10	049318	115.92
01-D00540	DOLESE BROTHERS					
		I-02103	01 -5865218	STREET REPAIR CONCRETE FOR STREET REPAI	049321	729.67
01-D00600	DONNA M. CREWS					
		I-09-37366	01 -5544308	CONTRACT LABO SCOREKEEPER FEES- 6 GAMES	049322	60.00
01-D00775	JUSTIN DUVAL					
		I-09-27363	01 -5544308	CONTRACT LABO REFEREE FEES - 3 GAMES	049323	60.00
01-E00266	ERVIN & ERVIN ATTORNEYS					
		I-FEB 2010	01 -5214302	CONSULTANTS ATTORNEY FEES	049327	2,500.00
01-F00170	FIRST NATIONAL BANK					
		I-FEB 10-#133	01 -5215510	LEASE PAYMENT LEASE #133	049330	5,185.00
01-I00110	IMPRESS OFFICE SUPPLY					
		I-029893	01 -5542202	OPERATING SUP OFFICE SUPPLIES	049332	152.92

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-100110	IMPRESS OFFICE SUPPLY		continued			
		I-029905	01 -5652202	OPERATING SUP BINDING COMBS & MISC OFFT	049332	25.00
		I-029935	01 -5321202	OPERATING SUP MISC SUPPLIES	049332	12.58
		I-029941	01 -5321202	OPERATING SUP MISC SUPPLIES	049332	22.95
		I-029945	01 -5652202	OPERATING SUP BINDING COMBS & MISC OFFT	049332	26.99
		I-029962	01 -5321202	OPERATING SUP MISC SUPPLIES	049332	82.80
		I-029972	01 -5211202	OPERATING SUP OFFICE SUPPLIES	049332	0.78
		I-029977	01 -5321202	OPERATING SUP MISC SUPPLIES	049332	36.79
01-100140	INDIAN NATION WHOLESALE					
		C-CK855578	01 -5542203	REPAIRS & MAI JANITORIAL SUPPLIES	049333	8.80-
		I-5065430	01 -5542203	REPAIRS & MAI JANITORIAL SUPPLIES	049333	269.01
01-M00570	MOORE MEDICAL CORP.					
		I-96053994	01 -5431202	OPERATING SUP MEDICAL SUPPLIES	049338	107.26
01-M00614	MOTOSAT					
		I-45562	01 -5431330	DUES & SUBSCR HAZMAT MOBIL INTERNET ACC	049339	1,559.88
01-M00715	MUSKOGEE COMMUNICATIONS					
		I-112474	01 -5863203	REPAIR & MAIN NEW RADIO-DETECTIVE	049340	450.00
01-MC0146	MC ALESTER-PITTS. COUNT					
		I-09-27297	01 -5101353	PITTSBURG EME EMERGENCY MANAGEMENT	049341	40,000.00
01-MC0226	MC DONALDS RESTURANT					
		I-13.	01 -5321202	OPERATING SUP PRISONER MEALS	049342	4.79
		I-32	01 -5321202	OPERATING SUP PRISONER MEALS	049342	6.09
		I-67.	01 -5321202	OPERATING SUP PRISONER MEALS	049342	4.39
01-N00250	MCALISTER NEWS CAPITAL					
		I-01571663	01 -5212317	ADVERTISING & BLANKET PO FOR COUNC	049343	68.85
		I-01571704	01 -5212317	ADVERTISING & BLANKET PO FOR COUNC	049343	12.45
		I-01571705	01 -5212317	ADVERTISING & BLANKET PO FOR COUNC	049343	13.50
		I-01571706	01 -5212317	ADVERTISING & BLANKET PO FOR COUNC	049343	10.35
		I-01571873	01 -5212317	ADVERTISING & BLANKET PO FOR COUNC	049343	15.30
01-N00359	NWTC					
		I-22202181	01 -5321331	EMPLOYEE TRAV TASER INSTRUCTOR TRA	049345	395.00
01-OC0075	O'REILLY AUTO PARTS					
		I-0230-213375	01 -5431316	REPAIRS & MAI PARTS - VEHICLE REPA	049346	304.60
01-O00592	ORTIVUS, INC					
		I-30533	01 -5432308	CONTRACTED SE MONTHLY SERVICE FEE	049349	285.00
01-P00042	PACIFIC TELEMANAGEMENT					
		I-166965	01 -5215315	TELEPHONE UTI PAY PHONE & STIPE CE	049290	75.00



PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-P00310	PITNEY BOWES INC					
		I-3127966-JA10	01 -5215312	EQUIPMENT REN 6 MONTH BLANKET PO	049352	1,843.99
01-P00340	PITTS. COUNTY ELEC. BOA					
		I-09-27271	01 -5101350	ELECTIONS PRE-ELECTION EXP	049353	4,353.00
01-P00510	PRO-KIL, INC					
		I-54498	01 -5542316	REPAIRS & MAI MONTHLY PEST CONTROL	049355	126.00
01-P00560	PUBLIC SERVICE/AEP					
		I-09-27341	01 -5215313	ELECTRIC UTIL 95242258705	049291	196.04
		I-09-27341	01 -5215313	ELECTRIC UTIL 95966977506	049291	36.68
		I-09-27341	01 -5215313	ELECTRIC UTIL 95722742806	049291	54.60
01-R00300	RICHARD RUSHING					
		I-09-27362	01 -5544308	CONTRACT LABO REFEREE FEES - 12 GAMES	049357	240.00
01-R00360	RICKY S HACKLER					
		I-09-27361	01 -5544308	CONTRACT LABO REFEREE FEES - 3 GAMES	049358	60.00
01-S00190	SECURITY SYS. & ENG. IN					
		I-25821	01 -5542202	OPERATING SUP SECURITY MONITORING	049360	120.00
		I-25823	01 -5321308	CONTRACTED SE 6 MO ALARM MONITORIN	049360	45.00
		I-25824	01 -5321308	CONTRACTED SE 6 MO ALARM MONITORIN	049360	45.00
		I-25825	01 -5321308	CONTRACTED SE 6 MO ALARM MONITORIN	049360	45.00
01-S00726	STAPLES BUSINESS ADVANT					
		I-25597	01 -5211202	OPERATING SUP OFFICE SUPPLIES	049365	26.36
01-S00791	STEIDLEY & NEAL, P.L.L.C.					
		I-11725	01 -5214302	CONSULTANTS LEGAL FEES - R GREEN	049366	60.00
01-T00058	BIZTEL COMMUNICATIONS					
		I-3780	01 -5215315	TELEPHONE UTI YEARLY SERVICE CONTR	049367	701.25
		I-3782	01 -5215315	TELEPHONE UTI YEARLY SERVICE CONTR	049367	429.00
		I-3818	01 -5863203	REPAIR & MAIN REWIRED JACK	049367	85.00
01-T00303	THOMPSON WEST					
		I-819849691	01 -5210330	DUES & SUBSCR OK STATUES V1-V3	049368	270.00
01-T00458	TONYA M BARNES					
		I-09-27365	01 -5544308	CONTRACT LABO SCOREKEEPER FEES- 6 GAMES	049369	60.00
01-T00537	TRAVIS, WOLFF & CO, LLP					
		I-9906589	01 -5215302	CONSULTANTS PLAN ADMIN FOR 4TH Q	049370	437.50
01-T00630	TWIN CITIES READY MIX					
		I-38835	01 -5542203	REPAIRS & MAI CONCRETE FOR POST	049373	240.00

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-U00020	US CELLULAR					
		I-09-27249	01 -5542203	REPAIRS & MAI REPLACE PHONE-INMATE	049374	159.95
01-U00130	UNITED SAFETY & CLAIMS					
		I-09-27331	01 -5215106	WORKMAN'S COM MEDICAL BILLS 1/13 -	049377	2,348.45
01-W00040	WALMART COMMUNITY HRC					
		I-00842	01 -5542202	OPERATING SUP MISC OPERATING SUPPL	049379	151.82
		I-01282	01 -5320202	OPERATING EXP MISC SUPPLIES	049379	33.85
		I-01348	01 -5543203	REPAIRS & MAI HEATERS FOR POOLS	049379	136.00
		I-01892.	01 -5210202	OPERATING SUP CITY EMPLOYEE MTG	049379	40.12
		I-02233	01 -5542202	OPERATING SUP MISC OPERATING SUPPL	049379	44.52
		I-03126	01 -5542202	OPERATING SUP MISC OPERATING SUPPL	049379	51.15
		I-03393	01 -5542202	OPERATING SUP MISC OPERATING SUPPL	049379	51.80
		I-05712	01 -5210202	OPERATING SUP CITY EMPLOYEE MTG	049380	43.04
01-W00270	WHITE ELECTRICAL SUPPLY					
		I-S1169521.001	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	049382	153.28
		I-S1169645.001	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	049382	177.89
		I-S1169889.001	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	049382	11.45
		I-S1174365.001	01 -5431316	REPAIRS & MAI BATTERY FOR LADDER T	049382	45.70
		I-S1174967.001	01 -5548203	REPAIRS & MAI SUPPLIES - BUILDING MAINT	049382	38.99
		I-S1175873.001	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	049382	429.59
		I-S1176271.001	01 -5548203	REPAIRS & MAI ELECTRICAL SUPPLIES	049383	180.09
01-X00020	XEROX CORP-MAJOR ACCOUN					
		I-JAN 2010	01 -5215312	EQUIPMENT REN XEROX LEASE	049386	1,671.44
FUND 01 GENERAL FUND						TOTAL: 75,783.44

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00103 ACCURATE LABS & MINING						
	I-0A05019	02 -5974304	LAB TESTING	MONTHLY LAB TESTING	049292	100.00
	I-0A14026	02 -5974304	LAB TESTING	MONTHLY LAB TESTING	049292	80.00
	I-0A14027	02 -5974304	LAB TESTING	MONTHLY LAB TESTING	049292	50.00
	I-9L02040	02 -5974304	LAB TESTING	MONTHLY LAB TESTING	049292	100.00
	I-9L21013	02 -5974304	LAB TESTING	MONTHLY LAB TESTING	049292	50.00
01-A00267 AIRGAS						
	I-106602014	02 -5973203	REPAIRS & MAI	RENTAL ON GAS TANKS	049293	65.00
	I-106915507	02 -5973203	REPAIRS & MAI	RENTAL ON GAS TANKS	049293	65.77
01-A00273 ALDINGER CO						
	I-C09110-0287	02 -5973316	REPAIRS & MAI	CALIBRATE SCALES	049294	249.85
01-A00747 AT&T						
	I-09-27340	02 -5267315	TELEPHONE UTT	8310001596536	049288	859.30
01-A00751 ATWOODS						
	I-3402732	02 -5973203	REPAIRS & MAI	MAINTENANCE SUPPLIES	049296	174.46
	I-3423612	02 -5973203	REPAIRS & MAI	MAINTENANCE SUPPLIES	049296	45.91
01-A00759 AT & T						
	I-C9-27304	02 -5267323	DAMAGES	AT&T DAMAGE CLAIM	049297	570.18
01-A00770 AUTO PARTS CO						
	C-856231	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049298	20.91-
	I-853849	02 -5974203	REPAIRS & MAI	SUPPLIES FOR PLANT -MAINT	049298	29.72
	I-855252	02 -5974203	REPAIRS & MAI	SUPPLIES FOR PLANT -MAINT	049300	36.47
	I-855472	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049300	17.26
	I-855480	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049300	33.99
	I-855540	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049300	47.33
	I-855541	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049300	169.16
	I-855551	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049300	11.61
	I-855597	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049300	68.84
	I-855613	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049300	5.16
	I-855648	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	228.04
	I-855719	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	30.54
	I-855828	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	107.00
	I-855838	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	28.02
	I-855849	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	133.08
	I-855866	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	59.82
	I-855868	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	64.80
	I-855919	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	57.17
	I-855920	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	281.18
	I-855939	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	89.77
	I-855946	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	14.92
	I-855971	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	142.24
	I-855973	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049301	80.92
	I-855992	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	17.05

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
-----						
01-A00770	AUTO PARTS CO	continued				
	I-856031	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	178.39
	I-856054	02 -5974203	REPAIRS & MAI	SUPPLIES FOR PLANT -MAINT	049302	20.36
	I-856098	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	76.90
	I-856136	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	62.18
	I-856158	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	8.16
	I-856165	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	33.95
	I-856183	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	86.72
	I-856270	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	34.16
	I-856332	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	48.00
	I-856368	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	141.49
	I-856369	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	96.00
	I-856373	02 -5862203	REPAIRS & MAI	SMALL AUTO PARTS	049302	25.10
01-B00150	BEALES GOODYEAR TIRES					
	I-MC-J69925	02 -5862203	REPAIRS & MAI	TIRES CITY MANAGER C	049303	248.00
01-BC0180	BEMAC SUPPLY					
	I-S1436519.001.	02 -5975333	WATER MAIN RE	GASKETS, NIPPLES, VA	049304	4.00
	I-S1458174.001.	02 -5975333	WATER MAIN RE	GASKETS, NIPPLES, VA	049304	3.00
	I-S1464984.001	02 -5975333	WATER MAIN RE	GASKETS, NIPPLES, VA	049304	17.28
	I-S1492948.001	02 -5974203	REPAIRS & MAI	SUPPLIES FOR WTP - MAINT	049304	39.58
	I-S1495279.001	02 -5974203	REPAIRS & MAI	SUPPLIES FOR WTP - MAINT	049304	13.00
	I-S14981148.001	02 -5974203	REPAIRS & MAI	SUPPLIES FOR WTP - MAINT	049304	103.00
	I-S1499178.001	02 -5975316	REPAIRS & MAI	SUPPLIES-WATER/SEWER	049304	81.86
	I-S1499184.001	02 -5975316	REPAIRS & MAI	SUPPLIES-WATER/SEWER	049304	63.44
	I-S1500814.001	02 -5975316	REPAIRS & MAI	SUPPLIES-WATER/SEWER	049304	155.58
	I-S1500910.001	02 -5975316	REPAIRS & MAI	SUPPLIES-WATER/SEWER	049304	48.54
	I-S1501207.001	02 -5975316	REPAIRS & MAI	SUPPLIES-WATER/SEWER	049304	201.85
	I-S1501965.001	02 -5975316	REPAIRS & MAI	SUPPLIES-WATER/SEWER	049304	213.55
	I-S1502455.001	02 -5975316	REPAIRS & MAI	SUPPLIES-WATER/SEWER	049304	25.57
	I-S1502591.001	02 -5975316	REPAIRS & MAI	SUPPLIES-WATER/SEWER	049304	107.77
	I-S1502872.001	02 -5975316	REPAIRS & MAI	SUPPLIES-WATER/SEWER	049305	15.95
01-B00360	BLUE BOOK (USA)					
	I-181849	02 -5973203	REPAIRS & MAI	PHONE DIALERS REPLAC	049307	742.32
01-B00491	BRENNTAG SOUTHWEST					
	I-BSW176151	02 -5974206	CHEMICALS	CHLORINE	049309	4,268.70
01-C00134	CALIFORNIA CONTRACTORS					
	I-42667	02 -5975316	REPAIRS & MAI	GRIPLOCK PLIERS 3 PC	049311	209.70
01-C00669	CONTINENTAL RESEARCH CO					
	I-327129-CRC-1	02 -5973203	REPAIRS & MAI	STEEL PROTECTION SPR	049314	862.25
01-C00840	CRAWFORD & ASSOCIATES					
	I-4757	02 -5267302	CONSULTANTS	CONSULTING SERVICES	049315	2,312.50

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 02 MEWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-D00540 DOLESE BROTHERS						
	I-01651	02 -5864203	REPAIRS & MAI	500 TON 1 1/2 GRAVEL	049321	453.98
	I-02582	02 -5864203	REPAIRS & MAI	500 TON 1 1/2 GRAVEL	049321	646.51
	I-03045	02 -5864203	REPAIRS & MAI	500 TON 1 1/2 GRAVEL	049321	718.96
	I-03520	02 -5864203	REPAIRS & MAI	500 TON 1 1/2 GRAVEL	049321	543.19
01-E00265 ERMI ENVIRONMENTAL LABS						
	I-0907295	02 -5973304	LAB TESTING	LAB TESTING BOTH PLANTS	049326	189.47
	I-0907297	02 -5973304	LAB TESTING	LAB TESTING BOTH PLANTS	049326	135.00
	I-0907553	02 -5973304	LAB TESTING	LAB TESTING BOTH PLANTS	049326	135.00
	I-0907584	02 -5973304	LAB TESTING	LAB TESTING BOTH PLANTS	049326	54.47
	I-1000244	02 -5973304	LAB TESTING	LAB TESTING BOTH PLANTS	049326	135.00
	I-1000245	02 -5973304	LAB TESTING	LAB TESTING BOTH PLANTS	049326	189.47
01-F00037 FASTENAL						
	I-OKMCA83779	02 -5975316	REPAIRS & MAI	SUPPLIES FOR REPAIRS	049328	116.74
	I-OKMCA84359	02 -5973203	REPAIRS & MAI	PLANT SUPPLIES	049328	15.30
	I-OKMCA85096	02 -5973203	REPAIRS & MAI	PLANT SUPPLIES	049328	30.80
	I-OKMCA85206	02 -5975316	REPAIRS & MAI	SUPPLIES FOR REPAIRS	049328	94.95
01-F00170 FIRST NATIONAL BANK						
	I-201001251087	02 -5864401	CAPITAL OUTLA	LEASE-CATERPILLAR & COMPACTOR	049257	8,524.37
	I-FEB 10-#134	02 -5864401	CAPITAL OUTLA	CATERPILLAR & COMPACTOR	049331	8,524.37
01-I00110 IMPRESS OFFICE SUPPLY						
	I-029936	02 -5972202	OPERATING SUP	SHIPPING LABELS (500	049332	120.00
	I-29844	02 -5216202	OPERATING SUP	OFFICE SUPPLIES	049332	71.99
	I-29952	02 -5216202	OPERATING SUP	OFFICE SUPPLIES	049332	14.16
01-L00428 LONE'S CREDIT SERVICES						
	I-01092	02 -5975202	OPERATING SUP	SUPPLIES	049335	145.56
	I-01097	02 -5975202	OPERATING SUP	SUPPLIES	049335	105.96
	I-01102	02 -5975202	OPERATING SUP	SUPPLIES	049335	6.94
	I-05325	02 -5974316	REPAIRS & MAI	SUPPLIES FOR PLANT	049335	31.96
	I-07622	02 -5975202	OPERATING SUP	REPAIR PARTS	049335	134.83
	I-09066	02 -5975202	OPERATING SUP	SUPPLIES	049335	78.43
	I-09196	02 -5974316	REPAIRS & MAI	HEAT TAPE INSALATION	049335	62.86
	I-09294	02 -5975202	OPERATING SUP	SUPPLIES	049335	88.88
	I-09591	02 -5974316	REPAIRS & MAI	HEAT TAPE INSALATION	049335	189.28
	I-09788	02 -5975202	OPERATING SUP	REPAIR PARTS	049335	86.57
	I-09829	02 -5974316	REPAIRS & MAI	SUPPLIES FOR PLANT	049335	258.50
	I-09891	02 -5975202	OPERATING SUP	REPAIR PARTS	049335	142.76
01-M00304 MESHEK & ASSOC. INC						
	I-5	02 -5871302	CONSULTANTS	4H STORMWATER ENG SERV1	049336	9,275.42
01-N00250 MCALESTER NEWS CAPITAL						
	I-01571671	02 -5973330	DUES & SUBSCR	ADD ON NEW DISCHARGE	049343	19.65
	I-01571786	02 -5974317	ADVERTISING & TOC	- NOV TO BE RAN	049343	65.90

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-N00343	NORTHERN SAFETY CO INC					
		I-p260217701055	02 -5866204	SMALL TOOLS 6 PAIR GLOVES	049344	19.11
01-C00275	OKLA DEPT OF COMMERCE					
		I-FEB 10-#8908	02 -5267521	COBG LOAN #89 COBG - EDIF #8908	049347	1,145.83
01-P00287	PIGALOG					
		I-20376929-00	02 -5862203	REPAIRS & MAI SPILL RESPONSE KIT	049351	320.00
		I-20376929-00	02 -5862203	REPAIRS & MAI UNIVERSAL SPILL MAT	049351	75.00
		I-20376929-00	02 -5862203	REPAIRS & MAI FREIGHT	049351	107.84
01-R00090	RAM INC					
		I-16155	02 -5862205	PETROLEUM PRO DIESEL FOR LANDFILL	049356	3,688.56
01-S00234	SHARE CORPORATION					
		I-729830	02 -5973203	REPAIRS & MAI HIGH VOLTAGE REPAIR	049361	107.90
01-S00351	SIGNATURE SCIENCE, LLC					
		I-24000961-18	02 -5974304	LAB TESTING MONTHLY LAB TESTING	049362	368.00
		I-24000961-21	02 -5974304	LAB TESTING MONTHLY LAB TESTING	049362	368.00
01-S00382	SKYWAY COMMUNICATION					
		I-315	02 -5974203	REPAIRS & MAI INTERNET - FEB 2010	049363	54.95
		I-315	02 -5974203	REPAIRS & MAI INTERNET MARCH 2010	049363	54.95
		I-315	02 -5974203	REPAIRS & MAI INTERNET - APRIL 2010	049363	54.95
01-S00530	SOUTHWEST CHEMICAL SERV					
		I-87844	02 -5974206	CHEMICALS EARTH TEC TOTES (2)	049364	10,450.00
		I-87874	02 -5974206	CHEMICALS 2 LOADS OF CAUSTIC	049364	6,960.00
		I-87876	02 -5974206	CHEMICALS 2 TOTES OF POLYMER	049364	4,944.00
		I-87929	02 -5974206	CHEMICALS ALUMINUM SULFATE	049364	3,608.55
		I-87943	02 -5974206	CHEMICALS ALUM (2 LOADS)	049364	600.00
		I-87982	02 -5974206	CHEMICALS 40 BAGS COPPER-SULFA	049364	3,977.50
		I-87982	02 -5974206	CHEMICALS 8 BAGS CITRIC ACID	049364	728.00
		I-88027	02 -5974206	CHEMICALS ALUMINUM SULFATE	049364	3,516.15
01-S00726	STAPLES BUSINESS ADVANT					
		C-CM3130281788	02 -5975202	OPERATING SUP OFFICE SUPPLIES	049365	205.99-
		I-3129321893	02 -5974203	REPAIRS & MAI 6 APC BACK-UPS	049365	419.94
		I-3130281789	02 -5975202	OPERATING SUP OFFICE SUPPLIES	049365	293.97
		I-3130281790	02 -5974316	REPAIRS & MAI SUPPLIES	049365	56.57
		I-3130281791	02 -5972202	OPERATING SUP OFFICE SUPPLIES	049365	57.59
		I-3130281792	02 -5973203	REPAIRS & MAI PRINTER INK	049365	249.15
01-T00058	BIZTEL COMMUNICATIONS					
		I-3780	02 -5267315	TELEPHONE UTI YEARLY SERVICE CONTR	049367	701.25
01-T00537	TRAVIS, WOLFF & CO, LLP					
		I-9906589	02 -5267302	CONSULTANTS PLAN ADMIN FOR 4TH Q	049370	437.50

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-T00605	TULSA CITY-COUNTY					
		I-11743	02 -5974304	LAB TESTING COLIFORM MONTHLY TES	049372	484.00
01-U00053	UTILITY SUPPLY					
		I-043285	02 -5975202	OPERATING SUP SUPPLIES FOR REPAIR	049375	172.80
		I-043432	02 -5975202	OPERATING SUP SUPPLIES FOR REPAIR	049375	366.00
		I-043433	02 -5975202	OPERATING SUP SUPPLIES FOR REPAIR	049375	300.00
		I-043434	02 -5975202	OPERATING SUP SUPPLIES FOR REPAIR	049375	24.36
		I-043536	02 -5975333	WATER MAIN RE FIRE HYDRANT FOR MRH	049375	1,369.60
01-U00119	UNITED FUEL & ENERGY					
		I-1173165-IN	02 -5862205	PETROLEUM PRO TRANS HYD FLUID	049376	1,487.20
		I-1173165-IN	02 -5862205	PETROLEUM PRO ROTELLA 15W/40	049376	1,173.70
		I-1173165-IN	02 -5862205	PETROLEUM PRO GENEX MP ATF	049376	367.40
		I-1173165-IN	02 -5862205	PETROLEUM PRO 50/50 ANTIFREEZE	049376	219.45
01-U00130	UNITED SAFETY & CLAIMS					
		I-09-27331	02 -5267106	WORKMAN'S COM MEDICAL BILLS 1/13 -	049377	2,348.44
		I-FEB 2010	02 -5267106	WORKMAN'S COM SERVICE FEE	049378	1,233.75
01-W00080	WASTE RESEARCH INC.					
		I-10579	02 -5862203	REPAIRS & MAI PARKING CYLINDER SW-	049381	2,013.88
01-W00270	WHITE ELECTRICAL SUPPLY					
		I-S1147063.001	02 -5973203	REPAIRS & MAI PLANT ELECTRICAL SUPPLIES	049382	179.10
		I-S1157513.001	02 -5973203	REPAIRS & MAI PLANT ELECTRICAL SUPPLIES	049382	20.53
		I-S1162429.001	02 -5973203	REPAIRS & MAI PLANT ELECTRICAL SUPPLIES	049382	53.49
		I-S1167632.001	02 -5973203	REPAIRS & MAI PLANT ELECTRICAL SUPPLIES	049382	46.29
		I-S1169518.001	02 -5973203	REPAIRS & MAI PLANT ELECTRICAL SUPPLIES	049382	109.71
		I-S1169912.001	02 -5974203	REPAIRS & MAI ELECTRICAL SUPPLIES	049382	77.49
		I-S1175026.001	02 -5974203	REPAIRS & MAI ELECTRICAL SUPPLIES	049382	89.89
		I-S1175950.001	02 -5974203	REPAIRS & MAI ELECTRICAL SUPPLIES	049382	117.63
		I-S1175958.001	02 -5974203	REPAIRS & MAI ELECTRICAL SUPPLIES	049383	83.03
01-W00299	WILKINS ENVIRONMENTAL					
		I-1974	02 -5973304	LAB TESTING TOXICITY TESTING	049384	1,422.50
		I-1975	02 -5973304	LAB TESTING TOXICITY TESTING	049384	1,422.50
01-W00465	WORTH HYDROCHEM OF OKLA					
		I-41381N1	02 -5974316	REPAIRS & MAI UPGRADE PROCESS CONT	049385	17,994.00
		I-41381N2	02 -5974316	REPAIRS & MAI EXTRA COST ON FILTER	049385	2,808.00
FUND 02 MPWA						TOTAL: 124,642.74

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PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 03 AIRPORT AUTHORITY

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-F00170	FIRST NATIONAL BANK					
		I-FEB 10-#119817	03 -5876511	FNB LOAN #119 LOAN #119817 - AIRPORT AUTH	049329	2,510.00
				FUND 03 AIRPORT AUTHORITY	TOTAL:	2,510.00



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## REGULAR DEPARTMENT PAYMENT REGISTER

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PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 08 NUTRITION

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00747	AT&T					
		I-09-27340	08 -5549315	TELEPHONE UTI 918A4006692564	049288	134.58
01-D00213	DEBBIE COMPTON					
		I-09-27368	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	049319	120.00
		I-09-27375	08 -5549308	CONTRACT SERV REIMBURSEMENT OF MILEAGE	049320	100.00
01-E00207	EMMA E. BELLIS					
		I-09-27369	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	049324	120.00
		I-09-27370	08 -5549308	CONTRACT SERV REIMBURSEMENT OF MILEAGE	049325	80.00
01-M00339	MIKE CARR					
		I-09-27367	08 -5549308	CONTRACT SERV REIMBURSEMENT OF MILEAGE	049337	100.00
				FUND 08 NUTRITION	TOTAL:	654.58

PAGE: 13

FUND : 09 LANDFILL RES./SUB-TITLE D

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-S00132	STEARNS, CONRAD & SCHMI					
		I-0146697	09 -5864327	SUB TITLE D E PROFESSIONAL SERVICE	049359	1,000.00
		I-0147410	09 -5864327	SUB TITLE D E PROFESSIONAL SERVICE	049359	3,852.50
				FUND 09 LANDFILL RES./SUB-TITLE DTOTAL:		4,852.50



2/02/2010 4:40 PM

REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 15

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 30 ECONOMIC DEVELOPMENT

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-000275	OKLA DEPT OF COMMERCE					
		I-FEB 2010	30 -5211510	CDBG / EDIF D CDBG - EDIF CONT. #12248	049348	282.50
				FUND 30 ECONOMIC DEVELOPMENT	TOTAL:	282.50

2/02/2010 4:40 PM

REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 16

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

FUND : 32 GIFTS & CONTRIBUTIONS

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-C00338	CGM, LLC					
		I-1694	32 -5215404	CAPITAL OUTLA STEEL DOORS & FRAMES	049312	2,000.00
				FUND 32 GIFTS & CONTRIBUTIONS	TOTAL:	2,000.00
				REPORT GRAND TOTAL:		216,740.31

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

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====		=====GROUP BUDGET=====	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
2009-2010	01 -5101350	ELECTIONS	4,353.00	30,000	13,645.40		
	01 -5101353	PITTSBURG EMERGENCY MGMT	40,000.00	40,000	0.00		
	01 -5210202	OPERATING SUPPLIES	349.08	5,000	1,906.13		
	01 -5210330	DUES & SUBSCRIPTIONS	270.00	2,200	1,572.86		
	01 -5211202	OPERATING SUPPLIES	380.30	5,200	743.55		
	01 -5212317	ADVERTISING & PRINTING	120.45	5,000	4,488.50		
	01 -5214302	CONSULTANTS	2,560.00	110,000	46,649.34		
	01 -5215106	WORKMAN'S COMP	2,348.45	325,000	153,567.30		
	01 -5215302	CONSULTANTS	2,750.00	3,500	13,355.00-	Y	
	01 -5215312	EQUIPMENT RENTALS	3,515.43	40,000	9,061.36		
	01 -5215313	ELECTRIC UTILITY	287.32	360,000	201,640.48		
	01 -5215314	GAS UTILITY	24.30	15,000	13,519.93		
	01 -5215315	TELEPHONE UTILITY	2,382.78	72,000	31,756.97		
	01 -5215510	LEASE PAYMENT	5,185.00	76,153	39,858.00		
	01 -5320202	OPERATING EXPENSE	150.59	4,500	2,721.87		
	01 -5321202	OPERATING SUPPLIES	499.79	15,500	7,355.07		
	01 -5321308	CONTRACTED SERVICES	135.00	22,150	12,170.58		
	01 -5321331	EMPLOYEE TRAVEL & TRAININ	395.00	3,500	1,841.91		
	01 -5431202	OPERATING SUPPLIES	252.48	12,100	4,463.66		
	01 -5431316	REPAIRS & MAINTENANCE	822.02	12,400	8,286.72		
	01 -5431330	DUES & SUBSCRIPTIONS	1,559.88	10,920	4,357.12		
	01 -5432308	CONTRACTED SERVICES	285.00	2,500	486.84		
	01 -5542202	OPERATING SUPPLIES	572.21	33,000	18,706.80		
	01 -5542203	REPAIRS & MAINT SUPPLIES	1,137.45	26,000	2,314.66		
	01 -5542316	REPAIRS & MAINTENANCE	126.00	18,000	6,915.57		
	01 -5543203	REPAIRS & MAINT SUPPLIES	136.00	5,000	4,488.20		
	01 -5544308	CONTRACT LABOR	540.00	16,500	10,198.03		
	01 -5548203	REPAIRS & MAINTENANCE SUPP	991.29	49,000	20,918.63		
	01 -5652202	OPERATING SUPPLIES	51.99	2,348	1,400.78		
	01 -5862203	REPAIRS & MAINT SUPPLIES	2,337.96	215,000	106,500.26		
	01 -5863203	REPAIR & MAINT SUPPLIES	535.00	40,000	11,859.09		
	01 -5865218	STREET REPAIRS & MAINTENAN	729.67	200,000	1,549.79		
	02 -5216202	OPERATING SUPPLIES	86.15	15,000	4,170.38		
	02 -5267106	WORKMAN'S COMP	3,582.19	225,000	99,093.70		
	02 -5267302	CONSULTANTS	2,750.00	2,395	13,413.45-	Y	
	02 -5267315	TELEPHONE UTILITY	1,560.55	40,000	11,789.89		
	02 -5267323	DAMAGES	570.18	0	25,899.10-	Y	
	02 -5267521	CDBG LOAN #8908	1,145.83	13,749	4,583.32		
	02 -5862203	REPAIRS & MAINT SUPPLIES	5,221.76	215,000	76,491.09		
	02 -5862205	PETROLEUM PRODUCTS	6,936.31	251,700	133,177.50		
	02 -5864203	REPAIRS & MAINT SUPPLIES	2,362.64	32,000	8,771.32		
	02 -5864401	CAPITAL OUTLAY	17,048.74	0	18,665.88-	Y	
	02 -5866204	SMALL TOOLS	19.11	1,500	0.52		
	02 -5871302	CONSULTANTS(HMP & SW PHASE	9,275.42	134,728	89,219.75		
	02 -5972202	OPERATING SUPPLIES	177.59	3,500	1,767.66		

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

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====		=====GROUP BUDGET=====	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
	02 -5973203	REPAIRS & MAINT SUPPLIES	2,167.98	57,500	23,004.70		
	02 -5973304	LAB TESTING	3,683.41	27,300	15,037.44		
	02 -5973316	REPAIRS & MAINTENANCE	249.85	51,500	41,084.08		
	02 -5973330	DUES & SUBSCRIPTIONS	19.65	800	603.90		
	02 -5974203	REPAIRS & MAINT SUPPLIES	1,194.96	40,000	986.63		
	02 -5974206	CHEMICALS	39,052.90	380,000	137,887.78		
	02 -5974304	LAB TESTING	1,600.00	35,000	2,311.66		
	02 -5974316	REPAIRS & MAINTENANCE	21,401.17	45,000	3,187.42		
	02 -5974317	ADVERTISING & PRINTING	65.90	2,000	1,103.21		
	02 -5975202	OPERATING SUPPLIES	1,741.07	34,000	12,936.16		
	02 -5975316	REPAIRS & MAINTENANCE	1,335.50	10,000	2,766.36		
	02 -5975333	WATER MAIN REPAIR	1,393.88	21,000	10,040.86		
	03 -5876511	FNB LOAN #119817 PAYMENTS	2,510.00	30,120	10,040.00		
	08 -5549308	CONTRACT SERVICES	520.00	14,800	4,877.50		
	08 -5549315	TELEPHONE UTILITY	134.58	1,400	381.46		
	09 -5864327	SUB TITLE D EXPENSE	4,852.50	152,928	95,829.00		
	28 -5654203	REPAIR & MAINT SUPPLIES	1,765.90	15,000	3,787.09		
	28 -5654210	CONCESSION SUPPLIES	2,468.91	25,000	6,353.33		
	28 -5654224	CATERING	34.74	4,000	3,371.29		
	28 -5654315	TELEPHONE UTILITY	605.00	0	605.00- Y		
	28 -5654316	REPAIRS & MAINTENANCE	290.00	14,400	1,731.71		
	28 -5654331	TRAVEL & TRAINING	850.00	2,000	897.57		
	30 -5211510	CDBG / EDIF DURALINE LOAN	282.50	3,390	0.00		
	32 -5215404	CAPITAL OUTLAY - PARKS	2,000.00	90,000	52,223.00		
	** 2009-2010 YEAR TOTALS **		216,740.31				

NO ERRORS

\*\* END OF REPORT \*\*

PACKET: 04880 CLAIMS FOR 2/9/10

VENDOR SET: 01

## REPORT TOTALS

## FUND DISTRIBUTION

FUND NO#	FUND NAME	AMOUNT
01	GENERAL FUND	75,783.44CR
02	MPWA	124,642.74CR
03	AIRPORT AUTHORITY	2,510.00CR
08	NUTRITION	654.58CR
09	LANDFILL RES./SUB-TITLE D	4,852.50CR
28	SE EXPO CTR/TOURISM FUND	6,014.55CR
30	ECONOMIC DEVELOPMENT	282.50CR
32	GIFTS & CONTRIBUTIONS	2,000.00CR
** TOTALS **		216,740.31CR

## ---- TYPE OF CHECK TOTALS ----

	NUMBER	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
HAND CHECKS		0.00	0.00	0.00
		0.00	0.00	
DRAFTS		0.00	0.00	0.00
		0.00	0.00	
REG-CHECKS	6	216,740.31	216,740.31CR	0.00
		216,740.31	0.00	
EFT		0.00	0.00	0.00
		0.00	0.00	
NON-CHECKS		0.00	0.00	0.00
		0.00	0.00	
ALL CHECKS	6	216,740.31	216,740.31CR	0.00
		216,740.31	0.00	

ERRORS:

0

WARNINGS:

0



# **Appointments**

**City of McAlester**  
**Audit & Finance Advisory Committee**  
**Term Expires 08/15/10**

## **JOHN TITSWORTH**

John graduated high school from Heavener, OK. He graduated from OU with BS in Business, Marketing & Finance. He has owned two trucking companies since 1977. John currently co-owns Triad Transport, a nationwide trucking company and Triad Service Center. He serves on the board of the Oklahoma Trucking Association and is actively involved in his church and community.

RECEIVED

JAN 21 2010

Center for Independent Living  
ADvantage Case Management  
Independent Living Services  
Community Integration  
Transportation  
Employment  
Recreation



601 E. Carl Albert Parkway, McAlester, Oklahoma 74501 ~ 918 426 6220 V/TDD ~ 800 568 6821 V/TDD

January 15, 2010

Mayor Kevin Priddle  
P.O. Box 578  
Municipal Building  
McAlester, OK 74502

Dear Mayor Priddle,

During the months of October, November, and December the Oklahomans for Independent Living provided transportation to 90 individuals. One hundred and twenty locations were visited including doctor's offices, pharmacies, McAlester Regional Hospital, Indian Clinic, DHS, Carl Albert Mental Health Center, DRS, voting sites, grocery stores, Wal-Mart, restaurants, and a variety of other sites. The total number of trips was 1,174.

Costs for the program for the 3 month period are as follows:

Drivers	\$6,447
Fringe Benefits	1,289
Fuel	1,009
Maintenance	72
Insurance/fees	280
Occupancy/Phone/Supplies	<u>870</u>
	\$ 9,967

OIL has also provided its core services of information and referral, advocacy, peer counseling, and independent living skills training. OIL sends a monthly newsletter to 1,700 individuals each month. Information and referral on disability related issues was provided on 828 requests.

Advocacy both individual and systemic was provided on disability related issues that concern civil rights, housing, environmental modifications, the Americans with Disabilities Act, employment, and program access.

Peer support activities included individual counseling and group activities. 284 individuals participated in 36 peer support and community integration activities.

Independent living skills training was provided to 20 individuals in the forms of money management, reading, computer skills training and preparation to take the written portion of the driver's examination.

Usable equipment is donated to OIL and OIL passes the equipment on to individuals with disabilities. 34 individuals benefited from the used equipment exchange. This included items such as power wheelchairs, standard wheelchairs, hospital beds, shower benches, walkers, canes and numerous other items.

OIL provided case management services for 92 individuals at risk of nursing home placement. Case management services ensure community resources are developed and used to assist people to live in their homes versus nursing home placement. OIL assisted 1 individual in moving out of nursing homes back into the community.

OIL appreciates the City of McAlester support and its commitment to the community integration and involvement of people with disabilities.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Ward", written in a cursive style.

Mike Ward  
Executive Director

Cc Peter Stasiak, City Manager



# McAlester City Council

## AGENDA REPORT

Meeting Date: January 23, 2010  
Kathy Wall, Executive Dir.  
Department: McAlester Main Street  
Prepared By: Peter J. Stasiak, ACM  
Date Prepared: January 26, 2010

Item Number: 1  
Account Code:  
Budgeted Amount:  
Exhibits: None

### Subject

Consider, and Act Upon, a request from McAlester Main Street to have a Car Show, Cruise Night and Chili Cook-Off on September 18, 2010. (Kathy Wall, Executive Director, McAlester Main Street)

### Recommendation

### Discussion

The McAlester Main Street is asking permission for a Car Show, Cruise Night and Chili Cook-off on September 18, 2010. The car show will be from 10 a.m. to 4 p.m. between second and third on Choctaw Avenue. The cruise period will be from 7 p.m. to 10 p.m. It will be a loop route composed of Choctaw, 6Th Street, Wyandotte Avenue, and South Main. Also, during the car show we will have a sound system contest, motor blow out and a BMX Exhibition. The Chili Cook-off will be 9 a.m. to 5 p.m. between second and first street on Choctaw Avenue.

We are asking permission to close Choctaw Avenue between Main street and fifth street, the night of September 17, 2010 at midnight to 5 p.m. September 18, 2010. And to close South Main from Carl Albert Pkwy to Cherokee Avenue from 6 p.m. to 10 p.m. to allow for a safe movement of people between the cruise. We are also requesting approval between 6 p.m. to 10 p.m. for vehicles with open exhaust.

We will provide port-a-pots for the general public. We are asking with assistance to provide security from Police Officers, Sheriff's Deputies and/ or Reserve Deputies.

Although successful events of a similar nature have been conducted in the past few years, we believe that with the help of a number of local car enthusiasts, the McAlester Main Street Program can provide a more controlled and safer event than in the past. We; therefore, ask approval of this request and thank the Mayor and Council for their time.

### Approved By

Department Head

City Manager

Initial

Date

PJS

01/28/10

**Cora Middleton**

**From:** Kevin Priddle [kpriddle@thebankna.com]  
**Sent:** Sunday, January 24, 2010 10:59 AM  
**To:** Peter Stasiak; Cora Middleton  
**Subject:** Fwd: Permission for Car Show & Chili Cook-off

Pete would you put this on as agenda item for the next regularly scheduled meeting.  
Sent from my iPhone

Begin forwarded message:

**From:** Kathy Wall <mcalestermainst@att.net>  
**Date:** January 23, 2010 6:30:04 PM CST  
**To:** Kevin Priddle <kpriddle@thebankna.com>  
**Subject:** Permission for Car Show & Chili Cook-off

**From:** Kathy Wall <mcalestermainst@att.net>  
**To:** hitt57@gmail.com  
**Sent:** Sat, January 23, 2010 5:58:26 PM  
**Subject:** Permission for Car Show & Chili Cook-off

Dear Mayor and City Council

The McAlester Main Street is asking permission for a Car Show, Cruise Night and Chili Cook-off on September 18, 2010. The car show will be from 10 a.m. to 4 p.m. between second and third on Choctaw Avenue. The cruise period will be from 7 p.m. to 10 p.m. It will be a loop route composed of Choctaw, 6Th Street, Wyandotte Avenue, and South Main. Also, during the car show we will have a sound system contest, motor blow out and a BMX Exhibition. The Chili Cook-off will be 9 a.m. to 5 p.m. between second and first street on Choctaw Avenue.

We are asking permission to close Choctaw Avenue between Main street and fifth street, the night of September 17, 2010 at midnight to 5 p.m. September 18, 2010. And to close South Main from Carl Albert Pkwy to Cherokee Avenue from 6 p.m. to 10 p.m. to allow for a safe movement of people between the cruise. We are also requesting approval between 6 p.m. to 10 p.m. for vehicles with open exhaust.

We will provide port-a-pots for the general public. We are asking with assistance to provide security from Police Officers, Sheriff's Deputies and/ or Reserve Deputies.

Although successful events of a similar nature have been conducted in the past few years, we believe that with the help of a number of local car enthusiasts, the McAlester Main Street Program can provide a more controlled and safer event than in the past. We; therefore, ask approval of this request and thank the Mayor and Council for their time.

Thank you,

Kathy Wall  
Executive Director

**McAlester Main Street**  
215 East Choctaw Avenue, Suite 112  
McAlester, Oklahoma 74501-5068  
918-423-8888  
[mcalestermainst@att.net](mailto:mcalestermainst@att.net)

=====  
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# McAlester City Council

## AGENDA REPORT

Meeting Date: February 9, 2010  
Department: MEDS  
Prepared By: Shari Cooper, Exec. Dir.  
Peter J. Stasiak, ACM  
Date Prepared: February 2, 2010

Item Number: 2  
Account Code: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_  
Exhibits: 1

### Subject

Presentation of Quarterly Report of the McAlester Economic Development Service, Inc.

### Recommendation

### Discussion

Ms. Shari Cooper, Executive Director, presents the MEDS Quarterly Report to the Council.

### Approved By

	Initial	Date
Department Head	PJS	02/02/10
City Manager	PJS <i>[Signature]</i>	02/02/10



# McAlester City Council

## AGENDA REPORT

**Meeting Date:** February 9, 2010  
Shaun Beggs, Pres./CEO  
**Department:** MRHC  
**Prepared By:** Cora Middleton, City Clerk  
**Date Prepared:** January 28, 2010

**Item Number:** 3  
**Account Code:**  
**Budgeted Amount:**  
**Exhibits:** 3

### Subject

Consider, and act upon, a Resolution approving a Special Election on May 11, 2010, to authorize financing for the acquisition of a medical/physician office building.

### Recommendation

### Discussion

Information provided by Shaun Beggs, President/CEO McAlester Regional Health Center. Mr. Beggs is also requesting time to speak before the Council to discuss this matter.

### Approved By

	Initial	Date
Department Head	CM	01/28/10
City Manager	PJS <i>PJS</i>	02/05/10





RECEIVED

JAN 26 2010

January 20, 2010

The Honorable Kevin Priddle  
Ms. Cora Middleton, City Clerk  
City of McAlester  
P.O. Box 578  
McAlester, OK 74502

Dear Mayor Priddle and Ms. Middleton:

I would like to request time on the City Council Agenda scheduled for Tuesday, February 9, 2010 to discuss filing a resolution requesting a special election on May 11, 2010. The vote will allow McAlester Regional Health Center Authority to obtain bank financing for the acquisition of a medical/physician office building.

Enclosed is a copy of the proposed resolution.

Please feel free to call should you have any questions.

Sincerely,

Shaun Beggs  
President/CEO

/jab

Enclosures

One Clark Bass Boulevard

McAlester, Oklahoma 74501

(918) 426-1800

A health care  
organization of



RESOLUTION No. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF McALESTER, COUNTY OF PITTSBURG, STATE OF OKLAHOMA, ON TUESDAY, THE 11<sup>TH</sup> DAY OF MAY, 2010, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF McALESTER, OKLAHOMA, THE QUESTION OF THEIR APPROVAL OR REJECTION OF PROPOSITION NO. \_\_\_\_\_, RELATED TO THE McALESTER REGIONAL HEALTH CENTER AUTHORITY, an OKLAHOMA PUBLIC TRUST, INCURRING CERTAIN DEBT.

\* \* \* \* \*

**WHEREAS**, the City Council of McAlester, Oklahoma, heretofore on the 9<sup>th</sup> day of February, 2010, approved the Proposition set forth below, which relates to McAlester Regional Health Center Authority obtaining bank financing for the acquisition of a medical/physician office building on behalf of the City of McAlester, Oklahoma, the proper legal description of which is set forth in Exhibit A hereto, and the incurring of certain indebtedness by the McAlester Regional Health Center Authority; and

**WHEREAS**, under the provisions of Oklahoma law, the City Council has determined that such a Proposition should be submitted to and approved by a majority of the registered voters of the City at an election called and held for such purpose before such debt is incurred.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF McALESTER, OKLAHOMA, that

SECTION 1. The Mayor of the City of McAlester, Oklahoma, be and is hereby authorized and directed to call a Special Election to be held in the City of McAlester, Oklahoma, on Tuesday, the 11<sup>th</sup> day of May 2010, for the purpose of submitting to the qualified electors of the City of McAlester, Oklahoma, for their approval or rejection, the following proposition:

**PROPOSITION**

**SHALL PROPOSITION NO. \_\_\_\_\_ OF THE CITY OF McALESTER, OKLAHOMA, APPROVING THE MCALESTER REGIONAL HEALTH CENTER AUTHORITY TO OBTAIN BANK FINANCING FOR THE ACQUISITION OF A MEDICAL/PHYSICIAN OFFICE BUILDING, KNOWN AS THE PHYSICIAN BUILDING AND AMBULATORY SURGERY CENTER, ON BEHALF OF THE CITY OF MCALESTER, OKLAHOMA, AND IN THE ACQUISITION OF SAID BUILDING, INCUR INDEBTEDNESS NOT TO EXCEED \$5,700,000.00 ON BEHALF OF SAID CITY BY THE MCALESTER REGIONAL HEALTH CENTER AUTHORITY FOR SAID ACQUISITION; PROVIDED FURTHER THAT THE ACQUISITION OF THE LAND AND BUILDING DESCRIBED HEREIN SHALL NOT CAUSE AN INCREASE IN OR CONTINUANCE OF ANY EXCISE TAX; BE APPROVED?**

SECTION 2. That the call for such Special Election shall be by Proclamation, signed by the Mayor and attested by the City Clerk, setting forth the proposition to be voted upon, and the hours of opening and closing of the polls. The ballots for the qualified electors shall set forth the proposition substantially as set out in Section 1 hereof, and the returns of such election shall be made to and canvassed by the Pittsburg County Election Board.

**PASSED AND APPROVED** this \_\_\_\_\_ day of February 2010.

CITY OF McALESTER, OKLAHOMA  
A Municipal Corporation

By \_\_\_\_\_  
Kevin Priddle, Mayor

ATTEST:

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

## **EXHIBIT A**

A tract or parcel of land being in Block 160 in the City of McAlester, formerly South McAlester, Pittsburg County, Oklahoma, more particularly describes as follows:

Beginning at the southeast corner of Lot 23, Block 160, thence northwest to a point on the west line of Lot 23, said point being north of the southwest corner of Lot 23 a distance of 67.86 feet, thence north along the west line of Lot 23, Block 160, a distance of 16.00 feet, thence northeast to a point, said point being east a distance of 13.91 feet and south a distance of 20.54 feet from the northwest corner of Lot 28, Block 160, thence southeast to a point on the east line of Lot 29, Block 160, said point being north of the southeast corner of Lot 29, Block 160 a distance of 19.39 feet, thence southwest to a point, said point being south a distance of 23.51 feet and east a distance of 19.10 feet from the southeast corner of Lot 23, Block 160, thence northwest to the southeast corner of Lot 23, Block 160, and the Point of Beginning.

A tract or parcel of land being in Block 160 in the City of McAlester, formerly South McAlester, Pittsburg County, Oklahoma, more particularly described as follows:

Beginning at the southeast corner of Lot 23, Block 160, thence southeast to a point, said point being south a distance of 23.51 feet and east a distance of 19.10 feet from the southeast corner of Lot 23, Block 160, thence southwest to a point, said point being south a distance of 33.72 feet and east a distance of 12.94 feet from the southwest corner of Lot 23, Block 160, thence northwest to a point, said point being north a distance of 76.26 feet and east a distance of 1.88 feet from the southwest corner of Lot 22, Block 160, thence northeast to a point, said point being on the west line of Lot 23, Block 160, a distance of 83.86 feet north of the southwest corner of Lot 23, Block 160, thence south along the west line of Lot 23, Block 160 a distance of 16.00 feet, thence southeast to the southeast corner of Lot 23, Block 160, and the Point of Beginning.

## REQUEST TO CITY ATTORNEY FOR LEGAL OPINION

## **SECTION I. REQUEST FOR INFORMATION**

1. Date Request Made: 1/29/10

Requestor Name: Cora Middleton

2. Department Name: City Clerk

3. Telephone Number(s) of Requestor: 918-423-9300 ext. 4956 4. Facsimile Number of Requestor: 918-421-4971

## **SECTION II. NATURE OF REQUEST**

1. Describe, in detail, the nature of your request:  
Review MRHC Resolution requesting a special election on May 11, 2010.

2. Specify Reference (Ordinance, Resolution, City Code, Contract, etc.):

### **SECTION III. DOCUMENTS FOR REVIEW**

1. Documents attached for review?      xxxx   YES      NO

**SECTION IV.     FOR REVIEW BY**

1. Name and telephone numbers of person and department to whom original response to request for opinion is to be made (if different from Requestor in Section I): Cora Middleton, City Clerk 423-9300 Ext. 4956.

2. Name, telephone and facsimile of any person to receive a carbon copy of response to requested opinion:

3. The City Manager will automatically receive a copy of the opinion.

**SECTION V. REQUESTED RESPONSE DATE**

1. Requested time for response (if applicable): 2/5/10

## SECTION VI. APPROVAL BY CITY MANAGER

1. Approval of request by City Manager: \_\_\_\_\_ Date 1-29-10

# Transmission Report

Date/Time  
Local ID 1  
Local ID 2

29-01-2010  
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Line 1 City of MCalester  
Line 2

This document : Confirmed  
(reduced sample and details below)  
Document size : 8.5"x11"

## REQUEST TO CITY ATTORNEY FOR LEGAL OPINION

### SECTION I REQUEST FOR INFORMATION

1. Date Request Made: 1/29/10  
Requestor Name: Cora Middleton
2. Department Name: City Clerk
3. Telephone Number(s) of Requestor: 918-423-9300 ext. 4956
4. Facsimile Number of Requestor: 918-421-4071

### SECTION II NATURE OF REQUEST

1. Describe, in detail, the nature of your request:  
Review MRHC Resolution requesting a special election on May 11, 2010.
2. Specify Reference (Ordinance, Resolution, City Code, Contract, etc.):

### SECTION III DOCUMENTS FOR REVIEW

1. Documents attached for review? ☒ YES ☐ NO

### SECTION IV FOR REVIEW BY

1. Name and telephone numbers of person and department to whom original response to request for opinion is to be made (if different from Requestor in Section I): Cora Middleton, City Clerk 423-9300 Ext. 4956.
2. Name, telephone and facsimile of any person to receive a carbon copy of response to requested opinion:
3. The City Manager will automatically receive a copy of the opinion.

### SECTION V REQUESTED RESPONSE DATE

1. Requested time for response (if applicable): 2/5/10

### SECTION VI APPROVAL BY CITY MANAGER

1. Approval of request by City Manager: POA 1-29-10  
Date

Total Pages Scanned : 5

Total Pages Confirmed : 6

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
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#### Abbreviations:

HS: Host send  
HR: Host receive  
WS: Waiting send

PL: Polled local  
PR: Polled remote  
MS: Mailbox save

MP: Mailbox print  
CP: Completed  
FA: Fail

TU: Terminated by user  
TS: Terminated by system  
RP: Report

G3: Group 3  
EC: Error Correct



# McAlester City Council

## AGENDA REPORT

Meeting Date:	<u>February 9, 2010</u>	Item Number:	<u>4</u>
Department:	<u>Acting City Manager</u>	Account Code:	<u>N/A</u>
Prepared By:	<u>Peter Stasiak</u>	Budgeted Amount:	<u>N/A</u>
Date Prepared:	<u>February 2, 2010</u>	Exhibits:	<u>(2) Ordinance, Fee Comparison</u>

### Subject

(PROSPONED FROM PREVIOUS MEETING)

Consider, and act upon, authorizing the Mayor to sign an Ordinance amending the Code of Ordinances of the City of McAlester for Inspections and Permit Fees, and declaring an emergency.

### Recommendation

Motion to approve an Ordinance of the City of McAlester amending the Code of Ordinances of the City for Inspection and Permit Fees, and declaring an emergency.

### Discussion

The City of McAlester has not analyzed the permit and inspections fees relating to construction since September 2005. The building department conducted a survey of ten (10) communities of similar size in Oklahoma to evaluate the fees they are charging. The proposed increases to the building and inspections fees moves the rates to being more on average compared to other cities.

### Approved By

		Initial	Date
Department Head		PJS	02/02/10
Acting City Manager	Peter Stasiak		02/02/10

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

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALESTER BY AMENDING THE FOLLOWING SECTIONS, 18-53 (2) FEES; 18-98 ELECTRICAL INSPECTIONS AND PERMIT FEES; 18-174 PLUMBING INSPECTIONS AND PERMIT FEES; 18-250 (C) MECHANICAL INSPECTION AND PERMIT FEES; 18-348 MOVING OF BUILDING FEES; RESIDENTIAL SWIMMING POOL FEES; CONSTRUCT OF WATER WELL FEES; AND DECLARING AN EMERGENCY.**

---

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

**SECTION 1:** Section 18-53 (2) of the Code of Ordinances, City of McAlester is hereby amended to read as follows:

**Section 18-53 (2).            FEES**

The fees for the permit required by this code shall be in accord with the following schedule:

- (a)    The applicant for a permit to construct, remodel, repair, or add to any residential building shall pay a fee of \$0.17 per square foot of total construction area covered by roof, with a minimum fee of \$30.00.
- (b)    The applicant for a permit to construct, remodel, repair, or add to any commercial or industrial building shall pay a fee of \$0.17 per square foot of total construction area covered by roof, with a minimum fee of \$40.00. Plus \$.02 per sq. ft. for fire inspection, administration and plan review to assure compliance with fire codes.
- (c)    All structures of more than 2,500 square feet of construction area covered by roof, requiring a detailed plan review by the engineering, code and fire department, shall be charged \$25.00 per hour per actual time for such plan examination, recommendation or approval.
- (d)    The building inspector shall make the five normal and necessary inspections required for the fees; footing, slab/steel, framing, insulation and final. Any additional inspections required shall be charged at the standard \$30.00 per inspection for residential and \$40.00 per inspection for commercial as provided for in electrical and plumbing sections.
- (e)    For the moving any building or structure, the fee shall be \$100.00 and prescribed in Section 18-348 of the code.
- (f)    For the demolition of any building or structure, the fee shall be \$30.00 for each issuance.



- (g) All building permit fees and related fees may be waived with a Memorandum of Understand (MOU) initiated by the City Manager and approved by the City Council. All related fees will be refunded on a reimbursement basis. Upon receipt of a written request for the same from any City commercial or industrial business that intends to expand locally, and through, which said expansion provides a minimum of 25 jobs or more to the City.
- (h) Applicant for a permit to construct a residential swimming pool shall pay a fee of \$50.00.
- (i) Applicant for a permit to construct a water well shall pay a fee of \$50.00

**SECTION 2:** Section 18-98 of the Code of Ordinances, City of McAlester is hereby amended to read as follows:

**Section 18-98. ELECTRICAL INSPECTIONS AND PERMIT FEES**

The following charges shall be assessed for permits and inspections and shall be paid to the City Treasurer.

- (1) Residential: \$0.06 per square foot of construction
- (2) Commercial: \$0.06 per square foot of construction
- (3) Remodeling/general inspection fees:
  - Residential: \$30.00
  - Commercial: \$40.00
- (4) Required re-inspection:
  - Residential: \$30.00
  - Commercial: \$40.00

**SECTION 3:** Section 18-174 of the Code of Ordinances, City of McAlester is hereby amended to read as follows:

**Section 18-174. PLUMBING INSPECTIONS AND PERMIT FEES**

The following charges shall be assessed for the permits and inspections required.

- (1) New construction/general permit fees:
  - Residential: \$0.06 per square foot of construction, including inspection.
  - Commercial: \$0.06 per square foot of construction, including inspection.
- (2) Remodeling/general inspection fees:
  - Residential: \$30.00
  - Commercial: \$40.00

- (3) Required re-inspection:  
Residential: \$30.00  
Commercial: \$40.00

**SECTION 4:** Section 18-250(c) Code of Ordinances, City of McAlester is hereby amended to read as follows:

- (1) Residential: \$0.04 per square foot of construction new/additions)  
(2) Commercial: \$0.04 per square foot of construction  
(3) Single inspection:  
Residential: \$30.00  
Commercial: \$40.00  
(4) Required re-inspection:  
Residential: \$30.00  
Commercial: \$40.00

(Code 1974, §7-130; Ord. No. 2145 §10, 2-26-02; Ord. No. 2188, §10, 12-14-04; Ord. No. 2208 §10, 9-27-05)

**SECTION 5:** **EMERGENCY CLAUSE**

That an emergency is hereby declared to exist, and for the preservation of the public peace, health and safety, by reason whereof it is necessary that this Act take effect immediately and be in full force and effect from, and after the passage and approval.

**PASSED and the EMERGENCY CLAUSE ruled on separately this 26th day of January, 2010.**

CITY OF MCALESTER, OKLAHOMA  
A Municipal Corporation

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

ATTEST:

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

Approved as to form and legality this 26th day of January, 2010.

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

January 4, 2010

Re: Construction Permit Fee Survey

This survey was conducted on at least 10 other cities in Oklahoma. The data came from fee schedules from Ada, Ardmore, Bethany, Bixby, Claremore, Del City, Duncan, Muskogee, Ponca City, and Sapulpa.

Based on this data, McAlester is at present collecting about 51.3% of the average fees of these cities for a 2000 square foot residential dwelling. The fee for a sewer tap is 28.2% of the average. Inspection fees for Building, Plumbing, Electric, and HVAC inspections are at 67.9% of the average. Recommendations for a new residential fee schedule are included with the survey.

The same cities were used in calculation of a 5000 square foot commercial structure. McAlester is presently collecting about 61.8% of the average. The fee for a commercial sewer tap is 54.2% of the average. Recommendations for a new commercial fee schedule are included with the survey.

Based on the recommended fee schedule the permit income for FY 2008-09 would increase from \$87,442 to \$155,641. This would represent an increase of \$68,199, or 78% in building permit fee revenue. Based on a \$75.00 per sq. ft. building cost, the proposed adjustments to permit fees would still represent less than  $\frac{1}{2}$  of 1% of both the residential and commercial total building costs.

These permit fees were last adjusted in September of 2005.

**PERMIT FEE SURVEY & RECOMMENDATIONS**  
**RESIDENTIAL 2000sq.ft \$150,000 2 Bathrooms**

	<b>McAlester Present Fee</b>	<b>Average</b>	<b>McAlester % of Avg.</b>	<b>Recommend New Fee</b>
Building Permit Fee .06 sq.ft. Minimum	\$120.00 \$ 20.00 -----	\$370.40	35.2%	\$0.17 / sq.ft. \$30.00
Plumbing Permit Fee .04 sq.ft. Minimum	\$ 80.00 \$20.00-----	\$152.85	52.3%	\$0.06 / sq.ft. \$30.00
Electric Permit Fee .04 sq.ft. Minimum	\$80.00 \$20.00-----	\$124.35	56.2%	\$0.06 / sq.ft. \$30.00
HVAC Permit Fee Minimum	\$80.00 \$20.00-----	\$ 83.85	95.4%	\$0.04 /sq.ft. (no change) \$30.00
<b>Total</b>	<b>\$360.00</b>	<b>\$701.75</b>	<b>51.3%</b>	<b>\$660.00</b>
<b>Additional Fees</b>				
Sewer Tap	\$100.00	\$354.62	28.2%	\$300.00
Sewer Tap Fee to Existing Line	0 -----			\$100.00
Swimming Pool	\$ 10.00	\$ 50.57	20.0%	\$ 50.00
Water Wells	\$ 20.00 -----			\$50.00
House Moving	\$50.00-----			\$100.00
Inspection Fee	\$ 20.00	\$29.45	67.9%	\$ 30.00
Certificate of Occupancy	0-----			\$ 25.00

# **PERMIT FEE SURVEY AND RECOMMENDATIONS** **5000 SQ.FT. COMMERCIAL**

	<b>McAlester Present Fee</b>	<b>Average</b>	<b>McAlester % of Avg.</b>	<b>Recommend New Fee</b>
Building Permit Fee .06 sq.ft. Minimum	\$300.00 \$25.00-----	\$899.25	33.4%	\$0.17 / sq.ft. \$40.00
Electric Permit Fee .04 sq.ft. Minimum	\$200.00 \$25.00-----	\$159.35	125.5%	\$0.04 /sq.ft. (no change) \$40.00
Plumbing Permit Fee .04 sq.ft. Minimum	\$200.00 \$25.00-----	\$257.30	77.7%	\$0.05 /sq.ft. \$40.00
HVAC Permit Fee .04 sq.ft. Minimum	\$200.00 \$25.00-----	\$139.60	143.0%	\$0.04 /sq.ft. (no change) \$40.00

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Total Permit	\$900.00	\$1,455.50	61.8%	\$1,500.00
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## **Additional Fees**

Sewer Tap Fee	\$200.00	\$368.75	54.2%	\$ 400.00
Sewer Tap Fee to Existing line (Reconnection)	0 -----			\$ 100.00
Sign	\$10.00/ \$25.00	\$ 43.32	23.1-57.7%	\$ 40.00
Inspection Fee Bldg.-Plmg. Elec.- HVAC	\$25.00-----			\$ 40.00
Certificate of Occupancy	0-----			\$25.00

## REQUEST TO CITY ATTORNEY FOR LEGAL OPINION

### SECTION I. REQUEST FOR INFORMATION

1. Date Request Made: January 14, 2010
2. Requestor Name: Peter Stasiak
3. Department Name: City Manager
4. Telephone Number(s) (918) 423-9300 of Requestor:
5. Facsimile Number (918) 421-4970 of Requestor:

### SECTION II. NATURE OF REQUEST

1. Describe, in detail, the nature of your request: **Update of building and inspection fees**
2. Specify Reference (Ordinance, Resolution, City Code, Contract, etc.): **Ordinance**

### SECTION III. DOCUMENTS FOR REVIEW

1. Documents attached for review? YES ☒ NO

### SECTION IV. FOR REVIEW BY

1. Name and telephone numbers of person and department to whom original response to request for opinion is to be made (if different from Requestor in Section I):
2. Name, telephone and facsimile of any person to receive a carbon copy of response to requested opinion:
3. The City Manager will automatically receive a copy of the opinion.

### SECTION V. REQUESTED RESPONSE DATE

1. Requested time for response (if applicable): At your convenience. **Immediate**

### SECTION VI. APPROVAL BY CITY MANAGER

1. Approval of request by City Manager: Peter Stasiak 1-14-10  
Date



# McAlester City Council

## AGENDA REPORT

**Meeting Date:** February 9, 2010  
**Department:** Acting City Manager  
**Prepared By:** Peter Stasiak  
**Date Prepared:** February 2, 2010

**Item Number:** 5  
**Account Code:** N/A  
**Budgeted Amount:** N/A  
**Exhibits:** (2) Ordinance, Fee Comparison

### Subject

(POSTPONED FROM PREVIOUS MEETING)

Consider, and act upon, authorizing the Mayor to sign an Ordinance amending the Code of Ordinances of the City of McAlester for Sanitary Sewer Connection Fees inside and outside the corporate limits, and declaring an emergency.

### Recommendation

Motion to approve an Ordinance of the City of McAlester amending the Code of Ordinances of the city for Sanitary Sewer Connection Fees inside and outside the corporate limits, and declaring an emergency.

### Discussion

The City of McAlester has not analyzed the Sanitary Sewer Connection Fees relating to construction since September 2005. The building department conducted a survey of ten (10) communities of similar size in Oklahoma to evaluate the fees they are charging. The proposed increases to the Sanitary Sewer Connection Fees moves the rates to being more on average compared to other cities.

### Approved By

		<i>Initial</i>	<i>Date</i>
<b>Department Head</b>		PJS	02/10/10
<b>Acting City Manager</b>	Peter Stasiak	<i>PJS</i>	02/10/10

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

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALESTER BY AMENDING SECTION 31-75 AND SECTION 31-76 OF CHAPTER 31, ARTICLE III, MCALESTER CODES, BY ESTABLISHING SANITARY SEWER CONNECTION FEES FOR INSIDE AND OUTSIDE THE CORPORATE LIMITS, AND DECLARING AN EMERGENCY.**

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

**SECTION 1:** Section 31-75 of the Code of Ordinances, City of McAlester, Oklahoma, is hereby amended to read as follows:

**Section 31-75.      Permit to connect structures inside corporate limits.**

Any person, firm or corporation desiring to connect with the sanitary sewer system of the City of McAlester shall pay a fee to connect to the sanitary sewer on the following rate:

- |    |   |   |
|----|---|---|
| a. | Single family dwelling:                             | \$300.00  |
| b. | Duplexes, apartment houses,<br>mobile home parks:   | \$300.00 plus \$10.00 for each unit in excess<br>of one apartment house, duplex or mobile<br>home park. |
| c. | All others, including commercial<br>and industrial: | \$400.00  |
| d. | Sewer tap fee to existing lines:                    | \$100.00  |

**SECTION 2:** Section 31-76 of the Code of Ordinances, City of McAlester is hereby amended to read as follows:

**Section 31-76.      Permit to connect structures outside corporate limits.**

Any person, firm or corporation desiring to connect with the sanitary sewer system of the City of McAlester shall pay a fee to connect to the sanitary sewer on the following rate:

- |    |   |   |
|----|---|---|
| a. | Single family dwelling:                           | \$300.00  |
| b. | Duplexes, apartment houses,<br>mobile home parks: | \$300.00 plus \$10.00 for each unit in excess<br>of one apartment house, duplex or mobile<br>home park. |



- d. All others, including commercial and industrial: \$400.00
- e. Sewer tap fee to existing lines: \$100.00

**SECTION 3:** All ordinances in conflict with the above amendments are specifically repealed.

**SECTION 4:** **EMERGENCY CLAUSE**

That an emergency is hereby declared to exist, and for the preservation of the public peace, health and safety, by reason whereof it is necessary that this ordinance take effect immediately and be in full force and effect from, and after the passage and approval.

**PASSED and the EMERGENCY CLAUSE ruled on separately this 26th day of January, 2010.**

CITY OF MCALESTER, OKLAHOMA  
A Municipal Corporation

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

ATTEST:

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

Approved as to form and legality this 26th day of January, 2010.

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

January 4, 2010

Re: Construction Permit Fee Survey

This survey was conducted on at least 10 other cities in Oklahoma. The data came from fee schedules from Ada, Ardmore, Bethany, Bixby, Claremore, Del City, Duncan, Muskogee, Ponca City, and Sapulpa.

Based on this data, McAlester is at present collecting about 51.3% of the average fees of these cities for a 2000 square foot residential dwelling. The fee for a sewer tap is 28.2% of the average. Inspection fees for Building, Plumbing, Electric, and HVAC inspections are at 67.9% of the average. Recommendations for a new residential fee schedule are included with the survey.

The same cities were used in calculation of a 5000 square foot commercial structure. McAlester is presently collecting about 61.8% of the average. The fee for a commercial sewer tap is 54.2% of the average. Recommendations for a new commercial fee schedule are included with the survey.

Based on the recommended fee schedule the permit income for FY 2008-09 would increase from \$87,442 to \$155,641. This would represent an increase of \$68,199, or 78% in building permit fee revenue. Based on a \$75.00 per sq. ft. building cost, the proposed adjustments to permit fees would still represent less than  $\frac{1}{2}$  of 1% of both the residential and commercial total building costs.

These permit fees were last adjusted in September of 2005.

**PERMIT FEE SURVEY & RECOMMENDATIONS**  
**RESIDENTIAL 2000sq.ft \$150,000 2 Bathrooms**

	<b>McAlester Present Fee</b>	<b>Average</b>	<b>McAlester % of Avg.</b>	<b>Recommend New Fee</b>
Building Permit Fee .06 sq.ft. Minimum	\$120.00 \$ 20.00 -----	\$370.40	35.2%	\$0.17 / sq.ft. \$30.00
Plumbing Permit Fee .04 sq.ft. Minimum	\$ 80.00 \$20.00-----	\$152.85	52.3%	\$0.06 / sq.ft. \$30.00
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<hr/>				
Total	\$360.00	\$701.75	51.3%	\$660.00
Additional Fees				
Sewer Tap	\$100.00	\$354.62	28.2%	\$300.00
Sewer Tap Fee to Existing Line	0 -----			\$100.00
Swimming Pool	\$ 10.00	\$ 50.57	20.0%	\$ 50.00
Water Wells	\$ 20.00 -----			\$50.00
House Moving	\$50.00-----			\$100.00
Inspection Fee	\$ 20.00	\$29.45	67.9%	\$ 30.00
Certificate of Occupancy	0-----			\$ 25.00

# **PERMIT FEE SURVEY AND RECOMMENDATIONS** **5000 SQ.FT. COMMERCIAL**

	<b>McAlester Present Fee</b>	<b>Average</b>	<b>McAlester % of Avg.</b>	<b>Recommend New Fee</b>
Building Permit Fee .06 sq.ft.	\$300.00	\$899.25	33.4%	\$0.17 / sq.ft.
Minimum	\$25.00-----			\$40.00
Electric Permit Fee .04 sq.ft	\$200.00	\$159.35	125.5%	\$0.04 /sq.ft. (no change)
Minimum	\$25.00-----			\$40.00
Plumbing Permit Fee .04 sq.ft.	\$200.00	\$257.30	77.7%	\$0.05 /sq.ft
Minimum	\$25.00-----			\$40.00
HVAC Permit Fee .04 sq.ft.	\$200.00	\$139.60	143.0%	\$0.04 /sq.ft. (no change)
Minimum	\$25.00-----			\$40.00
<hr/>				
Total Permit	\$900.00	\$1,455.50	61.8%	\$1,500.00
 Additional Fees				
Sewer Tap Fee	\$200.00	\$368.75	54.2%	\$ 400.00
Sewer Tap Fee to Existing line (Reconnection)	0 -----			\$ 100.00
Sign	\$10.00/ \$25.00	\$ 43.32	23.1-57.7%	\$ 40.00
Inspection Fee Bldg.-Plmg. Elec.- HVAC	\$25.00-----			\$ 40.00
Certificate of Occupancy	0-----			\$25.00

## REQUEST TO CITY ATTORNEY FOR LEGAL OPINION

### SECTION I. REQUEST FOR INFORMATION

1. Date Request Made: January 14, 2010
2. Requestor Name: Peter Stasiak
3. Department Name: City Manager
4. Telephone Number(s) of Requestor: (918) 423-9300
5. Facsimile Number of Requestor: (918) 421-4970

### SECTION II. NATURE OF REQUEST

1. Describe, in detail, the nature of your request: **Sanitary sewer connection fees**
2. Specify Reference (Ordinance, Resolution, City Code, Contract, etc.): **Ordinance**

### SECTION III. DOCUMENTS FOR REVIEW

1. Documents attached for review? YES X NO

### SECTION IV. FOR REVIEW BY

1. Name and telephone numbers of person and department to whom original response to request for opinion is to be made (if different from Requestor in Section I):
2. Name, telephone and facsimile of any person to receive a carbon copy of response to requested opinion:
3. The City Manager will automatically receive a copy of the opinion.

### SECTION V. REQUESTED RESPONSE DATE

1. Requested time for response (if applicable): At your convenience. **Immediate**

### SECTION VI. APPROVAL BY CITY MANAGER

1. Approval of request by City Manager: Peter Stasiak 1-14-10  
Date



# McAlester City Council

## AGENDA REPORT

Meeting Date:	February 9, 2010	Item Number:	6
Department:	Utilities		
Prepared By:	David Medley	Account Code:	
Date Prepared:	January 28, 2010	Budgeted Amount:	Budget Transfer Pending
		Exhibits:	Two

### Subject

Consider, and act upon a Work Order for Mehlburger Brawley Corporation for engineering services required for the design of construction of the U.S. 69 Utility Relocate, ODOT State Job No. 14999 (04) as required by the Oklahoma Department of Transportation.

### Recommendation

Motion to approve and authorize the Mayor to sign the work order for Mehlburger Brawley to complete work required for U.S. 69 Utility Relocate, ODOT State Job No. 14999 (04) for an estimated fee of \$50,000 upon review and approval of by the City Attorney's Office.

### Discussion

Per the attached copy of Mehlburger Brawley's Work Order for professional services for the U.S. 69 Utility Relocate, the fee for engineering services is to be based on the percentage of construction costs as per the standard fee schedule. This project will complete the design phase and construction permitting phase to relocate the City's water and sewer utilities as required for O.D.O.T.'s construction of the U.S. Highway No. 9 Comanche Avenue Interchange project. The highway project has been rescheduled by O.D.O.T. for year 2013. The utility relocation work will therefore be required in 2011. Total estimated project cost of the utility relocation is \$872,950.00. A future work order for Mehlburger Brawley that will include bidding, construction management, and inspection is anticipated in the next fiscal year's budget.

### Approved By

	Initial	Date
Department Head	DRM	01/28//10
City Manager	PJS <i>PJS</i>	02/3/10



## MEHLBURGER BRAWLEY

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

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### WORK ORDER FOR PROFESSIONAL SERVICES

#### CITY OF MCALESTER / MCALESTER PUBLIC WORKS AUTHORITY

##### Project Number MC-10-01

This will constitute authorization by the City of McAlester / McAlester Public Works Authority (Owner) for Mehlburger Brawley, Inc. (Engineer) to proceed with the following described as "Project":

Project Description: US 69 Utility Relocate, ODOT J/P 14999(04)

- Coordinate proposed location of water and sewer mains with ODOT planned improvements for US 69 Highway from Comanche Ave. to Peaceable Ave.
- Provide surveying in areas of improvements.
- Prepare engineering Plans and Specifications, P&S, for relocation of water and sewer mains.
- Prepare Application for "Permit to Construct" and coordinate submittal of P&S to the Oklahoma Department of Environmental Quality for authorization.
- 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).

The following is not within the scope of this work order and may be added with written amendment to Work Order at the time of construction.

- Prepare bid packages and assist owner in obtaining bids from contractor(s) for the construction of the improvements. Review bids received and make recommendations to Owner.
- Prepare contract documents and coordinate pre-construction meeting.
- Review and approve material submittals from contractor(s).
- Provide construction management services including review of contractors work, approving contractors pay estimates, review change order requests, and be the final judge of acceptance of the work performed by the contractor.
- Provide Resident Project Representative during Construction

For performing the services described, the Engineer is to be paid a lump sum fee of \$45,000.00. The surveying fee will be a lump sum fee of \$5,000.00

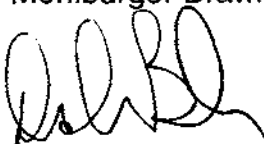
The fee for services shall be further broken down as follows:

Surveying	\$ 5,000.00
Engineering Design	<u>\$ 45,000.00</u>
Total Fees	\$ 50,000.00

APPROVED:  
City of McAlester

By: \_\_\_\_\_  
Kevin Priddle  
Mayor

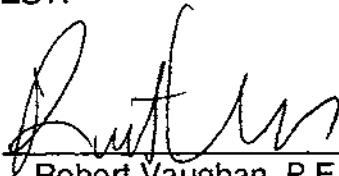
ACCEPTED:  
Mehlburger Brawley, Inc.

By: \_\_\_\_\_  
Dale Burke, P.E.  
Vice President

ATTEST:


\_\_\_\_\_

ATTEST:

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

DATE: \_\_\_\_\_



 <b>MEHLBURGER BRAWLEY</b> <small>THE MERGING OF MRS. INC. THE MEHLBURGER FIRM - BRAWLEY ENGINEERING CORP.</small>		<b>Preliminary Project Cost Estimate</b>			
		<b>City of McAlester / McAlester Public Works Authority</b>			
		<b>1/28/2010</b>			
		<b>Page 1 of 1</b>			
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3	8-inch Sewer Main, Ductile Iron Pipe	Linear Foot	60	\$ 85.00	\$ 5,100.00
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## MEHLBURGER BRAWLEY

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

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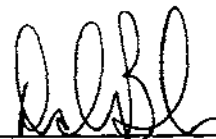
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City of McAlester

ACCEPTED:  
Mehlburger Brawley, Inc.

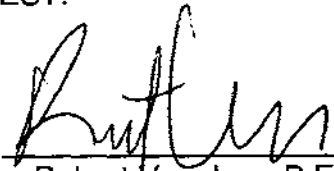
By: \_\_\_\_\_  
Kevin Priddle  
Mayor

By:  \_\_\_\_\_  
Dale Burke, P.E.  
Vice President


ATTEST:

\_\_\_\_\_

ATTEST:

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

DATE: \_\_\_\_\_

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## MEHLBURGER BRAWLEY

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

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APPROVED:  
City of McAlester

ACCEPTED:  
Mehlburger Brawley, Inc.

By: \_\_\_\_\_  
Kevin Priddle  
Mayor

By: \_\_\_\_\_  
Dale Burke, P.E.  
Vice President


ATTEST:

ATTEST:

\_\_\_\_\_

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

DATE: \_\_\_\_\_

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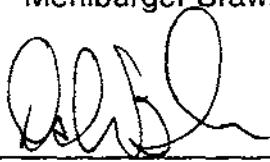
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City of McAlester

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Kevin Priddle  
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ACCEPTED:  
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ATTEST:

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# McAlester City Council

## AGENDA REPORT

Meeting Date:	February 9, 2010	Item Number:	7
Department:	Finance	Account Code:	
Prepared By:	Gayla Duke	Budgeted Amount:	
Date Prepared:	February 1, 2010	Exhibits:	Two

### Subject

Consider, and act upon, an Ordinance amending Ordinance No. 2327 which established the budget for fiscal year 2009-2010; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency.

### Recommendation

Motion to approve the budget amendment ordinance.

### Discussion

The budget amendment ordinance is necessary to cover proposed revenue and expenditures not included in the budget for this fiscal year.

Exhibit A-1: **Dedicated Sales Tax Fund.** Need to increase budget for bond payments. Error found in the statement and calculation for last year. New amounts are calculated Feb. 1<sup>st</sup>. Main adjustment is for '99B Series.

Exhibit A-2: **Repayment Fund (CIP):** Appropriate funds for Hwy 69 Utility Relocate design. Appropriate transfer from General Fund for Carolyn Heard settlement.

Exhibit A-3: **Juvenile Fund:** Appropriate funds for loan to Gifts and Contributions Fund for skate park.

Exhibit A-4: **Gifts & Contributions Fund:** Adjust budget for additional donation for skate park and appropriate loan from Juvenile Fund to complete skate park expansion.

Exhibit A-5: **General Fund:** Appropriate revenue from Carolyn Heard settlement.

### Approved By

	Initial	Date
Department Head	GDD	01/14/10
City Manager	PJS <i>PJS</i>	02/05/10

**ORDINANCE NO. \_\_**

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2327 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2009-2010; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City Council heretofore adopted Ordinance No. 2327 setting forth the Budget for Fiscal Year 2009-2010 beginning July 1, 2009 and ending June 30, 2010; and

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

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

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

**WHEREAS**, the City Council has determined that the proposed amendment to the FY 2009-2010 Budget, with the revenues and expenditures therein contained, is in the best interest of the City; and therefore, desires to adopt the same by formal action.

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

**SECTION 1:** The proposed amendment to the FY 2009-2010 Budget of the City of McAlester, Oklahoma, as heretofore adopted by Ordinance, as summarized in Exhibits A1 through A5, which are attached hereto and fully incorporated herein by reference, be, and the same hereby are, completely adopted and approved as an amendment to the said FY 2009-2010 Budget.

**SECTION 2:** All portions of the existing FY 2009-2010 Budget, Ordinance No. 2327 except as specifically herein amended, shall remain in full force and effect, and not be otherwise affected by the adoption of the amendatory ordinance.

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

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

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

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

**PASSED and the EMERGENCY CLAUSE ruled on separately this 9th day of February, 2010.**

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

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

**ATTEST:**

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

**Approved as to form and legality this 9<sup>th</sup> day of February, 2010.**

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

**CITY OF MCALESTER**  
**FY 09-10 Budget Amendments**

BA#				<u>Revenue</u>	<u>Expense</u>
001	7/28/09	Gen. Fund	Various, court fees to CIP	4,500.00	4,500.00
004	8/11/09	Gen. Fund	Parks Donations	20,000.00	90,000.00
009	9/8/09	Gen. Fund	Elevator Contract	-	4,800.00
010	9/8/09	Gen. Fund	Fair Donations	5,000.00	5,000.00
015	9/22/09	Gen. Fund	Replace AC unit	-	36,851.00
016	10/13/09	Gen. Fund	Transfer funds for Fire Grant	-	-
020	10/13/09	Gen. Fund	Street repairs - "A" Street	28,000.00	28,000.00
021	10/13/09	Gen. Fund	Street repairs - "D" Street	13,500.00	13,500.00
025	11/10/09	Gen. Fund	Tft to new fund - gifts/contributions	(20,000.00)	(127,957.00)
026	11/24/09	Gen. Fund	Tfr to Fund 32, Airport, from #30	21,826.00	55,283.00
034	12/21/09	Gen. Fund	Budget Reductions	-	(105,616.00)
035	12/21/09	Gen. Fund	Budget Reductions	-	(105,493.00)
036	12/21/09	Gen. Fund	Budget Reductions	-	(63,064.00)
037	12/21/09	Gen. Fund	Budget Reductions & Tfr Gifts/Con	(150.00)	(67,952.00)
042	1/12/10	Gen. Fund	Water Treatment Plant Improve.	640,892.00	540,892.00
045	1/26/10	Gen. Fund	Corr. Tfr. To Nutrition & firefighter	-	(20,038.00)
051	2/9/10	01 Gen. Fund	Carolyn Heard Settlement	70,000.00	70,000.00
				<b>783,568.00</b>	<b>358,706.00</b>
008	9/8/09	MPWA	Moving Expense	-	3,000.00
019	10/13/09	MPWA	Emergency street repairs - gen	-	41,500.00
029	12/21/09	MPWA	Civil Em Mgmt & Tfr to G & C	4,828.50	5,426.50
038	12/21/09	MPWA	Budget Reductions	-	(69,790.00)
039	12/21/09	MPWA	Budget Reductions	-	(81,881.00)
041	1/12/10	MPWA	Water Treatment Plant Improve.	-	541,792.00
044	1/12/10	MPWA	Water Treatment Plant Improve.	431,908.00	431,908.00
				<b>436,736.50</b>	<b>871,955.50</b>
011	9/8/09	Airport Authority	Fuel Tanks	-	10,000.00
028	11/24/09	Airport Authority	Fuel Lines	-	4,000.00
				-	<b>14,000.00</b>
040	12/21/09	Nutrition	Budget Reductions	(24,788.00)	(24,788.00)
049	2/9/10	13 Juvenile Fund	Skate Park Expansion	-	50,000.00
014	9/22/09	Police Grants	Grant split with county	40,595.00	40,595.00
005	8/11/09	State Forfeiture	Appropriate supplies from forfeit.	-	50,000.00
002	7/28/09	Fire Imp. Grant	Truck from grant	22,000.00	22,000.00
017	10/13/09	Fire Imp. Grant	Add'l needed for truck	172.00	172.00
				<b>22,172.00</b>	<b>22,172.00</b>
012	9/8/09	Expo	Elevator Contract	-	2,400.00
013	9/22/09	Expo	Insurance	-	6,470.00
032	12/21/09	Expo	Budget Reductions	-	(34,937.00)
				-	<b>(26,067.00)</b>
003	7/28/09	Econ Dev.	Sewer project & Econ Dev.	230,747.00	280,096.00
007	8/11/09	Econ Dev.	Sewer Change Order	20,630.00	20,630.00
018	10/13/09	Econ Dev.	Reimbursement Revenue rec'd	9,630.00	9,630.00

**CITY OF MCALESTER**  
**FY 09-10 Budget Amendments**

BA#					<u>Revenue</u>	<u>Expense</u>
027	11/24/09		Econ Dev.	Transfer funds to General Fund	-	21,826.00
033	12/21/09		Econ Dev.	Budget Reductions	-	(42,391.00)
					<b>261,007.00</b>	<b>289,791.00</b>
024	11/10/09		Gifts & Contributions	New Fund	127,957.00	127,957.00
030	12/21/09		Gifts & Contributions	Transfer from Gen Fund & MPWA	(2,440.85)	(2,440.85)
050	2/9/10	32	Gifts & Contributions	Skate Park Expansion	10,000.00	10,000.00
					<b>135,516.15</b>	<b>135,516.15</b>
023	11/10/09		CDBG Grant	Appropriate grant & match	181,260.00	181,260.00
031	12/21/09		Dedicated Sales Tax	Correct Budget - not appr by vote	-	(2,208,000.00)
047	2/9/10	38	Dedicated Sales Tax	Bond Payments	-	85,440.00
					-	<b>(2,122,560.00)</b>
022	11/10/09		CIP Fund	Tfr grant match	-	90,630.00
043	1/12/10		CIP Fund	Water Treatment Plant Improve.	640,892.00	640,892.00
046	1/26/10		CIP Fund	Filters for water treatment	-	24,879.00
048	2/9/10	41	Repayment (CIP)	Hwy 69 Utility Relocate	41,578.00	50,000.00
					<b>682,470.00</b>	<b>806,401.00</b>
006	8/11/09		Federal Forfeiture	Appropriate supplies from forfeit.	-	8,000.00

\* = Wash, in transfer





Fund Number	Account Number	Department	Description	Balance Before Amendment	Amount of Increase (Decrease)	Balance After Amendment
41	3001		Fund Balance	-	8,422.00	
41	4-0-720		Transfer from General Fund	640,892.00	41,578.00	682,470.00
			Total		50,000.00	

**Appropriations**

[illegible]

\*\*\* Does not include a beginning budgetary fund balance.

Appropriate funds for Hwy 69 Utility Relocate Design. Appropriate transfer from General Fund for Carolyn Hearod Settlement.

City Clerk



Fund Number	Account Number	Department	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
32	4-0-732		Transfer from Gifts & Contributions Fund	-	\$0,000.00	\$0,000.00
32	4-0-600		Loan Proceeds	65,900.00	(65,000.00)	-
32	4-0-604		Donations - Parks - (Other)	25,000.00	25,000.00	\$0,000.00
			Total		10,000.00	

[illegible]

Original Budget - Revenues ***	\$ -
Amendments	135,516
Current Budget - Revenues	\$ 135,516
Original Budget - Expenditures	\$ -
Amendments	135,516
Current Budget - Expenditures	\$ 135,516

Approved by the City Council this  
December 21, 2009

Adjust budget for additional donation for skate park and appropriate loan from Juvenile Fund for completion of the skate park expansion.

**Attest:**

Posted By \_\_\_\_\_ Date \_\_\_\_\_ BA# \_\_\_\_\_ Pkl.# \_\_\_\_\_

A0910-050





February 2, 2010

City of McAlester  
Attn: Sherry Alessi  
P.O. Box 578  
McAlester, OK 74502

Reference: McAlester PWA Auth Utility Refunding Revenue Bonds  
Series 1999 A & B  
McAlester PWA Auth Utility System Revenue Bonds  
Series 2002

Dear Sherry,

Please be advised that the required monthly debt service payments for the above referenced bond issues have changed effective 2/1/2010 as follows:

Per Morgan Stanley Debt Service Fund Agreement  
Series 1999 (see attached excerpt)

Monthly Interest Deposit \$ 80,619.79  
Monthly Principal Deposit \$ 70,000.00  
Total Deposit \$150,619.79

1,807,437.48

Per Morgan Stanley Debt Service Fund Agreement  
Series 2002 (see attached excerpt)

Monthly Interest Deposit \$58,561.25  
Monthly Principal Deposit \$22,083.33  
Total Deposit \$80,644.58

967,734.96

Series 1999B

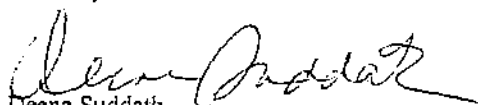
Interest Payable 2010-11 \$ 34,425.00  
Principal Payable 2010-11 \$510,000.00  
Total Debt Service \$544,425.00

\$544,425.00 / 12 = \$45,368.75 Monthly Debt Service Payment

The payments outlined above will begin with the month of February 2010 due by or on the 25<sup>th</sup> and run for 12 months through January 2011. At that time the payment will change again and we will send you notification of the new payment amount.

If you should have any questions regarding this matter, please do not hesitate to contact me at 405-218-4116.

Sincerely,

  
Deena Suddath  
Vice President

## PRIOR YEAR ENCUMBRANCE FINANCIAL (UNAUDITED)

AS OF: FEBRUARY 28TH, 2010

38 -DEDICATED SALES TAX-MFWA

% OF YEAR COMPLETED: 66.67

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<hr/>							
DEPARTMENTAL EXPENDITURES							
<hr/>							
215-INTERDEPARTMENTAL							
<hr/>							
CAPITAL OUTLAY							
<hr/>							
DEBT SERVICE							
38-5215520 AGENT FEES	15,000.00	0.00	0.00	5,500.00	0.00	9,500.00	36.67
TOTAL DEBT SERVICE	15,000.00	0.00	0.00	5,500.00	0.00	9,500.00	36.67
<hr/>							
TRANSFERS							
38-5215621 TRANSFERS-BOND TRUSTEE FUND	3,226,250.00	0.00	0.00	1,928,522.83	0.00	1,297,727.17	59.78
TOTAL TRANSFERS	3,226,250.00	0.00	0.00	1,928,522.83	0.00	1,297,727.17	59.78
<hr/>							
TOTAL 215-INTERDEPARTMENTAL	3,241,250.00	0.00	0.00	1,934,022.83	0.00	1,307,227.17	59.67
<hr/>							
TOTAL EXPENDITURES	3,241,250.00	0.00	0.00	1,934,022.83	0.00	1,307,227.17	59.67
<hr/>							
REVENUE OVER/(UNDER) EXPENDITURES	2,885,539.00	0.00	0.00	153,860.55	0.00	2,731,678.45	5.33

1,934,022.83 +  
 1,297,727.17 +  
 1,297,727.17 +  
 1,297,727.17 \*

1,297,727.17 X  
 1,297,727.17 =  
 1,297,727.17 +

1,297,727.17 +  
 1,297,727.17 -  
 1,297,727.17 \*

2-03-2010 12:24 PM

D E T A I L L I S T I N G

PAGE: 1

FUND : 38 -DEDICATED SALES TAX-MPWA

PERIOD TO USE: Jul-2009 THRU Jun-2010

DEPT : 215 INTERDEPARTMENTAL

ACCOUNTS: 5215621 THRU 5215621

POST DATE TRAN # REFERENCE PACKET-----DESCRIPTION----- VEND INV/JE # NOTE -----AMOUNT----- ==BALANCE----

5215621 TRANSFEKS-BOND TRUSTEE FUND

B E G I N N I N G B A L A N C E

0.00

7/22/09	7/29	B05670	Bnk Dft 101606	03615	BOND PAYMENTS 1999A	JE# 005974	150,889.58	150,889.58
7/22/09	7/29	B05670	Bnk Dft 101606	03615	BOND PAYMENTS 1999B	JE# 005974	39,354.72	190,244.30
7/22/09	7/29	B05670	Bnk Dft 101606	03615	BOND PAYMENTS 2002	JE# 005974	80,650.63	270,894.93
-----				JULY ACTIVITY	DB: 270,894.93	CR: 0.00	270,894.93	
8/21/09	8/21	B05830	Bnk Dft 101606	03651	BOND PAYMENTS 1999A	JE# 006028	150,889.58	421,784.51
8/21/09	8/21	B05830	Bnk Dft 101606	03651	BOND PAYMENTS 1999B	JE# 006028	39,354.72	461,139.23
8/21/09	8/21	B05830	Bnk Dft 101606	03651	BOND PAYMENTS 2002	JE# 006028	80,650.63	541,789.86
-----				AUGUST ACTIVITY	DB: 270,894.93	CR: 0.00	270,894.93	
9/21/09	9/21	B06030	Bnk Dft 101606	03717	BOND PAYMENTS 1999A	JE# 006120	150,889.58	692,679.44
9/21/09	9/21	B06030	Bnk Dft 101606	03717	BOND PAYMENTS 1999B	JE# 006120	39,354.72	732,034.16
9/21/09	9/21	B06030	Bnk Dft 101606	03717	BOND PAYMENTS 2002	JE# 006120	80,650.63	812,684.79
-----				SEPTEMBER ACTIVITY	DB: 270,894.93	CR: 0.00	270,894.93	
10/20/09	10/20	B06202	Bnk Dft 102009	03763	BOND PAYMENTS 1999A	JE# 006182	150,889.58	963,574.37
10/20/09	10/20	B06202	Bnk Dft 102009	03763	BOND PAYMENTS 1999B	JE# 006182	39,354.72	1,002,929.09
10/20/09	10/20	B06202	Bnk Dft 102009	03763	BOND PAYMENTS 2002	JE# 006182	80,650.63	1,083,579.72
-----				OCTOBER ACTIVITY	DB: 270,894.93	CR: 0.00	270,894.93	
12/01/09	1/07	B06584	Bnk Dft 101606	03827	BOND PAYMENTS 1999A	JE# 006301	150,889.58	1,234,469.30
12/01/09	1/07	B06584	Bnk Dft 101606	03827	BOND PAYMENTS 1999B	JE# 006301	39,354.72	1,273,824.02
12/01/09	1/07	B06584	Bnk Dft 101606	03827	BOND PAYMENTS 2002	JE# 006301	80,650.63	1,354,474.65
12/18/09	1/07	B06583	Bnk Dft 101606	03826	BOND PAYMENTS 1999A	JE# 006300	150,889.58	1,505,364.23
12/18/09	1/07	B06583	Bnk Dft 101606	03826	BOND PAYMENTS 1999B	JE# 006300	39,354.72	1,544,718.95
12/18/09	1/07	B06583	Bnk Dft 101606	03826	BOND PAYMENTS 2002	JE# 006300	80,650.63	1,625,369.58
-----				DECEMBER ACTIVITY	DB: 541,789.86	CR: 0.00	541,789.86	
1/22/10	1/27	B06689	Bnk Dft 101606	03856	BOND PAYMENTS 1999A	JE# 006336	150,889.58	1,776,259.16
1/22/10	1/27	B06689	Bnk Dft 101606	03856	BOND PAYMENTS 1999B	JE# 006336	39,354.72	1,815,613.88
1/22/10	1/27	B06689	Bnk Dft 101606	03856	BOND PAYMENTS 2002	JE# 006336	80,650.63	1,896,264.51
1/29/10	2/01	B06715	Bnk Dft 012910	03862	Bond Payment 1999B	JE# 006354	000553	32,258.32
-----				JANUARY ACTIVITY	DB: 303,153.25	CR: 0.00	303,153.25	
-----				ACCOUNT TOTAL	DB: 1,928,522.83	CR: 0.00		

**Sherry Alessi**

**From:** Deena Suddath [dsuddath@bancfirst.com]  
**Sent:** Friday, January 29, 2010 11:14 AM  
**To:** Sherry Alessi  
**Subject:** Series 1999B

Sherry,

It appears will be short for the 2/1 payment in the amount of \$32,258.32. When I looked at the letter I sent, I only included one interest payment for the year instead of two. Would it be possible for you to wire the additional funds needed on or before Monday, February 1?

Thanks!

ds



*Trust and Investment Management*

**DEENA SUDDATH, CCTS**  
Vice President  
Assistant Secretary  
Corporate Trust Administration

101 N. Broadway, Suite 800  
Post Office Box 26883  
Oklahoma City, OK 73126-0883  
Direct Line | 405.218.4116  
Fax | 405.270.4779  
Toll Free | 800.299.8778  
dsuddath@bancfirst.com  
www.bancfirst.com

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01/29/2010





February 9, 2009

City of McAlester  
Attn: Sherry Alessi  
P.O. Box 578  
McAlester, OK 74502

Reference: McAlester PWA Auth Utility Refunding Revenue Bonds  
Series 1999 A & B  
McAlester PWA Auth Utility System Revenue Bonds  
Series 2002

Dear Sherry,

Please be advised that the required monthly debt service payments for the above referenced bond issues have changed effective 2/1/2009 as follows:

Per Morgan Stanley Debt Service Fund Agreement  
Series 1999 (see attached excerpt)

Monthly Interest Deposit \$ 83,806.25  
Monthly Principal Deposit \$ 67,083.33  
Total Deposit \$150,889.58

*was 150,956.67*

*leave? 67<sup>00</sup> less*

Per Morgan Stanley Debt Service Fund Agreement  
Series 2002 (see attached excerpt)

Monthly Interest Deposit \$59,400.63  
Monthly Principal Deposit \$21,250.00  
Total Deposit \$80,650.63

*19,718.33*

*932<sup>30</sup> more*

Series 1999B

Interest Payable 2008 \$ 32,231.25  
Principal Payable 2008 \$445,000.00  
Total Debt Service \$477,231.25

*33,571.46*

*5,783<sup>26</sup> more*

$\$477,231.25 - 4,974.57/12 = \$39,354.72$  Monthly Debt Service Payment

The payments outlined above will begin with the month of February 2009 due by or on the 25<sup>th</sup> and run for 12 months through January 2010. At that time the payment will change again and we will send you notification of the new payment amount.

If you should have any questions regarding this matter, please do not hesitate to contact me at 405-218-4116.

Sincerely,

Deena Suddath  
Vice President



## McAlester City Council

# AGENDA REPORT

Meeting Date: February 9, 2010  
Department: Finance  
Prepared By: Gayla Duke  
Date Prepared: February 1, 2010

Item Number: 8  
Account Code:  
Budgeted Amount:  
Exhibits: Six

### Subject

Consider, and act upon approving contract with Tyler Technologies, Inc., to provide for Utility Billing On-Line and Court On-Line services. Consider and act upon city fees in association with On-Line and credit card payments by phone. Should fees be approved, an appropriate resolution or ordinance will later follow.

### Recommendation

Motion to approve and execute the contract with Tyler Technologies, Inc. Motion to approve \$2 City credit card fee per transaction be added for On-line Utility and Court payments. This fee will be in addition to the \$1.25 for utility payments and \$1.50 for court payments per transaction fee that is charged by Tyler Technologies, Inc. Also requesting approval for \$5.00 per transaction fee for over the phone credit card transactions. These fees are to cover our cost for processing said transactions and staff recommends that this be evaluated on an annual basis and in connection with yearly budget preparation.

### Discussion

The Utility Billing On-Line service allows the City to make available certain information from our utility billing system to citizens with Internet access. The site will be hosted by Tyler Technologies and will have a link to this site through our present city website. Citizens (customers) will be able to have access which can include: consumption information, service level information, requests for service (optional), accounting information and the opportunity to pay their utility bill over the Internet. Tyler Technology charges the customer a \$1.25 fee per transaction for payment on-line and staff is recommending an additional \$2.00 fee per transaction in order to cover costs. Once the initial set-up costs of \$800 is paid (which covers utility and court both), the cost for the maintenance of the Web site is \$100 per month plus \$0.04 per utility bill per month, or approximately \$393 a month. Staff is also asking for a \$5.00 per transaction fee for credit card payment processing over the phone, both for utility billing payments and for court payments.

The Court Billing On-Line service allows the Defendants the ability for municipal court fines to enter a plea and process the payment by credit card. Tyler Technology charges the defendant a \$1.50 fee per transaction for payments on-line and staff is recommending an additional \$2.00 fee per transaction. Besides the initial set-up cost as stated above, the monthly maintenance fee is \$100 per month.

### Approved By

	Initial	Date
Department Head	GDD	02/01/10
City Manager	PJS <i>PJS</i>	02/05/10

tyler

Quote

Customer Name:  
Contact:  
Date:  
Salesman:

City of McAlister  
James Stanford  
January 13, 2010  
Robin Reeves

### Online Services and Products

Service	QTY	Charges	Initial Year	Annual Fee
<b>INCODE Online Component Setup</b>				
One Time Setup Fee	1	800	800	
- Hardware Configuration				
- DNS registration				
Monthly fee to support and host Web site		100 /month	1,200	1,200
<b>INCODE Utility Billing On-Line Component</b>				
Utility Billing Online (4 cents per bill, per month)	7,329	0.04 /month	3,518	3,518
- Data extraction and storage				
- Display of:				
• Current status (late, cut off etc)				
• Action needed to avoid penalty				
• Current Balance				
• Deposits on file (optional)				
• Last payment date				
• Last payment amount				
• Payment arrangements on file				
• Last bill amount				
• Last bill date				
• Bill due date				
• Contracts on file and status				
• Transaction history				
- Address information including				
• Mapping				
• Legal description*				
• Precinct*				
• School district*				
• Services at address				
* - Subject to data availability				
- Consumption history by service, including graphs				
- Request for service (optional)				
- Information change request (optional)				
- Security - SSL (Secure Socket Layer)				
<b>Online Payments</b>				
• Payment packet is created to be imported to Utility System				
NOTE: Customer pays \$1.25 fee per transaction for payment on-line.				
<b>INCODE Court Online Component</b>				
Monthly support/maintenance fee		100 /month	1,200	1,200
- Display of citation/citations for payment				
- Collects plea from defendant				
- Security - SSL (Secure Socket Layer)				
- Payment Processing - Credit Card				
• Payment packet is created to be imported to Court System				
NOTE: Defendant pays \$1.50 fee per transaction for payment on-line.				
<b>Total</b>			6,718	5,918

Note: INCODE's Online modules support merchant accounts through ETS and Authorize.net.  
INCODE's Online modules utilize INCODE Web Services which require a dedicated public IP address (provided by Entity).

# CLIENT COPY

## System Agreement Between

Tyler Technologies, Inc.

5519 53rd Street  
Lubbock, Texas 79414  
(800) 646-2633  
(806) 797-4849 Fax

AND

City of McAlester, OK

28 E Washington  
McAlester, OK 74502  
Phone: (918) 424-4961  
Fax: (918) 421-4971

**tyler**



INCORPORATED

## AGREEMENT

This agreement is entered into by and between Tyler Technologies, Inc., hereinafter referred to as COMPANY, located at 5519 53rd Street, Lubbock, Texas 79414; and; City of McAlester, OK, hereinafter referred to as CLIENT on, \_\_\_\_\_, 2010.

COMPANY and CLIENT agree as follows:

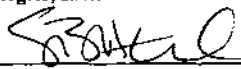
1. COMPANY shall furnish the products and services as described in this Agreement, and CLIENT shall pay the prices set forth in this Agreement.
2. This Agreement consists of this Cover and the following Attachments and Exhibits:  
Section A Investment Summary (A-D)  
Section B COMPANY Agreement Terms and Conditions
3. The License Fees set forth in the Investment Summary are based on defined category levels. Placement within a category is based on the size of the organization serviced and measured by such factors as operating budget, number of employees, number of utility accounts, number of sworn officers, population of the entity, etc.

IN WITNESS WHEREOF, persons having been duly authorized and empowered to enter into this Agreement hereunto executed this Agreement effective as of the date last set forth below.

Client: City of McAlester, OK

By: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Printed Name  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Sales Tax Certificate Number

Tyler Technologies, Inc.:

By:   
Signature  
S. Brett Cate  
\_\_\_\_\_  
Printed Name  
President, INCODE Solution  
\_\_\_\_\_  
Title  
1/26/10  
\_\_\_\_\_  
Issue Date

## Investment Summary

Prepared for:	City of McAlester, OK	Contract ID #:	2010-0011
Contact Person:	James Stanford	Issue Date:	1/26/10
Address:	28 E Washington McAlester, OK 74502	Salesman:	K. Cunningham/ R. Reeves
Phone:	(918) 424-4961	Tax Exempt:	Yes / No
Fax:	(918) 421-4971		
Email:	james@cityofmcalester.com		

Total Monthly Services	Annual Fee	Monthly Fee
Internet Services and Products **Please note this is not an Annual agreement, the fees listed herein are monthly fees.	800	493
<b>Total</b>	<b>800</b>	<b>493</b>



Customer Name:  
Contact:  
Date:  
Salesman:

City of McAlester, OK  
James Stanford  
January 26, 2010  
Kirk Cunningham

### Online Services and Products

Service	QTY	Charges	Initial Year	Annual Fee
<b>INCODE Online Component Setup</b>				
One Time Setup Fee	1	800	800	
- Hardware Configuration				
- DNS registration				
Monthly fee to support and host Web site		100 /month	1,200	1,200
<b>INCODE Utility Billing On-Line Component</b>				
Utility Billing Online (4 cents per bill, per month)	7,329	0.04 /month	3,518	3,518
- Data extraction and storage				
- Display of:				
• Current status (late, cut off etc)				
• Action needed to avoid penalty				
• Current Balance				
• Deposits on file (optional)				
• Last payment date				
• Last payment amount				
• Payment arrangements on file				
• Last bill amount				
• Last bill date				
• Bill due date				
• Contracts on file and status				
• Transaction history				
- Address information including				
• Mapping				
• Legal description*				
• Precinct*				
• School district*				
• Services at address				
* - Subject to data availability				
- Consumption history by service, including graphs				
- Request for service (optional)				
- Information change request (optional)				
- Security - SSL (Secure Socket Layer)				
<b>Online Payments</b>				
• Payment packet is created to be imported to Utility System				
<i>NOTE: Customer pays \$1.25 fee per transaction for payment on-line.</i>				
<b>INCODE Court Online Component</b>				
Monthly support/maintenance fee		100 /month	1,200	1,200
- Display of citation/citations for payment				
- Collects plea from defendant				
- Security - SSL (Secure Socket Layer)				
- Payment Processing - Credit Card				
• Payment packet is created to be imported to Court System				
<i>NOTE: Defendant pays \$1.50 fee per transaction for payment on-line.</i>				
<b>Total</b>			6,718	5,918

Note: INCODE's Online modules support merchant accounts through ETS and Authorize.net.

INCODE's Online modules utilize INCODE Web Services which require a dedicated public IP address (provided by Entity).

# **COMPANY WEB SERVICES - INTERNET BASED PRODUCTS SUBSCRIPTION AGREEMENT TERMS AND CONDITIONS**

THIS AGREEMENT is effective as of the date of acceptance set forth at the end hereof, and is by and between Tyler Technologies, Inc., hereinafter referred to as COMPANY and the party signing this agreement as the "SUBSCRIBER".

## **DEFINITIONS**

**COMPANY Web Services** COMPANY Web Services are designed to enable SUBSCRIBER to easily establish a presence on the Internet. COMPANY Web Hosting and Design is composed of the COMPANY Web Hosting and Design Publishing Component and other miscellaneous components. These components may be used independently or in conjunction with each other.

**COMPANY Utility Billing On-Line** The COMPANY Utility Billing On-Line Component allows the SUBSCRIBER to make available certain information from their COMPANY Utility Billing System to citizens with Internet access. This information is posted to SUBSCRIBER's web site, which is hosted on COMPANY's web server. With the proper security clearance, citizens with Internet access have access to the data which can include: Consumption information, service level information, requests for service, accounting information and the opportunity to pay their Utility Bill over the Internet using a credit card.

**COMPANY Court On-Line** The COMPANY Court On-Line Component provides the ability for municipal court fines to be paid by credit card via the Internet. Since it was designed by COMPANY, this system interfaces seamlessly with COMPANY's InCourt Municipal Court System.

**COMPANY Building Projects On-Line** The COMPANY Building Projects On-Line Component allows the SUBSCRIBER to make available certain information from their COMPANY Building Projects System to citizens with Internet access. This information is posted to SUBSCRIBER's web site, which is hosted on COMPANY's web server. With the proper security clearance, citizens with Internet access have access to the data which can include: Building project status, inspection results, inspection scheduling and the opportunity to pay their Building Projects over the Internet using a credit card.

**COMPANY Business License On-Line** The COMPANY Business License On-Line Component allows the SUBSCRIBER to make available certain information from their COMPANY Business License System to citizens with Internet access. This information is posted to SUBSCRIBER's web site, which is hosted on COMPANY's web server. With the proper security clearance, citizens with Internet access have access to the data which can include: Business License status, business license renewal and the opportunity to pay their Business License over the Internet using a credit card.

**COMPANY Accounts Receivable On-Line** The COMPANY Accounts Receivable On-Line Component allows the SUBSCRIBER to make available certain information from their COMPANY Accounts Receivable System to citizens with Internet access. This information is posted to SUBSCRIBER's web site, which is hosted on COMPANY's web server. With the proper security clearance, citizens with Internet access have access to the data which can include: Current balance, contract status, and the opportunity to pay the Accounts Receivable over the Internet using a credit card.

**COMPANY Call Center On-Line** The COMPANY Call Center On-Line Component allows the SUBSCRIBER to make available certain information from their COMPANY Call Center System to citizens with Internet access. This information is posted to SUBSCRIBER's web site, which is hosted on COMPANY's web server. With the proper security clearance, citizens with Internet access have access to the data which can include: current and past incidents, create a new incident and view status of incident.

## **AGREEMENTS**

- 1) **TERM.** SUBSCRIBER must return an executed copy of this Agreement to COMPANY within 90 days from the issue date. Thereafter, the Agreement will be voided and is subject to change. Subject to the limitations of this Section 1, and unless otherwise provided for in this Agreement, the term of this Agreement shall commence as of the effective date and shall continue for three (3) years. The term shall thereafter be automatically extended in separate consecutive periods of twelve (12) months duration unless either party gives written notice to terminate. Notice to terminate must provide at least sixty (60) days notice of said intent. In the event that the SUBSCRIBER fails to pay any amount payable to COMPANY hereunder, when due, or fails to comply with any other provision of this Agreement, COMPANY may terminate the SUBSCRIBER's rights by written notice to that effect to the SUBSCRIBER. COMPANY may, by written notice to the SUBSCRIBER, terminate its obligations under this Agreement in the event that COMPANY, for whatever reason, ceases to host SUBSCRIBER's Web Site. A termination of the SUBSCRIBER's rights under this Agreement shall not terminate any of the parties' rights under this Agreement to receive or hold amounts rightfully owing to the respective party pursuant to the terms of this agreement or to enforce the intellectual and proprietary rights in the COMPANY concept, web site, software, and technology. Upon termination or non-renewal of this agreement, the parties shall each promptly account for all due but unpaid amounts hereunder. If SUBSCRIBER wishes to terminate before the stated term expires, SUBSCRIBER must give sixty (60) days written notice in order not to incur termination costs of \$1,482.00. Please also see section entitled "TERMINATION" in this Agreement.



# **COMPANY WEB SERVICES - INTERNET BASED PRODUCTS SUBSCRIPTION AGREEMENT TERMS AND CONDITIONS**

2) **NATURE OF WEB SITE.** COMPANY shall maintain a web site accessible over the Internet, for SUBSCRIBER. This web site shall contain both static information pages, non-static interactive pages as well as payment function pages. The web site shall allow a citizen with Internet access to view relevant data provided by SUBSCRIBER. This data may include certain data elements from SUBSCRIBER's Tyler Software System. This web site shall be equipped to accept payment of amounts owed to SUBSCRIBER, via Secured Socket Layer (SSL) encryption and credit card or debit card charge.

3) **DATA PROCUREMENT.** COMPANY must host the components and services listed in the Investment Summary of this Agreement. The SUBSCRIBER will be required to setup a merchant account with Electronic Transaction System Corporation or authorized.net for the sole use of COMPANY Web Service transactions. The merchant account must be setup to fund to the SUBSCRIBER bank account. All fees for the merchant account will be paid by SUBSCRIBER.

SUBSCRIBER will be required to install and run Tyler Web Services in order for the COMPANY On-Line application to access and transfer the necessary data from the SUBSCRIBER's primary software system, to COMPANY's web server. The transfer will occur on a real time basis. Additionally, certain information, such as payment information, must be conveyed to SUBSCRIBER. COMPANY will assume responsibility for transferring such information back to SUBSCRIBER on a regular basis. Tyler Web Services requires a dedicated IP address. Assignment of dedicated IP address is the sole responsibility of SUBSCRIBER.

4) **LICENSED SOFTWARE OWNERSHIP.** SUBSCRIBER agrees that COMPANY possesses exclusive title to and ownership of the COMPANY Software.

- a. SUBSCRIBER agrees that SUBSCRIBER acquires neither ownership nor any other interest in the COMPANY Software, except for the right to use and possess the COMPANY Software in accordance with the terms and conditions of this Agreement.
- b. All rights not expressly granted to SUBSCRIBER in this Agreement are retained by COMPANY.
- c. SUBSCRIBER agrees that COMPANY Software including, but not limited to, systems designs, programs in source and/or object code format, applications, techniques, ideas, and/or know-how utilized and/or developed by COMPANY are and shall remain the exclusive property of COMPANY. SUBSCRIBER agrees that the COMPANY Software consists of COMPANY's trade secrets. COMPANY shall retain all copyrights in the COMPANY Software, whether published or unpublished.
- d. COMPANY agrees that all data provided to COMPANY for the purposes of generating the web site shall remain the property of SUBSCRIBER. Should SUBSCRIBER terminate the Internet Services in good standing and in accordance with the termination provisions of this Agreement, COMPANY agrees to return to SUBSCRIBER, all graphics, text documents, and data files held by COMPANY.

5) **SUBSCRIBER MEMBERSHIP FEES.** For establishing new COMPANY Web Services, the SUBSCRIBER shall pay to COMPANY the amounts as stated in the Investment Summary.

6) **NOT ASSIGNABLE.** The rights of the SUBSCRIBER under this Agreement are not assignable without the prior written consent of COMPANY. Any attempt to sublicense, assign, encumber or transfer any of the rights, duties or obligations under this Agreement by the SUBSCRIBER is void. Subject to the foregoing, this Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective permitted assigns and successors.

7) **SOFTWARE MAINTENANCE.** This SUBSCRIPTION AGREEMENT includes unlimited telephone support, support by communication modem, and all software upgrades, enhancements and new releases. COMPANY reserves the right to change the functionality of future releases of its software and CLIENT understands that COMPANY is not obligated to include specific functionality in future releases unless provided for herein.

8) **PARTIAL INVALIDITY.** Should any provision or clause of this Agreement be held to be invalid, such invalidity shall not affect any other provision or clause hereof, which can be given effect without such invalid provision or clause.

9) **RESPONSIBILITY OF DATA.** COMPANY will assume responsibility for all data transfer, but not responsible for data accuracy.

10) **SITE REQUIREMENTS.**

- a. CLIENT shall maintain a high speed internet connection (1.5mbps download AND 512kbps upload) with a static IP address and must be able to provide COMPANY with IP connection to CLIENT's network through Citrix GotoAssist, VPN, Citrix, or Microsoft Terminal Services. COMPANY shall use the connection to assist with problem diagnosis and resolution. COMPANY is not responsible for purchase of VPN client software license or configuration of CLIENT's firewall settings. No wireless Internet connections allowed.

# **COMPANY WEB SERVICES - INTERNET BASED PRODUCTS SUBSCRIPTION AGREEMENT TERMS AND CONDITIONS**

- b. COMPANY shall provide CLIENT with remote support through the use of secure connection over the Internet connection via Citrix GotoAssist. If CLIENT will not allow access through GotoAssist, COMPANY cannot guarantee support standards will be met.

## **11) PROPRIETARY INFORMATION.**

- a. Distribution of COMPANY Software. SUBSCRIBER may not sell, assign, transfer, disclose, or otherwise make available, either directly or indirectly, any object code, documentation or other material relating to the Software, in whole or in part, or any copy of the same in any form, to any other person or entity.
- b. Software as Trade Secret. SUBSCRIBER shall maintain the confidentiality of the Software and unless specifically authorized by COMPANY or except for ordinary and necessary backup purposes, SUBSCRIBER may not make or have made any copies of the Software or any part thereof. SUBSCRIBER shall include COMPANY's proprietary notice or other legend on any copies made by SUBSCRIBER as permitted hereunder.

- 12) WARRANTY, DISCLAIMER, LIMITATION ON LIABILITY.** COMPANY warrants that the Software will substantially conform to current specifications delivered by COMPANY to SUBSCRIBER pursuant to this Agreement, including COMPANY's response to the Request for Proposal for six (6) months following installation; provided, however, that COMPANY's warranty hereunder shall not cover or apply to any software or part thereof that is not developed or designed by COMPANY. In the event that the Software is found to be defective in such respect and SUBSCRIBER notifies COMPANY in writing within six (6) months after its receipt of the Software of any substantial non-conformity of the Software with such specifications, COMPANY's sole obligation under this warranty is to remedy such defect within a reasonable time. THE FOREGOING WARRANTY IS EXCLUSIVE AND IS MADE IN LIEU OF ALL OTHER WARRANTIES OR REPRESENTATIONS, WHETHER EXPRESS OR IMPLIED, IN FACT OR IN LAW, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. COMPANY SHALL IN NO EVENT BE LIABLE FOR DAMAGES THAT EXCEED THE AMOUNT OF THE CHARGES PAID BY SUBSCRIBER HEREUNDER FOR THE DEVELOPMENT AND LICENSE OF THE SOFTWARE. IN NO EVENT SHALL COMPANY BE LIABLE FOR SPECIAL, INCIDENTAL, EXEMPLARY, INDIRECT OR CONSEQUENTIAL DAMAGES OR FOR LOSS OF PROFITS, REVENUES OR DATA, EVEN IF COMPANY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

- 13) HOLD HARMLESS.** SUBSCRIBER agrees that it will hold COMPANY harmless against any claims, damages, liabilities, costs and expenses, including reasonable attorneys' fees, arising out of or relating to

- a. SUBSCRIBER's failure to implement any corrections, improvements and new releases relating to the Software, or any part thereof,
- b. SUBSCRIBER's unauthorized alterations to or use of the Software, or
- c. SUBSCRIBER's breach of any of its obligations to maintain the confidentiality of the Software or SUBSCRIBER's unauthorized copying thereof.

- 14) TERMINATION.** This Agreement or any license referenced hereunder may be terminated by COMPANY upon written notice to SUBSCRIBER if SUBSCRIBER performs any breach of the terms of this Agreement. At the date of termination of this Agreement, SUBSCRIBER shall promptly return to COMPANY any Software, related documentation, materials and other property of COMPANY then in its possession, and any copies thereof wherever located. Notwithstanding the foregoing, all provisions hereof relating to confidentiality of the Software shall survive the termination of this Agreement.

## **15) GENERAL.**

- a. This Agreement shall be governed by the laws of SUBSCRIBER's state of domicile and constitutes the entire Agreement between the parties hereto with respect to the Software described herein, and shall supersede all previous or contemporaneous negotiations, commitments and writings with respect to the matters set forth herein.
- b. All acceptances by COMPANY of purchase orders and all sales by COMPANY are expressly limited to and made on the basis of the terms and conditions set forth herein, notwithstanding receipt or acknowledgment of SUBSCRIBER's order forms or specifications containing additional or different provisions, or conflicting oral representations by an agent, representative or employee of COMPANY. Any such additional or different terms are hereby objected to. All acceptances by COMPANY are expressly conditional on SUBSCRIBER's assent to the additional or different terms and conditions set forth in this Agreement. If these terms and conditions are not acceptable, SUBSCRIBER should notify COMPANY at once.

## REQUEST TO CITY ATTORNEY FOR LEGAL OPINION

### SECTION I. REQUEST FOR INFORMATION

1. Date Request Made: 1/28/10

Requestor Name: Peter J. Stasiak/Gayla Duke

2. Department Name: CM/Community Services

3. Telephone Number(s) of Requestor: 918-423-9300 Ext. 4961 4. Facsimile Number of Requestor: 918-421-4970

### SECTION II. NATURE OF REQUEST

- Describe, in detail, the nature of your request:  
Review System Agreement between Tyler Technologies, Inc and the City of McAlester
- Specify Reference (Ordinance, Resolution, City Code, Contract, etc.):  
System Agreement

### SECTION III. DOCUMENTS FOR REVIEW

1. Documents attached for review?      xxxx   YES      NO


### SECTION IV. FOR REVIEW BY

- Name and telephone numbers of person and department to whom original response to request for opinion is to be made (if different from Requestor in Section I): Gayla Duke, CFO and Peter Stasiak, ACM
- Name, telephone and facsimile of any person to receive a carbon copy of response to requested opinion:  
Gayla Duke, CFO
- The City Manager will automatically receive a copy of the opinion.

### SECTION V. REQUESTED RESPONSE DATE

1. Requested time for response (if applicable): 02/05/10

### SECTION VI. APPROVAL BY CITY MANAGER

1. Approval of request by City Manager:  1-28-10  
Date

# Transmission Report

Date/Time  
Local ID 1  
Local ID 2

28-01-2010  
9184214970

01:14:35 p.m.

Transmit Header Text  
Local Name 1  
Local Name 2

Line 1 City of McAlester  
Line 2

This document : Confirmed  
(reduced sample and details below)  
Document size : 8.5"x11"

## REQUEST TO CITY ATTORNEY FOR LEGAL OPINION

### SECTION I REQUEST FOR INFORMATION

1. Date Request Made: 1/29/10  
Requestor Name: Peter J. Stasiak/Gayla Duke
2. Department Name: CM/Community Services
3. Telephone Number(s) of Requestor: 918-423-3000 Ext 4961
4. Facsimile Number of Requestor: 918-421-4970

### SECTION II NATURE OF REQUEST

1. Describe, in detail, the nature of your request:  
Review System Agreement between Tyler Technologies, Inc and the City of McAlester
2. Specify Reference (Ordinance, Resolution, City Code, Contract, etc.):  
System Agreement

### SECTION III DOCUMENTS FOR REVIEW

1. Documents attached for review? xxxx YES NO

### SECTION IV FOR REVIEW BY

1. Name and telephone numbers of person and department to whom original response to request for opinion is to be made (if different from Requestor in Section I): Gayla Duke, CFO and Peter Stasiak, AGM
2. Name, telephone and facsimile of any person to receive a carbon copy of response to requested opinion:  
Gayla Duke, CFO
3. The City Manager will automatically receive a copy of the opinion.

### SECTION V REQUESTED RESPONSE DATE

1. Requested time for response (if applicable): 02/05/10

### SECTION VI APPROVAL BY CITY MANAGER

1. Approval of request by City Manager: \_\_\_\_\_ Date \_\_\_\_\_

Total Pages Scanned : 8

Total Pages Confirmed : 9

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	272	918 423 4243	01:08:23 p.m. 28-01-2010	00:05:30	9/8	1	EC	HS	CP9600

#### Abbreviations:

HS: Host send  
HR: Host receive  
WS: Waiting send

PL: Polled local  
PR: Polled remote  
MS: Mailbox save

MP: Mailbox print  
CP: Completed  
FA: Fail

TU: Terminated by user  
TS: Terminated by system  
RP: Report

G3: Group 3  
EC: Error Correct



# McAlester City Council

## AGENDA REPORT

Meeting Date: February 9, 2010  
Department: Community Services  
Prepared By: Mel Priddy  
Date Prepared: January 21, 2010

Item Number: 9  
Account Code: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_  
Exhibits: 4

### Subject

Consider, and act upon, accepting a bid from American Ramp Company to purchase additional skate park equipment for our skate park at Connelly Park.

### Recommendation

Motion to accept our only bid from American Ramp Company for additional skate park equipment in the amount of \$37,942.00

### Discussion

The equipment from American Ramp is the same type of equipment we have at our skate park. It will all fit together perfectly with same construction, color and design. This has been an excellent company to work with on building our park a little at a time as we have had to do. The bid price includes sending a company representative to supervise the installation by our employees. The funds for this equipment are from donated funds. We had several inquiries from skate park companies about bidding but only received the one bid.

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	MP	02/02/10
City Manager	PJS <i>PJS</i>	02/05/10

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, **American Ramp Company**

do hereby bid to furnish, deliver, install and finish the work called **City of McAlester, Oklahoma**

**Ten (10%) percent of principals bid**

for the payment of which we, the undersigned, make ourselves jointly and severally bound in good faith and right.

Signed, this **16th** day of **December**, 20**09**.

The Condition of the above obligation is such that whereas the Principal has submitted to a certain BID attached hereto and hereby made a part hereof, to be entered into as a contract in writing, for the

**Skateboard Park - Connelly Park, McAlester, Oklahoma**

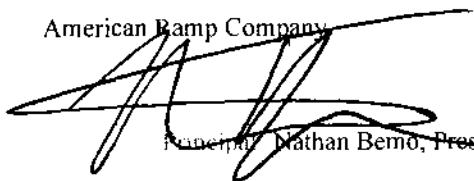
NOW THEREFORE,

- (a) If said BID shall be rejected, or
- (b) If said BID shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto (properly completed in accordance with said BID) and shall furnish a BOND for his faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said BID. Then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The surety for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or by any extension of the time within which the OWNER may accept such BID; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these present to be signed by their proper officers, the day and year first set forth above.

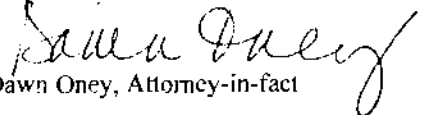
**American Ramp Company**

  
Principal, Nathan Bemó, President

(U.S.)

**Western Surety Company**

Surety

By   
Dawn Oney, Attorney-in-fact

**IMPORTANT** - Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state of Oklahoma.

# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Scott Brothers, Diana L Turnbull, Randy Hiatt, Dawn Oney, Individually**

of Joplin, MO, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

### - In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 19th day of October, 2006.



WESTERN SURETY COMPANY

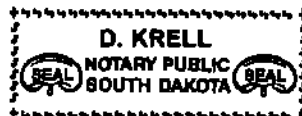
Paul T. Bruflat, Senior Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 19th day of October, 2006, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



D. Krell, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 16th day of December, 2009.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

## BID PROPOSAL

City of McAlester  
Municipal Building  
McAlester, OK 74501

Gentlemen:

The undersigned, having familiarized (himself) (themselves) (itself) with the "Instruction to Bidders" and "Equipment Specifications", and the form of this "Bid Proposal" hereby proposes to furnish those items at the price indicated as follows:

Item Bid No.	Item	Equipment Model/Spec. No.	Total No. To Be Purchased	Unit Price	Total Bid Price
Description: Skateboard equipment including all materials and installation by factory representatives.					
		<u>Height</u>	<u>Width</u>	<u>Length</u>	
1.	Half Pipe	3.0'	4.0'	36.0'	1 \$7,232.99 \$7,232.99
2.	Half Pipe	3.0'	4.0'	36.0'	1 \$7,232.99 \$7,232.99
3.	Half Pipe	3.0'	4.0'	32.0'	1 \$6,329.99 \$6,329.99
4.	Planter (2.0' wide)	4.5'	2.0'	6.0'	1 \$1,758.52 \$1,758.52
5.	Stairs	3.0'	4.0'	5.0'	1 \$1,598.78 \$1,598.78
6.	Grind Rail, Kinked (square)	1.5'	2.0'	6.0'	1 \$240.00 \$240.00
7.	Stairs	3.0'	4.0'	5.0'	1 \$1,598.78 \$1,598.78
8.	Planter (2.0' wide)	4.5'	2.0'	6.0'	1 \$1,758.52 \$1,758.52
9.	Marble Bench	1.3'	3.0'	6.0'	1 \$5,260.00 \$5,260.00
10.	Jersey Quarter (Concrete)	3.0'	4.0'	9.0'	1 \$3,493.04 \$3,493.04
				DISCOUNT	\$7,707.61
Total lump sum bid for materials and labor installed by factory representatives				\$	28,796.00
				ADD ALTERNATE	\$9,146.00
				TOTAL W/ADD ALTERNATE	\$37,942.00

### OPTION #1:

Equipment and all materials, supplies necessary as identified in the above mentioned items #1 thru #10 along with a factory representative to supervise City of McAlester work force in the installation of said equipment, as stipulated in Bid Specification item #13.

Total lump sum bid \$ 27,356.20

Attached hereto and made a part hereof are completed City Equipment Specification forms. In submitting this bid, the bidder understands that the right is reserved by the City of McAlester to reject or accept any and/or all bids or any portion thereof.

January 8th, 2010

DATE

(SEAL)

ATTEST:

American Ramp Company

Name of Bidder

BY: Nathan Bemo

Title President



**NON-COLLUSION AFFIDAVIT**

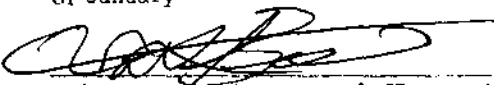
I, Nathan Bemo, of the City of Joplin,  
in the County of Jasper, and State of Missouri, of full  
age, being duly sworn according to law on my oath depose and say the:

I am President of the firm of American Ramp Company the Bidder  
making the Proposal for the above named project, and that I executed the said Proposal with full authority  
so to do; that said Bidder has not, directly or indirectly, entered into any agreement, participated in any  
collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the  
above project; and that all statements contained in said Proposal and in this affidavit are true and correct,  
and made with full knowledge that the City of McAlester, OK relies upon the truth of the statements  
contained in said proposal and in the statements contained in this affidavit in awarding the contract for the  
said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such  
contact upon an agreement or understanding for a commission, percentage, brokerage or contingent fee,  
except bona fide employees or bona fide established commercial or selling agencies maintained by

American Ramp Company  
(Name of Contractor)

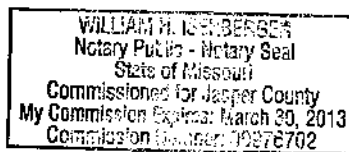
Subscribed and sworn to before me this 8 day  
of January

  
(Also type or print name of affiant under signature)

William H. Isenberger  
Notary Public of

My Commission Expires

March 30 2013



### Connelly Park Renovations - Skateboard Park Additions

PO Number	Vendor	Material/Work	Amount Requisitioned		Amount Spent
09-26950	WH Porter Corp.	Pavilion	\$10,440.00		
09-27073	TH Rogers	Misc. Materials	\$500.00		
09-27074	Tommy Edwards	Labor on Roof	\$2,100.00		
09-26943	Cathey & Assoc.	Roll-up Counter Door	\$1,572.00		
09-26948	Robert Zachary	Block & Labor to Install	\$9,030.00		\$2,736.01
09-26947	Bealls Plbg.	Labor & Materials for Plbg.	\$3,330.00		
09-26944	B&C Electric	Labor & Materials for Elect.	\$1,695.00		
09-26945	Parker Concrete	Labor & Materials for Concrete	\$4,480.00		\$2,000.00
09-26946	Antlers Roof & Truss	Materials - Trusses	\$1,250.00		\$1,250.00
09-26942	CGM, LLC	Steel Doors and Frames	\$2,000.00		\$2,000.00
	<b>Total Monies Requisitioned</b>		<b>\$36,397.00</b>	<b>Total Monies Spent</b>	<b>\$7,986.01</b>

**Bid on Skateboard Park Equipment** **\$37,942.00**

**Total of Requisitions and Equipment Bid** **\$74,339.00**

**Net Donation to Date** **-\$50,000.00**



# McAlester City Council

## AGENDA REPORT

Meeting Date: February 9, 2010  
Department: Community Services  
Prepared By: Mel Priddy  
Date Prepared: January 27, 2010

Item Number: 10  
Account Code:  
Budgeted Amount:  
Exhibits: 1

### Subject

Consider and act upon McAlester Airport Advisory Board proposal to raise hangar rental rates by \$25.00 per hangar at Airport.

### Recommendation

Motion to approve raising the hangar rental rates at McAlester Regional Airport by \$25.00 per hangar

### Discussion

The Airport Advisory Board met in regular session on December 21, 2009 and voted unanimously to raise the rental rates for airport hangers by \$25.00 per hangar. The last increase in hangar rates was in July 2004.

### Approved By

	Initial	Date
Department Head	MWP	01/27/10
City Manager	PJS <i>[Signature]</i>	02/05/10

## **Minutes of the Airport Advisory Board**

**December 21, 2009**

Call to order:

Roll call:

Quorum present

Minutes of previous meeting were read. A motion by David Verner to approve minutes was seconded by Mike Hogan. All Board members present approved minutes unanimously.

New business

Butch Mellor proposed a \$25.00 increase in hanger rent. Last increase was 5 years ago.

Motion to raise hanger rent by \$25.00 was made by Mike Boyer, second by Mike Hogan. All Board members present approved unanimously.

Old business:

Butch Mellor recommended to the Advisory Board that Phil Brenner's contract gets extended 5 years. with no changes to the contract. Contract would stay "as is".

Mike Boyer made the motion for the recommendation to make Phil Brenners contract a 5 year term contract. Second by Mike Hogan

Attending Members: David Verner, Mike Hogan, Steve Otis, Cecial Craig, Brandon John

Also attending was the Airport Manager, Butch Mellor

There being no other business, a motion was made for adjournment and seconded and approved unanimously. Meeting was adjourned.



# McAlester City Council

## AGENDA REPORT

Meeting Date: February 9, 2010  
Department: Community Services  
Prepared By: Mel Priddy  
Date Prepared: January 27, 2010

Item Number: 11  
Account Code: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_  
Exhibits: 2

### Subject

Consider and act upon McAlester Airport Advisory Board proposal to renew the rental and fuel fee contract with Bren Air, Inc.

### Recommendation

Motion to approve renewing the contract with Bren Air, Inc. for hangar rental and fuel fees without any changes for a period of 5 years.

### Discussion

The Airport Advisory Board met in regular session on December 21, 2009 and voted unanimously to renew the contract for Hangar Rental and Fuel Fees with Bren Air, Inc., with no changes, for a period of 5 years.

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	MP	1/27/10
City Manager	PJS <i>PJS</i>	02/05/10

## **Minutes of the Airport Advisory Board**

**December 21, 2009**

Call to order:

Roll call:

Quorum present

Minutes of previous meeting were read. A motion by David Verner to approve minutes was seconded by Mike Hogan. All Board members present approved minutes unanimously.

New business

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Motion to raise hanger rent by \$25.00 was made by Mike Boyer, second by Mike Hogan. All Board members present approved unanimously.

Old business:

Butch Mellor recommended to the Advisory Board that Phil Brenner's contract gets extended 5 years. with no changes to the contract. Contract would stay "as is".

Mike Boyer made the motion for the recommendation to make Phil Brenners contract a 5 year term contract. Second by Mike Hogan

Attending Members: David Verner, Mike Hogan, Steve Otis, Cecial Craig, Brandon John

Also attending was the Airport Manager, Butch Mellor

There being no other business, a motion was made for adjournment and seconded and approved unanimously. Meeting was adjourned.

## **REQUEST TO CITY ATTORNEY FOR LEGAL OPINION**

### **SECTION I. REQUEST FOR INFORMATION**

1. Date Request Made: 1/27/10

Requestor Name: Peter J. Stasiak/Mel Priddy

2. Department Name: CM/Community Services

3. Telephone Number(s) of Requestor: 918-423-9300 Ext. 4933  
918-421-4914

4. Facsimile Number of Requestor: 918-421-4970

### **SECTION II. NATURE OF REQUEST**

1. Describe, in detail, the nature of your request:  
Review Airport Use Agreement

2. Specify Reference (Ordinance, Resolution, City Code, Contract, etc.):

### **SECTION III. DOCUMENTS FOR REVIEW**

1. Documents attached for review?      xxxx    YES                      NO

### **SECTION IV. FOR REVIEW BY**

1. Name and telephone numbers of person and department to whom original response to request for opinion is to be made (if different from Requestor in Section I): Peter Stasiak, ACM

2. Name, telephone and facsimile of any person to receive a carbon copy of response to requested opinion:

3. The City Manager will automatically receive a copy of the opinion.

### **SECTION V. REQUESTED RESPONSE DATE**

1. Requested time for response (if applicable): 02/04/10

### **SECTION VI. APPROVAL BY CITY MANAGER**

1. Approval of request by City Manager: \_\_\_\_\_  
Date

# Transmission Report

Date/Time  
Local ID 1  
Local ID 2

27-01-2010  
9184214970

04:44:26 p.m.

Transmit Header Text  
Local Name 1  
Local Name 2

Line 1 City of McAlester  
Line 2

This document : **Confirmed**  
(reduced sample and details below)  
Document size : 8.5"x11"

## REQUEST TO CITY ATTORNEY FOR LEGAL OPINION

### SECTION I. REQUEST FOR INFORMATION

1. Date Request Made: 1/27/10

Requestor Name: Peter J. Stasiak/Mel Priddy

2. Department Name: CM/Community Services

3. Telephone Number(s) of Requestor:

918-423-9300 Ext. 4983  
918-421-4914

4. Facsimile Number of  
Requestor: 918-421-4970

### SECTION II. NATURE OF REQUEST

1. Describe, in detail, the nature of your request:  
Review Airport Use Agreement

2. Specify Reference (Ordinance, Resolution, City Code, Contract, etc.):

### SECTION III. DOCUMENTS FOR REVIEW

1. Documents attached for review? ~~xxxx~~ YES NO

### SECTION IV. FOR REVIEW BY

1. Name and telephone numbers of person and department to whom original response to request for opinion is to be made (if different from Requestor in Section I): Peter Stasiak, ACM

2. Name, telephone and facsimile of any person to receive a carbon copy of response to requested opinion:

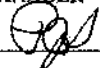
3. The City Manager will automatically receive a copy of the opinion.

### SECTION V. REQUESTED RESPONSE DATE

1. Requested time for response (if applicable): 02/04/10

### SECTION VI. APPROVAL BY CITY MANAGER

1. Approval of request by City Manager:



1-27-10  
Date

Total Pages Scanned : 6

Total Pages Confirmed : 7

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	262	918 423 4243	04:40:17 p.m. 27-01-2010	00:03:31	7/6	1	EC	HS	CP9600

#### Abbreviations:

HS: Host send  
HR: Host receive  
WS: Waiting send

PL: Polled local  
PR: Polled remote  
MS: Mailbox save

MP: Mailbox print  
CP: Completed  
FA: Fail

TU: Terminated by user  
TS: Terminated by system  
RP: Report

G3: Group 3  
EC: Error Correct



## **AIRPORT USE AGREEMENT**

This Agreement made and entered into as of the \_\_\_\_\_ Day of \_\_\_\_\_, 2010, by and between McALESTER AIRPORT AUTHORITY, a public trust, of McAlester, Oklahoma, hereafter called First Party, and BREN AIR, INC., organized and existing under the laws of the State of Oklahoma, hereafter called Second Party.

### **WITNESSETH:**

1. First Party hereby grants to Second Party a non-exclusive license to use, in common with First Party and its future licenses, the McAlester Regional Airport, together with all improvements, runways, conveniences and appurtenances thereunto belonging, including but not limited to, landing and take-off areas for aircraft, roadways, aprons, taxiway areas, passenger and cargo ramp areas and facilities, aircraft parking area and facilities, service ramp in front of Hangars #1 and #2, the Airport Terminal, and all other services ordinarily rendered to private aviation.
2. First Party hereby grants Second Party the exclusive right to use and occupy the southwest corner room and counter space on the first floor of the Terminal Building for office space, and two rooms on the second floor for classrooms and offices, the hangars now located at said Airport know as Hangars #4 and #5, and all facilities in connection therewith, except the service ramp in front of said hangars. For such exclusive use, Second Party will pay to First Party rental in the sum of Seven Hundred Seventy-Five Dollars (\$775.00) per month, payable in advance, first payment payable on or before March 1, 2010. In addition, Second Party will pay to the City of McAlester each month a **rental fee of 5% of gross fuel sales (not to include fuel used by Second Party)** on or before the 10<sup>th</sup> of the month following fuel sales. This fee shall be calculated on the retail price of fuel, not including any Federal Excise Taxes. An annual audit of such fuel sales to be furnished by the Second Party.

3. First Party Covenants with Second Party as follows:
  - a. To clean and maintain all grounds in the area of the hangars
  - b. To furnish all major, standard maintenance hereafter required.
4. Second Party covenants to comply with Ordinance No. 1499 and 1565 and agrees to provide the services set forth in Ordinance No. 1565, Section 6-10, paragraph A through E, as a minimum (paragraph A being amended to read "Standard Grade Aviation Fuel and Jet "A" Fuel").
  - a. All office areas, maintenance areas, facilities and equipment covered by or furnished with this Agreement shall be properly maintained in a presentable and attractive manner at all times.
  - b. Second Party is responsible for any damage incurred to said property due to negligence of his operation.
5. Second Party shall establish fees for aircraft storage in Hangars #4 and #5, subject to approval by the Aviation Advisory Board by a two-thirds majority of the members present and voting.
6. Charges levied by Second Party for aircraft fuel, services and repairs shall be competitive and in line with such charges as levied by other licensees throughout the general area.
7. Airport facilities and services shall be open and available to use by the public during daylight hours, a minimum of eight (8) hours per day, seven (7) days per week. If, from time-to-time transient aircraft operators request emergency fuel or other emergency services at hours other than those of normal operations, said services shall be provided promptly and courteously, if possible.

8. The term of the license granted by the provisions herein shall continue for a **period of five (5) years**, commencing on March 1, 2010, and shall be renewed at the expiration of said term upon such terms and conditions as are agreeable to both parties, provided said license may be canceled for good cause upon thirty (30) days notice prior to the date of termination. However, in the case of abandonment, the Second Party waives any right to notice and may be subject to cost incurred by the First Party to replace the Second Party.
9. Second Party shall have the right to sell or transfer said lease subject to approval of the First Party.
10. Second Party agrees to save and hold First Party at all times, free and harmless from any and all damages, claims or expenses arising out of or connected with any violation or breach of any of the rules governing the use of said Airport by any duly authorized agency of the United States or of any of the rules or regulations of the First Party. In like manner, First Party agrees to save and hold Second Party at all times free and harmless from any and all damages, claims or expenses arising out of or in any way connected with any act of negligence committed by First Party in connection with its use of said Airport. Also, Second Party shall comply with all lawful rules and regulations of Federal, State, and City Authorities and shall hold First Party harmless for any debts, lawsuits or demands for damages occurring only or arising only from the exclusive space granted herein or from the business or operations conducted by the Second Party.

Second Party shall carry liability insurance with a reputable company in the sum of at least Three Hundred Thousand Dollars (**\$300,000.00**) for any one person, and One Million Dollars (**\$1,000,000.00**) for any one accident, protecting both parties to this contract, and Second Party shall pay the premiums thereof but the said policy shall be deposited with the City Clerk and kept current during the terms of this Agreement.
11. First Party grants to Second Party the non-exclusive rights of installing vending machines for food, candy and soft drinks in the lobby of the Terminal Building.

12. It is understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right within the meaning of Section #308 (a) of the Federal Aviation Act of 1958.
13. First Party reserves the right to further develop or improve the landing area of the Airport as it sees fit, regardless of the desires or views of the Second Party, and without interference or hindrance.
14. First Party reserves the right, but shall not be obligated to the Second Party, to maintain and keep in repair the landing area of the Airport and all publicly-owned facilities of the Airport, together with the right to direct and control all activities of the Second Party in this regard.
15. First Party reserves the right to take any action it considers necessary to protect the aerial approaches of the Airport from obstructions, together with the right to prevent Second Party from erecting, or permitting to be erected, any building or other structure on the Airport which, in the opinion of the First Party, would limit the usefulness of the Airport or constitute a hazard to aircraft, or conflict with the Master Plan.
16. During time of war or national emergency, First Party shall have the right to lease the landing area or any part thereof to the United States Government for military or naval use, and if any such lease is executed, the provisions of the instrument insofar as they are inconsistent with the provisions of the lease to the Government, shall be suspended.
17. This lease shall be subordinate to the provisions of any existing or future agreement between First Party and the United States, relative to the operation and maintenance of the Airport.
18. It is further understood that Second Party shall encourage flight plans to be filed on all planes operating under the control of Second Party.

19. It is further granted that Second Party shall permit inspection of the premises occupied by it under the terms of this lease by any of the departments of the City of McAlester at any time.
20. The Party of the Second Part shall meet with the McAlester Aviation Advisory Board from time-to-time, the time and place to be designated by the Chairman of the McAlester Aviation Advisory Board; at these meetings, discussions shall be held in connection with the terms and conditions herein set forth in this Lease Agreement.
21. IN WITNESS WHEREOF, said parties have executed this Contract and Agreement on this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

McALESTER AIRPORT AUTHORITY  
A PUBLIC TRUST

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

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

By: \_\_\_\_\_  
President, BREN AIR

ATTEST:

CITY OF McALESTER, OKLAHOMA

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

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



# McAlester City Council

## AGENDA REPORT

Meeting Date:	02/09/10	Item Number:	12
Department:	Fire Department		
Prepared By:	Harold Stewart	Account Code:	
Date Prepared:	02/02/2010	Budgeted Amount:	
		Exhibits:	1

### Subject

Discussion, and possible action, on approval of certain costs related to the new fire station from the City's portion of the quarter cent excise tax for fire services and City funds.

### Recommendation

Motion to approve, the request for \$27, 226.00 from the City to fund items needed to open the new fourth fire station and support the expenditures of the County fire tax monies for the same.

### Discussion

I have been informed that the new Fire Station completion date will be at the end of March or the first week in April. To date the City of McAlester has not expended any monies except tax monies collected under the County fire tax. Total cost for this project is over two million dollars, provided to the City by the Choctaw Nation. I requested \$40,000 in capital outlay money this past budget year to be used for associated cost in getting this station opened. This request for monies was not appropriated to the 2009-2010 budget. I'm currently requesting \$27,226.00 from the City, which is approximately \$13,000.00 less than my original request. The remaining needed monies will be used from the county fire tax.

### Approved By

	Initial	Date
Department Head	HRS	02/02/10
City Manager	PJS <i>PJS</i>	02/02/10

# CITY OF MCALESTER

02/10/10

COUNTY FUNDS AVAILABLE	CITY FUNDS	COUNTY FIRE TAX
Beginning Balance		59,275
Dirt Work Previously Approved		30,000
<b>BALANCE</b>		<b>29,275</b>
ITEMS	CITY EXPENDITURES	COUNTY EXPENDITURES
Card Reader		5,530
Communications		6,720
Furniture		6,139
Appliances	2,362	2,175
Office Chairs/Filing Cabinets		3,525
Generator	17,329	
Air Compressor	999	
Fencing	2,900	
ATS Switch Gen.		5,186
TV'S	3,636	
<b>TOTAL REQUESTED CITY FUNDS</b>	<b>27,226</b>	<b>COUNTY FIRE TAX EXPENDITURES 29,275</b>

SECURITY SYSTEMS & ENGINEERING, INC.  
Fire and Burglar Alarms Division  
711 West Carl Albert Pkwy  
McAlester, OK 74501  
(918) 426-4990

OK ALARM LIC. NO. 0106  
November 10, 2009

QUOTATION  
(Good for 30 days)

OWNER'S NAME: McAlester Fire Dept. PHONE: (918) 423-9300  
ADDRESS OF PROPOSED INSTALLATION: New Building Construction.

PROJECT DESCRIPTION: Install Access Control for four doors.

MATERIALS	QTY
Proximity/Keypad Controls	4 ea.
Power Supply, 12/24 volt, 4A	1 ea.
Rim Lock door release	3 ea.
Electric Strike	1 ea.
Proximity Card, 25 Pack	1 Pack
Wire and Hardware	A/R

Materials	\$ 4210.00
Tax	\$ N/A
Installation	\$ 1320.00
	=====
TOTAL	\$ 5530.00

Note: 1. Keypad Controls are all IR communication ready and are compatible with existing city communication equipment.



Page: 1

**STATEWIDE COMMUNICATIONS, INC.**

1224 SOUTH MAIN STREET

McALESTER, OK. 74501

(918) 426-0972

(918) 426-0978 FAX

**Estimate**

Number: E139

Date: November 06, 2009

**Ship To:**

McALESTER FIRE DEPT  
2713 NORTH MAIN  
McALESTER, OK 74501

**Bill To:**

McALESTER FIRE DEPT  
2713 NORTH MAIN  
McALESTER, OK 74501

PO Number	Terms	Project
	423-6910	COMMUNICATION SYS

Description	Quantity	Price Each	Tax	Amount
FULL FUNCTION RE/MOTE CONTRL DESK SET'S	5.00	582.00		2,910.00
" " " " " "	1.00	582.00		582.00
W/DESK MIC				
MOTOROLA BASE STATION 32 CHANNEL HI/POWER	1.00	489.95		489.95
MOTOROLA DESK TRAY	1.00	18.00		18.00
MOTOROLA POWER SUPPLY 20 AMP	1.00	98.00		98.00
TOWER SECTION MODEL 23G	2.00	122.00		244.00
TOWER TOP SET	1.00	99.90		99.90
TOWER BASE PLATE	1.00	127.00		127.00
TOWER EX HARDWARE KIT	1.00	45.00		45.00
100 FT OF 1/2 LINE W/CONN INSTALL	1.00	525.00		525.00
1-CPI INTERFACE BOX	1.00	490.00		490.00
6-PHONE BOX'S	6.00	4.50		27.00
1-BOX OF PHONE WIRE	1.00	123.00		123.00
1-DB224 9DB GAID ANTENNA SYS	1.00	525.00		525.00
1-BAG OF CONCRETE FOR TOWER	1.00	21.00		21.00

**STATEWIDE COMMUNICATIONS, INC.**

1224 SOUTH MAIN STREET

McALESTER, OK 74501

(918) 426-0972

(918) 426-0978 FAX

**Estimate**

Number: E138

Date: November 06, 2009

**Ship To:**

McALESTER FIRE DEPT  
2713 NORTH MAIN  
McALESTER, OK 74501

**Bill To:**

McALESTER FIRE DEPT  
2713 NORTH MAIN  
McALESTER, OK 74501

PO Number	Terms	Project
	423-8910	COMMUNICATION SYS.

Description	Quantity	Price Each	Tax	Amount
TRUCK freight to McAlester 261 LB	1.00	395.00		395.00
STATEWIDE WILL INSTALL AND SERVICE FOR 2 YERS LABOR AT 35.0PR PR HR...ON JOB	1.00			0.00
<i>Estimated</i>				<i>56,719.85</i>
<b>Sub-Total</b>				<b>36,719.85</b>
State Tax 9.00% on 0.00				0.00
<b>Total</b>				<b>36,719.85</b>

BOB LOFTIS FURN.  
MCALESTER OK

426-6620

BID ON FIRESTATION # 4

1 LIBERTY OAK TABLE AND 8 BLACK OAK CHAIRS TABLE HAS TWO 18 LEAVES \$1179.95	1179.95
6 ASHLEY LEATHER RECLINERS BROWN \$ 399.95 EACH	2399.70
5 SLEEP DESIGN EXLONG TWIN SIZE LILLY FIRM SETS 10 YEAR NOPRO RATED WITH FRAMES \$ 329.95	1649.75
1 ASHLEY DUAL RECLING LOVESEAT #8270186/1486335 \$ 349.95	349.95
1 ASHLEY D212-15/02 TABLE AND 2 CHAIRS \$ 219.95 ADDITONAL CHAIRS \$44.00	219.95
4 ASHLEY D212-130 STOOLS 84.95 EACH	339.80

Any Question please call me at 426-6620

Allen D. J.

Total 6439.10

## SOUTHERN TV & APPLIANCE QUOTE FOR 4<sup>TH</sup> FIRE STATION

### APPLIANCES

<b>2 – 26 Cubic ft. Refrigerator's FRIGIDAIRE</b>	<b>FRS6HR35KS</b>	<b>@1005.00 = \$2010.00</b>
<b>1 – Dishwasher FRIGIDAIRE</b>	<b>FDB1100RHC</b>	<b>= \$315.00</b>
<b>1 – Gas Range FRIGIDAIRE</b>	<b>FGF368GC</b>	<b>= \$530.00</b>
<b>1 – Range Hood FRIGIDAIRE</b>	<b>F30WR01EC</b>	<b>= \$89.00</b>
<b>1 – Countertop Microwave DANBY</b>	<b>DM21048SS</b>	<b>= \$85.00</b>
<b>1 – F/L Washer FRIGIDAIRE</b>	<b>FAFW3511KW</b>	<b>= \$595.00</b>
<b>1 – F/L Dryer</b>	<b>FAQE7011KW</b>	<b>= \$535.00</b>
<b>2 – Pedestal's</b>	<b>CFPWD15W</b>	<b>@189.00 = \$378.00</b>
	<b>TOTAL</b>	<b>= \$4537.00</b>

## IMPRESS OFFICE SUPPLY

BOX 519

MCALESTER, OK 74502

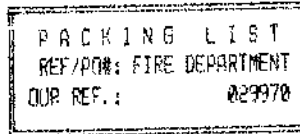
Ph: (918)423-8822 Fax: (918)423-8824 PHE: (800)244-8889

Sold To: 247

CITY OF MCALISTER

PO BOX 578

MCALISTER, OK. 74502



Date: 01/28/10

Page: 1

Phone: (918)421-4932 Rte: -0

Ship To: FIRE

MCALISTER, CITY OF

2ND &amp; WASHINGTON

FIRE DEPARTMENT

MCALISTER, OK 74501

Item	Part	Bin	ITEM	Qty	Qty	Qty to	Your	Extended
No	Number	Mfr.	Location- DESCRIPTION	UOM	Ordered	Shipped	Follow	Price
1	MA41LS10M...	ALE	A-000 CHAIR, KIBACK, LTR, WD, BKMY.	Ea	14	14	0	232.50 3255.00
2	3470BL.....	SAF	A-000 CHAIR, HI BACK, LEA, TALL, BK	Ea	14	14	0	322.50 4515.00
3	SR41LS10B...	ALE	A-000 CHAIR, KIBACK, LEATHER, BK	Ea	14	14	0	232.50 3255.00
4	NI41CS10B...	ALE	A-000 CHAIR, NIED, HI-BCK, ADJ, BK.	Ea	1	1	0	233.33 233.33
5	S34CP.....	HON	A-000 FILE, LBL, 4DRWR, VERT, BK...	Ea	1	1	0	269.99 269.99

269.99  
3,255.00

\$3,524.99

RECEIVED BY:

CARRIER.: PICK UP

FOB POINT: CUSTOMER

SUB-TOTAL--&gt; 11328.32

SALES TAX--&gt; 0.00

INV. TOTAL--&gt; 11328.32

\*\* Email: impress@sbcglobal.net \*\*  
\*\* Our website impress@calester.com \*\*



**WHITE**  
ELECTRICAL  
SUPPLY

# Quotation

WHITE ELECTRIC SUPPLY  
1800 COLLEGE AVE  
MCALISTER OK 74501  
9184231390 Fax 9184230245

QUOTE DATE	QUOTE NUMBER
11/19/09	S1151668
ORDER TO:	PAGE NO
WHITE ELECTRIC SUPPLY 1800 COLLEGE AVE MCALISTER OK 74501 9184231390 Fax 9184230245	1

QUOTE TO:  
CITY OF MCALISTER  
PO BOX 578  
MCALISTER, OK 74502  
918-421-4961 Fax: 918-421-4971

SHIP TO:  
CITY OF MCALISTER  
PO BOX 578  
MCALISTER, OK 74502  
918-421-4961 Fax: 918-421-4971

CUSTOMER NUMBER	CUSTOMER PO NUMBER	RELEASE NUMBER	SALESPERSON	
18497	FIRE DEPT		HOUSEMAC	
WRITER	SHIP VIA	TERMS	SHIP DATE	
Tom Craig	WILL CALL	customer	11/19/09	
ORDER UP	DESCRIPTION		EST PRC	EXT PRC
1ea	GEN80KW GENERAC 80KW GENERATOR 80KW SINGLE PHASE NATURAL GAS *** Special Order Item ***		17329.000/ea	17329.00
1ea	GENATS GENERAC AUTO TRANSFER SWITCH 600A SINGLE PHASE ATS *** Special Order Item ***		5186.000/ea	5186.00
TAXES NOT INCLUDED				
			Subtotal	22515.00
			S&H CHGS	0.00
			Amount Due	22515.00

This is a Quotation.

Prices for bidding purposes only. please call for current pricing.

This is a Quotation.

Prices for bidding purposes only, please call for current pricing.

www.tractorsupply.com  
1-800-4-A-TRACTOR



PRICE: \$999.99

SKU Number: 3496129

Two Stage Air Compressor, Vertical Type, 80 gal.  
Capacity, 5 HP, 175 PSI, 15.9 CFM Flow Rate

80 Gallon ASME code tank, 100% Cast Iron Two Stage pump, for long life and durability. Firmed intercooler. Extended pump life - 15,000 hours for years of service. Continuous duty operation. Ingersoll Rand reciprocating air compressors are world renowned for the quality and reliability. Engineered for high performance and efficiency. Ingersoll Rand reciprocating compressors are low cost, low maintenance and a 100% duty cycle for reliable air supply.

Type: Vertical  
Capacity: 80  
Power Rating: 5  
Pressure Rating: 175 PSI  
Flow Rate: 15.9

WALMART TELEVISION QUOTE

**2 – 52” SONY LCD TELEVISIONS      KDL5255100      @1148.00 = \$2296.00**

**5 – 22” PHILLIPS LCD TELEVISIONS   22PFL3504D/F      @ 268.00 = \$1340.00**

**TOTAL      = \$3636.00**





# McAlester City Council

## AGENDA REPORT

Meeting Date:	<u>February 9, 2010</u>	Item Number:	<u>13</u>
Department:	<u>Acting City Manager</u>	Account Code:	<u>N/A</u>
Prepared By:	<u>Peter Stasiak</u>	Budgeted Amount:	<u>N/A</u>
Date Prepared:	<u>February 2, 2010</u>	Exhibits:	<u>(1) Lease Agreement</u>

### Subject

Consider and act upon, authorizing the Mayor to sign a Rental Agreement for a city owned dwelling located at Talawanda Lake Number 1.

### Recommendation

Motion to approve a Rental Agreement for a city owned dwelling at Talawanda Lake 1 and authorizing the Mayor to sign the rental agreement.

### Discussion

The City of McAlester owns a dwelling at Talawanda Lake 1 that has been recently vacated. This rental agreement is for a short period of time and terminates at midnight, June 30, 2010.

### Approved By

		<i>Initial</i>	<i>Date</i>
Department Head		PJS	02/02/10
Acting City Manager	Peter Stasiak		02/02/10

# **RENTAL AGREEMENT**

## **McALESTER, OKLAHOMA A MUNICIPAL CORPORATION**

**THIS AGREEMENT entered into this \_\_\_\_ day of February, 2010, by and between the CITY OF McALESTER, Oklahoma, a Municipal Corporation, hereinafter known as the "CITY", and RANDY CONDIT, hereinafter known as the "RENTER", the terms and conditions of which are as follows:**

- 1. The Renter will pay the following per month:**
  - A. \$50.00 per month, payable to the City of McAlester and due by the 10<sup>th</sup> of each month.**
- 2. The City will provide the following:**
  - A. Provide a residential dwelling unit located at Talawanda Lake No. 1.**
  - B. Rental Agreement will terminate at midnight, June 30, 2010.**
- 3. The Renter will perform the following services in addition to the amount of the monthly rental payment on the dwelling unit:**
  - A. Keep the yard clean and free of any trash, weeds, or debris.**
  - B. Keep the house clean and pay for all ordinary and necessary repairs.**
  - C. Keep the adjoining park area mowed and cleaned.**
  - D. Keep the boat ramps mowed and cleaned.**
  - E. Keep the roadway clean of trash.**
  - F. Empty trash barrels as directed.**
  - G. Perform watchman duties for the City property.**
  - H. Perform other assigned duties as directed by the City Manager.**
- 4. The Renter is subject to the following conditions:**
  - A. Single family shall live in the residence.**
  - B. Outside household pets or large animals must be approved by the City in advance and must meet all applicable codes.**
  - C. Pets shall not be allowed inside dwelling.**
  - D. Renter shall pay all utility bills.**
  - E. Improvements must be approved by City, in writing, prior to any work being done by Renter.**
  - F. Major repairs to the structure, however extensive, will be the responsibility of the Renter.**

- G. Improvements being done by the Renter will become the property of the City.**
- H. Renter shall not sub-lease the dwelling.**
- I. City shall have the right to enter the dwelling structure for the purpose of inspection after giving prior notice to Renter and at a time agreeable to both parties.**

- 5. This agreement may be terminated by either party by giving a (30) thirty day written notice.**

**The above agreement represents the total agreement between the parties.**

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

**By: \_\_\_\_\_  
Kevin Priddle, Mayor**

**By: \_\_\_\_\_  
Randy Condit**

Council Chambers  
Municipal Building  
January 26, 2010

The McAlester Airport Authority met in a Regular session on Tuesday, January 26, 2010, at 6:00 P.M. after proper notice and agenda was posted January 21, 2010.

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

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

- Approval of the Minutes from the January 12, 2010, Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item C regarding claims ending January 26, 2009. (*Gayla Duke, Chief Financial Officer*) In the amount of \$671.69.
- Confirm Action taken on City Council Agenda Item 3, and act upon, an Ordinance amending Ordinance No. 2291, which created Section 2-258, Emergency Funds, and Repealing Resolution No. 06-30, and declaring an emergency. (*Gayla Duke, Chief Financial Officer*)
- Confirm Action taken on City Council Agenda Item 5 authorizing the Mayor to sign Equipment Maintenance Agreements between the City of McAlester and BizTel Communications for the period of 01-16-2010 through 06-30-2010. (*Peter J. Stasiak, Acting City Manager*)
- Confirm Action taken on City Council Agenda Item 9 Midyear Budget Review – Section 5.07 (a), McAlester City Charter states: Midyear Budget Review. The City Manager shall submit a midyear review of the budget to the Council on or before the last day of January. This shall include the evaluation and modification, if necessary, of revenues and expenses. (*Peter J. Stasiak, Acting City Manager*)

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

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

Chairman Priddle declared the motion carried.

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

AYE: Trustees Fiedler, Condit, Browne, Wilkinson, Garvin, Mason & Chairman Priddle

NAY: None

Chairman Priddle declared the motion carried.

\_\_\_\_\_  
Kevin Priddle, Chairman

ATTEST:

\_\_\_\_\_  
Cora Middleton, Secretary

Council Chambers  
Municipal Building  
January 26, 2010

The McAlester Public Works Authority met in a Regular session on Tuesday, January 26, 2010, at 6:00 P.M. after proper notice and agenda was posted January 21, 2010.

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

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

- Approval of the Minutes from the January 12, 2010, Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm Action taken on City Council Agenda Item C regarding claims ending December 26, 2009. (*Gayla Duke, Chief Financial Officer*) In the amount of \$74,985.86.
- Confirm Action taken on City Council Agenda Item 3, an Ordinance amending Ordinance No. 2291, which created Section 2-258, Emergency Funds, and Repealing Resolution No. 06-30, and declaring an emergency. (*Gayla Duke, Chief Financial Officer*)
- Confirm Action taken on City Council Agenda Item 4, an Ordinance amending Ordinance No. 2327 which established the budget for fiscal year 2009-2010; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Gayla Duke, Chief Financial Officer*)
- Confirm Action taken on City Council Agenda Item 5, authorizing the Mayor to sign Equipment Maintenance Agreements between the City of McAlester and BizTel Communications for the period of 01-16-2010 through 06-30-2010. (*Peter J. Stasiak, Acting City Manager*)
- Confirm Action taken on City Council Agenda Item 6, an Ordinance amending the Code of Ordinances of the city for inspections and permit fees, and declaring an emergency. (*Peter J. Stasiak, Acting City Manager*)
- Confirm Action taken on City Council Agenda Item 7, an Ordinance amending the Code of Ordinances of the City for sanitary sewer connection fees inside and outside the corporate limits, and declaring an emergency. (*Peter J. Stasiak, Acting City Manager*)

- Confirm Action taken on City Council Agenda Item 9, Midyear Budget Review – Section 5.07 (a), McAlester City Charter states: Midyear Budget Review. The City Manager shall submit a midyear review of the budget to the Council on or before the last day of January. This shall include the evaluation and modification, if necessary, of revenues and expenses. *(Peter J. Stasiak, Acting City Manager)*
- Confirm Action taken on City Council Agenda Item 10, a Resolution authorizing the City of McAlester to commit Economic Development Bond Funds for the construction of a building and infrastructure at the Steven Taylor Industrial Park. *(Peter J. Stasiak, Acting City Manager)*

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

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

Chairman Priddle declared the motion carried.

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

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

Chairman Priddle declared the motion carried.

\_\_\_\_\_  
Kevin Priddle, Chairman

ATTEST:

\_\_\_\_\_  
Cora Middleton, Secretary