



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, December 9, 2014 – 6:00 pm
McAlester City Hall – Council Chambers
28 E. Washington

Steve Harrison	Mayor
Weldon Smith	Ward One
John Titsworth	Ward Two
Travis Read, Vice Mayor	Ward Three
Robert Karr	Ward Four
Buddy Garvin	Ward Five
Jason Barnett	Ward Six
Peter J. Stasiak	City Manager
William J. Ervin	City Attorney
Cora M. Middleton	City Clerk

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

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

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

CALL TO ORDER

Announce the presence of a Quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

Linda Lowber, First Baptist Church

ROLL CALL

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to five (5) minutes.

CONSENT AGENDA

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

- A. Approval of the Minutes from the November 17, 2014, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for November 19, 2014 through December 2, 2014. *(Toni Ervin, Chief Financial Officer)*
- C. Consider and act upon, authorization of payment to Mehlburger Brawley, Invoice # MC-14-01-01, in the amount of \$6,888.00 for Construction Management and Resident Project Representative Services related to CIP#3 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- D. Consider and act upon, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #1, in the amount of \$106,555.24, for the construction of road and infrastructure improvements related to CIP#3 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- E. Consider and act upon, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 140345-KW. *(Cora Middleton, City Clerk)*
- F. Consider and act upon, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 140342-KW. *(Cora Middleton, City Clerk)*
- G. Consider and act upon, approval of the 2015 Annual Meeting Schedules for the McAlester City Council, the McAlester Airport Authority, the McAlester Public Works Authority, and the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- H. Concur with the Mayor's appointment of Harvey Bollinger, 2702 Hardy Springs, to the McAlester Board of Adjustment to fill the vacant position created by the resignation of John McNally for the balance of the unexpired term to expire on March 31, 2017. *(Steve Harrison, Mayor)*

ITEMS REMOVED FROM CONSENT AGENDA**PUBLIC HEARING**

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

- AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2501 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2014-15; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.
- AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING SECTION 2-67, PERSONNEL POLICIES OF THE CODE OF ORDINANCES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE.

SCHEDULED BUSINESS

1. Consider and act upon, an Amendment to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Construction Testing during construction of improvements for runway safety and to provide an Approach Slope Survey. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

Executive Summary

Motion to approve Amendment #8 to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Construction Testing during construction of improvements for runway safety for a fee not to exceed \$23,325.

2. Consider and act upon, an Ordinance amending Ordinance No. 2501 which established the budget for fiscal year 2014-2015; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Motion to approve the budget amendment ordinance.

3. Consider and act upon, a resolution authorizing the amending of the Personnel Policies Document. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Staff recommends motion to approve resolution authorizing the amending of the Personnel Policies Document.

4. Consider and act upon, an Ordinance on proposed revised Personnel Policies, including Drug and Alcohol Testing Policies, for amendment of the City Code Section 2-67 and repeal of any previous Drug and Alcohol Policies; repealing all conflicting ordinances; providing for a severability clause. (*Toni Ervin, Chief Financial Officer*)

Executive Summary

Staff recommends discussion of any changes, questions, concerns, and a motion to approve the Revised Drug and Alcohol Testing Policies.

NEW BUSINESS

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

CITY MANAGER'S REPORT (Peter J. Stasiak)

- Report on activities for the past two weeks.

REMARKS AND INQUIRIES BY CITY COUNCIL**MAYORS COMMENTS AND COMMITTEE APPOINTMENTS****RECESS COUNCIL MEETING****CONVENE AS McALESTER AIRPORT AUTHORITY**

Majority of a Quorum required for approval

- Approval of the Minutes from the November 25, 2014 Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending December 2, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item G, approval of the 2015 Annual Meeting Schedules for the McAlester City Council, the Airport Authority, the McAlester Public Works Authority, and the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 1, an Amendment to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Construction Testing during construction of improvements for runway safety. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 3, a resolution authorizing the amending of the Personnel Policies Document. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 4, an Ordinance on proposed revised Personnel Policies, including Drug and Alcohol Testing Policies, for amendment of the City Code Section 2-67 and repeal of any previous Drug and Alcohol Policies; repealing all conflicting ordinances; providing for a severability clause. *(Toni Ervin, Chief Financial Officer)*

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

Majority of a Quorum required for approval

- Approval of the Minutes from the November 17, 2014 Special Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Approval of the Minutes from the November 25, 2014 Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending December 2, 2014. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item C, authorization of payment to Mehlburger Brawley, Invoice # MC-14-01-01, in the amount of \$6,888.00 for Construction Management and Resident Project Representative Services related to CIP#3 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item D, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #1, in the amount of \$106,555.24, for the construction of road and infrastructure improvements related to CIP#3 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item G, approval of the 2015 Annual Meeting Schedules for the McAlester City Council, the Airport Authority, the McAlester Public Works Authority, and the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending Ordinance No. 2501 which established the budget for fiscal year 2014-2015; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 3, a resolution authorizing the amending of the Personnel Policies Document. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 4, an Ordinance on proposed revised Personnel Policies, including Drug and Alcohol Testing Policies, for amendment of the City Code Section 2-67 and repeal of any previous Drug and Alcohol Policies; repealing

all conflicting ordinances; providing for a severability clause. *(Toni Ervin, Chief Financial Officer)*

ADJOURN MPWA

RECONVENE COUNCIL MEETING

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2014 at _____ a.m./p.m. as required by law in accordance with Section 303 of the Oklahoma Statutes and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of McAlester website: www.cityofmcalester.com.

Cora M. Middleton, City Clerk

The McAlester City Council met in Special session on Monday, November 17, 2014 at 5:30 P.M. after proper notice and agenda was posted, November 13, 2014 at 2:19 P.M.

Call to Order

Mayor Harrison called the meeting to order.

Roll Call

Council Roll Call was as follows:

Present: Weldon Smith, John Titsworth, Travis Read, Robert Karr, Buddy Garvin, Jason Barnett & Steve Harrison
Absent: None
Presiding: Steve Harrison, Mayor

Staff Present: Peter J. Stasiak, City Manager; John Modzelewski, P.E, City Engineer/Public Works Director; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Scheduled Business

1. Consider and act to authorize the McAlester Public Works/Streets Division to complete remaining project work on CIP#1 (17th Street Improvements Project), or in the alternative to re-bid completion of the project.

Manager Stasiak informed the Council had walked off of the job. The City had been working with the insurance bonding company and it was his understanding that there was approximately \$119,000.00 left in funding for the project based on the initial bid. He stated that the Public Works Department had discussed the project with two (2) local contractors that had expressed interest in completing the project and they were fully aware of the funds and work that was left to complete the project. Manager Stasiak explained that mini-bid packets had been sent to the two (2) contractors and only one (1) had responded, but the bid had been well over \$300 thousand. He informed the Council that he had then discussed with the Public Works Department the possibility of them taking over and completing the project.

Director Modzelewski addressed the Council explaining that they had fast tracked the bid process and met with two (2) contractors. He added that they had been made aware of the funding limitations of the project but when the one (1) bid had been received it was substantially over the funds that were left for the project. He stated that he was confident that the Street division could move forward and complete the project. He commented that he was viewing this as a clean up, compaction and concrete project. Director Modzelewski explained that they would begin with the driveways so the residents would have better access to their homes and they

would be working closely with Jered Eddy. He added that Mr. Eddy would be helping to direct the project, that weather permitting it should take approximately fifty (50) days to complete and they would be documenting in detail. He commented that if the project were to go over the remaining funds then they would go to the Surety bond.

There was discussion among the Council, Director Modzelewski, Attorney Ervin, Manager Stasiak and Timmy Don Adams, Public Works Operations Supervisor concerning the amount of the bid that was received, what it would cost if the City completed the project, how it could effect the Street Division, the project's hold over percentage, at what point would the City go against the contractor's bond, the current percentage of completion of the project, the amount of change orders that had been previously approved, EST applying the same criteria when inspecting the City crews work, the criteria that would cause the City to have to competitively rebid the project, the City's crew acting like a contractor, how this could effect the street crews if adverse weather hit the City and how the City making a claim against the original contractors bond would effect that contractor.

Vice-Mayor Read moved to authorize the McAlester Public Works/Streets Division to complete the 17th Street/CIP #1 project. The motion was seconded by Councilman Garvin. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Read, Garvin, Smith, Karr, Barnett & Mayor Harrison

NAY: Councilman Titsworth

Mayor Harrison declared the motion carried.

2. Discussion and possible action regarding Municipal Charter Amendments Election held on August 26, 2014. (*William J. Ervin, Jr., City Attorney*)

Attorney Ervin addressed the Council commenting that all had received his email regarding the Charter Election. He explained that in preparing the packet to submit to the Governor it had been discovered that all the publication requirements had not been met. He stated that the necessary information had been published but not in the time frame required by the Statute. He added that he had discussions with the City Clerk, the City Manager and today briefly with the Mayor. He stated that he didn't see any other thing to do but for the Council to take further action and re-notice and resubmit the issue to the electorate. Attorney Ervin stated that there were many other attorneys in the State of Oklahoma that were more knowledgeable in election law than he was and he could provide names of some if the Council wished to get a second opinion.

There was discussion among the Council including Attorney Ervin concerning the tremendous effort by the Hospital, the Mayor's ideas, the statutes regarding the election, the publications, why it had taken this long to become aware of the problem and if the Hospital had spent any money.

Mayor Harrison commented that he would like to look at all options before the Council goes through the time, expense and effort to call another election. He asked if there was any formal action that needed to be taken.

Councilman Smith clarified that the Mayor was going to pursue the other legal opinion and the Governor's office.

Attorney Ervin stated that he would furnish the Mayor with three (3) names and contact information the next day.

There was no action taken on this item.

Recess Council Meeting

Vice-Mayor Read asked for a motion to recess the Special Meeting to convene the McAlester Public Works Authority. A motion was made by Vice-Mayor Read and seconded by Councilman Smith to recess the Special Meeting to convene the McAlester Public Works Authority.

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

AYE: Councilman Read, Smith, Titsworth, Karr, Garvin, Barnett & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried and the Special Meeting was recessed at 6:21 P.M.

Reconvene Council Meeting

The Special Meeting was reconvened at 6:22 P.M.

Adjournment

There being no further business to come before the Council, Vice-Mayor Read moved to adjourn the meeting. The motion was seconded by Councilman Smith, and the vote was taken as follows:

AYE: Councilman Read, Smith, Karr, Garvin, Barnett, Titsworth & Mayor Harrison

NAY: None

Mayor Harrison declared the motion carried and the meeting was adjourned at 6:22 P.M.

ATTEST:

Steve Harrison, Mayor

Cora Middleton, City Clerk

CLAIMS FROM

**November 19, 2014
Thru
December 2, 2014**

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00026	AT & T LONG DISTANCE					
		I-201411196831	01 -5215315	TELEPHONE UTI PHONE EXP-LONG DISTANCE	071777	67.06
01-A00362	VYVE BROADBAND					
		I-201411196832	01 -5431320	INTERNET SERV INTERNET SVS-FIRE STATION #2	071770	62.95
		I-201411256830	01 -5547328	INTERNET SERV INTERNET SVS-OAK HILL CEMETERY	071790	59.95
01-A00500	AMERICAN MUNICIPAL SERV					
		I-22310	01 -2105	COLLECTION AG CT COLLECTION FEES OCT 2014	071818	8,677.00
01-A00751	ATWOODS					
		I-2330/9	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071819	15.96
		I-2331/9	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071819	35.88
		I-2332/9	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071819	75.93
01-A00770	BOLTE ENTERPRISES, INC					
		I-951685	01 -5431203	REPAIRS & MAI MTSC AUTO PARTS FOR FIRE	071820	50.25
01-B00089	BANK OF OKLAHOMA					
		I-5083726	01 -5547300	CONTRACTED SE CEM CARE FUND ADMIN FEE	071821	368.02
01-B00244	HAMM & PHILLIPS SERVICE					
		I-SI412010	01 -5865218	STREET REPAIR WATER TO CLEAN TANK	071823	235.32
01-C00149	CANON FINANCIAL SERVICE					
		I-14367814	01 -5215312	EQUIPMENT REN MONTHLY COPIER LEASE	071827	783.87
01-C00840	CRAWFORD & ASSOCIATES P					
		I-8601	01 -5215302	CONSULTANTS CONSULTANT FEES-FINANCE	071829	6,177.50
01-D00097	DASH MEDICAL CLOVES, IN					
		I-INV0895935	01 -5432202	OPERATING SUP EMS MEDICAL SUPPLIES	071830	271.60
01-E00266	ERVIN & ERVIN ATTORNEYS					
		I-201412016859	01 -5214302	CONSULTANTS CONTRACT LEGAL SVS-DEC 2014	071814	3,125.00
01-F00112	FINLEY & COOK, PLLC					
		I-SI0006242	01 -5215301	AUDITING ANNUAL AUDIT FEE	071834	5,250.00
01-F00141	FIRE STORE					
		I-E1255726	01 -5431207	CLOTHING ALLO CLOTHING ALLOWANCE	071835	171.99
01-G00130	GALL'S, AN ARAMARK CO.,					
		I-002682047	01 -5321207	CLOTHING ALLO CLOTHING ALLOWANCE	071837	14.83
		I-002719831	01 -5321207	CLOTHING ALLO CLOTHING ALLOWANCE	071837	19.19
01-I00049	IDEAL CLEANING					
		I-201412026866	01 -5548203	REPAIRS & MAI MONTHLY CLEANING SVS-NOV 2014	071839	1,455.00

VENDOR	NAME	ITEM #	G/I. ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-100061	RICOH USA, INC.					
		I-5033471654	01 -5321308	CONTRACTED SE POLICE COPIER MAINT FEE	071840	72.50
01-100110	IMPRESS OFFICE SUPPLY					
		I-036985	01 -5215202	OPERATING SUP OFFICE SUPPLIES	071842	9.90
		I-037094	01 -5213317	ADVERTISING & MINUTE ORDERS	071842	144.60
		I-037094	01 -5213317	ADVERTISING & PAY PLANS	071842	77.58
		I-037094	01 -5213317	ADVERTISING & ROUTING SLIPS	071842	185.86
01-100115	INTERMEDIX TECHNOLOGIES					
		I-INVTECH5074	01 -5432308	CONTRACTED SE CONTRACTED SVC EMS OCT 2014	071843	5,159.86
01-J00340	JIM WOOD REFRIGERATION					
		I-14-16706	01 -5548203	REPAIRS & MAI MISC REPAIR FEE	071846	215.46
01-K00053	KANDRA WELLS					
		I-11-17-14	01 -5215302	CONSULTANTS WEBSITE CONSULTANT FEES	071848	800.00
01-K00066	KATCON INC.					
		I-201412036884	01 -5065404	STREET REPAIR SETTLEMENT FOR ST PROJ #4	071905	27,574.80
01-K00166	KEVIN HEAROD					
		I-201412016860	01 -5321331	EMPLOYEE TRAV REIMB LICENSE FEE	071849	100.00
01-K00185	KENNEDY EYE CARE, LLC					
		I-13643	01 -5653213	SAFETY EXPENS PRESCRIPTION SAFETY GLASS	071850	114.00
		I-14659	01 -5653213	SAFETY EXPENS PRESCRIPTION SAFETY GLASS	071850	151.00
01-L00325	LIBERTY FLAGS INC					
		I-71776	01 -5542202	OPERATING SUP 5X8 NYLON US FLAGS	071853	63.30
01-L00360	LOCKE SUPPLY CO.					
		I-24430702-00	01 -5548203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	071854	65.34
01-L00428	TOWF CREDIT SERVICES					
		I-01540	01 -5548203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071855	102.24
		I-05974	01 -5547203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071855	56.27
		I-07072	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071855	64.50
		I-08460	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071855	23.60
		I-9001639	01 -5548203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071855	29.39
		I-901534	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071855	13.27
		I-901964	01 -5548203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071855	86.90
		I-907606	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071855	14.37
01-M00280	MEGAPATH					
		I-201411256842	01 -5215315	TELEPHONE UTI PHONE EXP-LONG DISTANCE	071791	411.80
01-M00487	MILLER OFFICE EQUIPMENT					
		I-MCA362230	01 -5215312	EQUIPMENT REN MONTHLY COPIER SVS	071856	486.20

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-M00715	MUSKOGEE COMMUNICATIONS					
		I-213992	01 -5321316	REPAIRS & MAI REPAIR DISPATCH EQUIP	071857	379.00
01-MC0098	MCAPPEE & TAFT					
		I-441857	01 -5214302	CONSULTANTS LEGAL FEES	071858	2,171.50
		I-442191	01 -5210302	CONSULTANTS/L LEGAL FEES-TAFF & FOP	071858	2,116.00
		I-442192	01 -5214302	CONSULTANTS LEGAL FEES	071858	633.57
		I-442193	01 -5214302	CONSULTANTS LEGAL FEES	071858	391.00
01-N00250	MCALISTER NEWS CAPITAL					
		I-05616821	01 -5212317	ADVERTISING & COUNCIL PUBLICATIONS	071860	118.25
		I-05616824	01 -5865202	OPERATING SUP PUBLICATION FEES	071860	108.82
01-O00358	OKLA ST DEPT OF HEALTH					
		I-14-01114	01 -5432330	DUES & SUBSCR PARAMEDIC LIC. FEE-VINSON	071868	210.00
01-O00380	OKLA ST FIREFIGHTERS					
		I-2015 DUES	01 -5431330	DUES & SUBSCR ANNUAL MEMBERSHIP FEE	071869	2,296.00
01-O00520	OIL-OK INDEPENDENT LIVI					
		I-112014-2010/2011	01 -5101355	OIL-OK FOR IN CONTRACT WITH OIL	071870	2,000.00
01-O00556	OMAG-OK MUNICIPAL ASSUR					
		I-AUTO-2014-3RD QTR	01 -5215321	AUTO INSURANC AUTO INS PREM-3RD QTR	071871	8,477.80
		I-EQUIP-2014-3RD QTR	01 -5215322	LIABILITY INS EQUIP INS PREMIUM- 3RD QT	071871	347.30
		I-LIAB-2014-3RD QTR	01 -5215322	LIABILITY INS LIABILITY INS PREM-3RD QT	071871	19,607.35
		I-PROP-2014-3RD QTR	01 -5215322	LIABILITY INS PROPERTY INS PREM-3RD QT	071871	11,149.50
01-P00207	PEARSON EDUCATION, INC.					
		I-RK75112392	01 -5432331	EMPLOYE TRAVE EMT TRAINING MANUALS	071872	277.01
01-P00560	PUBLIC SERVICE/AEP					
		I-201411256840	01 -5215313	ELECTRIC UTIL ELECTRIC EXP-PAVILION@KOMAR PK	071792	40.81
		I-201411256840	01 -5215313	ELECTRIC UTIL ELECTRIC EXP-KOMAR PARK	071792	75.38
01-Q00007	QFS, LLC					
		I-4144	01 -5432204	SMALL TOOLS FIRE EXTINGUISHERS	071877	149.50
01-R00247	RESONANCE BROADBAND					
		I-201411256841	01 -5544328	INTERNET SERV INTERNET SVS-SBC	071793	60.00
01-S00009	SADLER PAPER CO					
		I-06533	01 -5542203	REPAIRS & MAI JANITORIAL SUPPLIES	071881	138.41
01-S00013	SAF-T-GLOVE INC					
		I-749143-00	01 -5653213	SAFETY EXPENS SAFETY SUPPLIES	071882	125.49
01-S00190	SECURITY SYS. & ENG. IN					
		I-29826	01 -5544308	CONTRACT LABO SECURITY MONITORING FEE	071885	60.00

PACKET: 12272 CLAIMS FOR 12/9/2014

VENDOR SRT: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-S00726	STAPLES ADVANTAGE					
		C-15173 CR	01 -5215202	OPERATING SUP OFFICE SUPPLIES	071886	57.14-
		I-15055	01 -5215202	OPERATING SUP OFFICE SUPPLIES	071886	80.13
		I-15174	01 -5215202	OPERATING SUP OFFICE SUPPLIES	071886	4.58
		I-3248193364	01 -5215202	OPERATING SUP OFFICE SUPPLIES	071886	53.75
		I-3248193368	01 -5653202	OPERATING SUP OFFICE SUPPLIES	071886	23.29
		I-3248193370	01 -5215202	OPERATING SUP OFFICE SUPPLIES	071886	31.23
		I-3248193372	01 -5215202	OPERATING SUP INK FOR STOCK	071886	323.98
01-T00010	T. H. ROGERS LUMBER CO.					
		I-496031	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071887	4.53
		I-496361	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071887	3.40
		I-496475	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071887	17.92
		I-496602	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071887	160.49
01-T00540	TREATS SOLUTIONS LLC					
		I-105192	01 -5542203	REPAIRS & MAI REPAIR FLOOR BUFFER	071888	91.87
01-U00051	UTILITY SUPPLY CO., INC					
		I-080296	01 -5865218	STREET REPAIR MANHOLE RING/LID-STM DR	071890	1,260.00
01-W00040	WALMART COMMUNITY BKC					
		I-000185	01 -5431202	OPERATING SUP MISC OPERATING SUPPLIES	071891	16.93
		I-07015	01 -5210202	OPERATING SUP EMPLOYEE MTG EXP	071891	49.89
		I-08990	01 -5210202	OPERATING SUP CHRISTMAS ON THE HILL	071891	130.00
01-W00270	WHITE ELECTRICAL SUPPLY					
		I-S1823498.001	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071893	50.86
		I-S1823521.001	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071893	6.54
		I-S1824397.001	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071893	24.56
		I-S1828391.001	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071893	44.21
		I-S1829043.001	01 -5548203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	071893	240.20
		I-S1829065.001	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	071893	7.48
		I-S1830916.001	01 -5548203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	071893	487.26
		I-S1831849.001	01 -5548203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	071893	8.26
			FUND 01 GENERAL FUND	TOTAL:		116,938.95

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-B00180	UNION IRON WORKS, INC.					
		I-S1828658.001	02 -5975209	UTILITY MAINT MISC REPAIR & MAINT ITEMS	071822	25.22
		I-S1829474.001	02 -5975209	UTILITY MAINT MISC REPAIR & MAINT ITEMS	071822	98.70
		I-S1829744.001	02 -5975209	UTILITY MAINT MISC REPAIR & MAINT ITEMS	071822	208.41
		I-S1830331.001	02 -5975209	UTILITY MAINT MISC REPAIR & MAINT ITEMS	071822	35.18
		I-S1830393.001	02 -5975209	UTILITY MAINT MISC REPAIR & MAINT ITEMS	071822	1.37
01-C00271	CBSA					
		I-201411246837	02 -2512	CBSA COLLECTY UB&C COLLECTION FEE-OCT 2014	071828	211.78
01-C00840	CRAWFORD & ASSOCIATES P					
		I-8601	02 -5267302	CONSULTANTS CONSULTANT FEES-FINANCE	071829	6,177.50
01-F00030	FAC USACE, TULSA DISTRI					
		I-8451	02 -5974308	CONTRACTED SE WATER STORAGE YRLY FEE	071832	31,859.04
01-F00037	FASTENAL					
		C-OMWCA0024 CR	02 -5973203	REPAIRS & MAI SUPPLIES FOR LIFT STATION	071833	24.67-
		I-OMWCA129320	02 -5975218	STREET REPAIR MISC SUPPLIES FOR UIM	071833	2.16
		I-OMWCA129347	02 -5973203	REPAIRS & MAI SUPPLIES FOR LIFT STATION	071833	29.59
01-F00112	FINLEY & COOK, PLLC					
		I-S10006242	02 -5267301	AUDITTING ANNUAL AUDIT FEE	071834	5,250.00
01-F00170	FIRST NATIONAL BANK					
		I-122014-#134	02 -5864510	LEASE PAYMENT CATERPILLAR & COMPACTOR	071836	8,524.59
01-J00121	JAMESCO ENTERPRISES, LL					
		I-9517	02 -5973203	REPAIRS & MAI JANITORIAL SUPPLIES	071845	65.10
01-K00210	KIAMICHI ELECTRIC COOP.					
		I-201411196833	02 -5267313	ELECTRIC UTIL ELECTRIC EXP-HEREFORD TN	071780	426.52
01-L00428	LOWE'S CREDIT SERVICES					
		I-07876	02 -5975209	UTILITY MAINT MISC MAINT & REPAIR ITEMS	071855	27.49
		I-902789	02 -5973316	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	071855	208.47
		I-907063	02 -5975209	UTILITY MAINT MISC MAINT & REPAIR ITEMS	071855	18.97
01-O00075	O'REILLY AUTO PARTS					
		I-0230-243441	02 -5973203	REPAIRS & MAI BOLTS FOR REPAIRS-WRM	071863	141.62
01-O00275	OKLA DEPT OF COMMERCE					
		I-122014-#8908	02 -5267521	CDBG LOAN #89 CDBG - FDIIF #8908	071866	1,145.83
01-O00320	OKLA ONE-CALL SYSTEM					
		I-2015M0463	02 -5975202	OPERATING SUP ANNUAL MEMBERSHIP FEE	071867	630.00
01-O00556	OMAG-OK MUNICIPAL ASSUR					
		I-AUTO-2014-3RD QTR	02 -5267321	AUTO INSURANC AUTO INS PREM-3RD QTR	071871	1,581.79

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 VENDOR SET: 01
 FUND : 02 MPWA

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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-000556	OMAG-OK MUNICIPAL ASSUR	continued				
	I-EQUIP-2014-3RD QTR	02 -5267322	LIABILITY INS EQUIP INS PREMIUM- 3RD QT	071871	180.22	
	I-LIAB-2014-3RD QTR	02 -5267322	LIABILITY INS LIABILITY INS PREM-3RD QT	071871	4,532.35	
	I-PROP-2014-3RD QTR	02 -5267322	LIABILITY INS PROPERTY INS PREM- 3RD QT	071871	4,667.64	
01-P00420	POSTMASTER					
	I-14-00037	02 -5216317	POSTAGE	POSTAGE FOR UB&C	071875	15,000.00
01-P00560	PUBLIC SERVICE/AEP					
	I-201412036872	02 -5267313	ELECTRIC UTIL ELECTRIC EXP-MPWA	071906	30,410.81	
01-S00726	STAPLES ADVANTAGE					
	I-005809	02 -5216202	OPERATING SUP OFFICE SUPPLIES	071886	199.99	
01-U00051	UTILITY SUPPLY CO., INC					
	I-U80520	02 -5975230	SEWER MAIN RE MAN HOLE RINGS & LIDS	071890	2,100.00	
01-W00270	WHITE ELECTRICAL SUPPLY					
	I-S1828603.001	02 -5973203	REPAIRS & MAI ELECTRICAL SUPPLIES	071893	111.69	
			FUND	02	MPWA	TOTAL:
						113,847.36

FUND : 03 AIRPORT AUTHORITY

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-000170	FIRST NATIONAL BANK					
		I-122014-#119817	03 -5876511	FNB LOAN #119 LOAN #119817 - AIRPORT AUTH	071836	5,020.00
01-000556	OMAG-OK MUNICIPAL ASSUR					
		1-AUTO-2014-3RD QTR	03 -5876321	AUTO INSURANC AUTO INS PREM-3RD QTR	071871	101.14
		1-EQUIP-2014-3RD QTR	03 -5876322	INSURANCE/BON EQUIP INS PREMIUM- 3RD QT	071871	12.28
		I-PROP-2014-3RD QTR	03 -5876322	INSURANCE/BON PROPERTY INS PREM- 3RD QT	071871	2,345.42
				FUND 03 AIRPORT AUTHORITY	TOTAL:	7,478.84

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 VENDOR SET: 01
 FUND : 08 NUTRITION

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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00329	ALISHA RAE HOWELL					
		I-201412016864	08 -5549308	CONTRACT SERV CONTRACT FOR MEAL DEL	071817	135.00
		I-201412016865	08 -5549308	CONTRACT SERV REIMB FOR MILEAGE FOR MEAL DEL	071817	81.20
01-G00288	GERALDINE E MALKOWSKI					
		I-201412016862	08 -5549308	CONTRACT SERV CONTRACT FOR MEAL DEL	071838	135.00
		I-201412016863	08 -5549308	CONTRACT SERV REIMB FOR MILEAGE FOR MEAL DEL	071838	76.16
01-Q00556	OMAG-OK MUNICIPAL ASSUR					
		I-AUTO-2014-3RD QTR	08 -5549323	AUTO INSURANC AUTO INS PREM-3RD QTR	071871	322.81
		I-LIAB-2014-3RD QTR	08 -5549322	LIABILITY INS LIABILITY INS PREM-3RD QT	071871	1,083.82
01-R00304	RICHELLE CHEYENNE					
		I-201412016861	08 -5549308	CONTRACT SERV REIMB MILAGE FOR MEAL DEL	071879	92.32
01-S00580	AT & T					
		I-201411256839	08 -5549315	TELEPHONE UT1 PHONE EXP-NUTRITION	071794	213.55
01-W00040	WALMART COMMUNITY BRC					
		I-06909	08 -5549202	OPERATING SUP MISC REPAIR & MAINT ITEMS	071891	84.87
			FUND 08 NUTRITION		TOTAL:	2,214.73

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VENDOR SET: 01

FUND : 24 AIRPORT GRANT

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-B00507	BRONZE OAK LLC					
		I-2014 PMT #1	24 -5876401	CAPITAL OUTLA RUNWAY IMPROVEMENT-AIRPOR	071826	397,944.00
01-L00220	LBR, INC.					
		I-5115	24 -5876401	CAPITAL OUTLA CONSULTANT FEE-AP GRANT	071852	24,500.00
			FUND 24	AIRPORT GRANT	TOTAL:	422,444.00

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VENDOR SET: 01

FUND : 27 TOURISM FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-MC0134	MCALESTER MAIN STREET					
		I-112014-2010/2011	27 -5655353	MAIN STREET P CONTRACT WITH MCALESTER MAIN S	071859	1,141.59
01-P00450	PRIDE IN MCALESTER					
		I-112014-2010-2011	27 -5655352	MISC PRIDE IN CONTRACT WITH PRIDE IN McALEST	071876	2,250.00
01-R00247	RESONANCE BROADBAND					
		I-201411256841	27 -5655214	TOURISM EXPEN INTERNET SVS-TOURISM	071793	100.00
01-T00058	BIZTEL COMMUNICATIONS					
		I-6009	27 -5655315	TELEPHONE UTI ADDN'L PHONE LINES	071907	200.00
			FUND	27 TOURISM FUND	TOTAL:	3,691.59

FUND : 28 SE EXPO CENTER

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-000556	OMAG-OK MUNICIPAL ASSUR					
		I-AUTO-2014-3RD QTR	28 -5654321	AUTO INSURANC AUTO INS PREM-3RD QTR	071871	96.50
		I-LIAB-2014-3RD QTR	28 -5654322	LIABILITY INS LIABILITY INS PREM-3RD QT	071871	886.76
		I-PROP-2014-3RD QTR	28 -5654322	LIABILITY INS PROPERTY INS PREM- 3RD QT	071871	4,616.85
		I-PROP-2014-3RD QTR	28 -5654322	LIABILITY INS PROPERTY INS PREM- 3RD QT	071871	202.50
01-P00210	PEPSI COLA					
		I-14-01078	28 -5654210	CONCESSION SU CONCESSION SUPPLIES	071873	720.80
01-P00560	PUBLIC SERVICE/AEP					
		I-201411256840	28 -5654313	ELECTRIC UTIL ELECTRIC EXP-EXPO RV PARK	071792	60.71
01-R00247	RESONANCE BROADBAND					
		I-201411256841	28 -5654328	INTERNET SERV INTERNET SVS-EXPO	071793	100.00
01-S00009	SADLER PAPER CO					
		I-05162	28 -5654203	REPAIR & MAIN JANITORIAL SUPPLIES	071881	478.90
01-T00058	BIZTEL COMMUNICATIONS					
		I-2821	28 -5654202	OPERATING SUP ADDN'L PHONE LINES	071907	100.00
				FUND 28 SE EXPO CENTER	TOTAL:	7,263.02

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VENDOR SET: 01
FUND : 29 E-911

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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00856	CROSS TELEPHONE COMPANY					
	I-00010575	29 -5324315	TELEPHONE UT1 PHONE EXP-E-911 CTY TRUNK LN	071779	473.02	
01-100066	I/O SOLUTIONS, INC.					
	I-C32980A	29 -5324331	EMPLOYEE TRAV 911 EXAM TEST FEE	071841	208.00	
01-100203	INTERACT					
	1-PA007105	29 -5324308	CONTRACTED SE 911 MAPPING MAINT FEE	071844	3,575.00	
01-J00435	JORDAN CARRIS AGENCY					
	I-14-00866	29 -5324202	OPERATING SUP NOTARY BOND FEE	071847	30.00	
01-000556	OMAG-OK MUNICIPAL ASSUR					
	I-AUTO-2014-3RD QTR	29 -5324321	AUTO INSURANC AUTO INS PREM-3RD QTR	071871	114.56	
	I-LIAB-2014-3RD QTR	29 -5324322	LIABILITY INS LIABILITY INS PREM-3RD QT	071871	788.23	
01-500180	OKLA SECRETARY OF STATE					
	I-14-00867	29 -5324202	OPERATING SUP NOTARY FILING FEE	071883	10.00	
	I-14-00868	29 -5324202	OPERATING SUP RENEWAL FOR NOTARY	071884	20.00	
			FUND 29 E-911	TOTAL:	5,218.81	

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 VENDOR SET: 01
 FUND : 30 ECONOMIC DEVELOPMENT

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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1	MISC VENDOR					
	KIRK RIDENOUR	I-201411246836	30 -5652331	EMPLOYEE TRAV TRAVEL EXP-ICSC CONF DALLAS	071816	120.91
01-MC0134	MCALESTER MAIN STREET					
		I-112014-2010/2011	30 -5211353	MAIN STREET P CONTRACT WITH MCALESTER MAIN S	071859	1,141.58
01-000275	OKLA DEPT OF COMMERCE					
		I-122014-#12248	30 -5211510	CDBG / EDIF D CDBG - EDIF CONT #12248	071865	282.50
01-P00450	PRIDE IN MCALESTER					
		I-112014-2010-2011	30 -5211352	MISC PRIDE IN CONTRACT WITH PRIDE IN MCALEST	071876	2,250.00
01-R00260	RETAIL ATTRACTIONS LLC					
		I-0620	30 -5652302	CONSULTANTS CONSULTANT FEES	071878	1,000.00
01-R00464	ROBISON INTERNATIONAL,					
		I-112014-2012-13	30 -5211361	LOBBYING SERV LOBBYING SERVICES-MDSA	071880	2,000.00
			FUND 30 ECONOMIC DEVELOPMENT	TOTAL:		6,794.99

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PACKET: 12272 CLAIMS FOR 12/9/2014

VENDOR SET: 01

FUND : 32 GRANTS & CONTRIBUTIONS

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-B00499	BRANDY C. SUPPI					
		T-1045803	32 -5215220	DISC GOLF CGU SCORE CARDS FOR DISC GOLF	071825	440.64
			FUND	32 GRANTS & CONTRIBUTIONS	TOTAL:	440.64

PACKET: 12272 CLAIMS FOR 12/9/2014

VENDOR SET: 01

FUND : 35 FLEET MAINTENANCE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00770 BOLTE ENTERPRISES, INC						
	I-951433	35 -5862203	REPAIRS & MAI	MISC AUTO REPAIRS	071820	15.54
	I-951478	35 -5862203	REPAIRS & MAI	MISC AUTO REPAIRS	071820	312.08
	I-951479	35 -5862203	REPAIRS & MAI	MISC AUTO REPAIRS	071820	146.00
	I-951653	35 -5862203	REPAIRS & MAI	MISC AUTO REPAIRS	071820	156.40
	I-951807	35 -5862203	REPAIRS & MAI	MISC AUTO REPAIRS	071820	37.84
01-K00190 YELLOWHOUSE MACHINERY C						
	I-16522	35 -5862203	REPAIRS & MAI	MISC REPAIR PARTS	071851	38.70
01-N00270 NIX AUTO CENTER, INC.						
	I-137885	35 -5862203	REPAIRS & MAI	MISC AUTO REPAIRS & PARTS	071861	34.82
	I-137943	35 -5862203	REPAIRS & MAI	MISC AUTO REPAIRS & PARTS	071861	35.64
	I-266847	35 -5862203	REPAIRS & MAI	MISC AUTO REPAIRS & PARTS	071861	32.16
01-N00271 FREEDOM FORD INC						
	I-159116	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071862	42.95
01-O00075 O'REILLY AUTO PARTS						
	C-0230-243785 CR	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	3.45-
	C-0230-245882 CR	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	11.04-
	I-0230-243418	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	21.25
	I-0230-243649	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	5.98
	I-0230-243689	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	81.39
	I-0230-243690	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	3.45
	I-0230-244223	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	26.69
	I-0230-244243	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	156.62
	I-0230-244244	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	45.06
	I-0230-244758	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	19.19
	I-0230-244359	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	19.94
	I-0230-244368	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	33.55
	I-0230-244498	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071863	16.83
	I-0230-244789	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071864	68.69
	I-0230-244824	35 -5862203	REPAIRS & MAI	MISC REPAIR PARTS	071864	550.00
	I-0230-245022	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071864	14.40
	I-0230-245120	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071864	102.39
	I-0230-245272	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071864	19.94
	I-0230-245314	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071864	21.36
	I-0230-245362	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071864	49.45
	I-0230-245899	35 -5862203	REPAIRS & MAI	MISC AUTO PARTS	071864	117.39
01-P00329 PITSTOP						
	I-5567	35 -5862203	REPAIRS & MAI	SPARE KEYS FOR VEHICLES	071874	170.00
01-T00612 TULSA FREIGHTLINER						
	I-126102606	35 -5862203	REPAIRS & MAI	PARTS FOR S-53 DUMP TRUCK	071889	208.56
01-W00195 WELDON PARTS INC.						
	I-1364259-00	35 -5862203	REPAIRS & MAI	MISC REPAIR PARTS	071892	51.99

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VENDOR SET: 01

FUND : 35 FLEET MAINTENANCE

VENDOR	NAME	ITEM #	G/I. ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-W00195 WELDON PARTS INC.			continued			
		1-1374141-00	35 -5862203	REPAIRS & MAI MISC REPAIR PARTS	071892	3.30
				FUND 35 FLEET MAINTENANCE	TOTAL:	2,645.05

PACKET: 12272 CLAIMS FOR 12/9/2014

VENDOR SET: 01

FUND : 41 CIP FUND

VENDOR	NAME	ITEM #	S/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-B00413	BOB MOORE OF TULSA, LLC					
		I-14-01105	41 -5321401	CAPITAL OUTLA 2014 POLICE VEHICLE	071824	13,880.00
01-D00217	DEERE CREDIT, INC.					
		I-122014-#0063527	41 -5865510	LEASE PAYMENT LEASE PMT #0063527-EXCAVATOR	071831	1,140.15
01-F00170	FIRST NATIONAL BANK					
		I-122014-#137	41 -5865510	LEASE PAYMENT LEASE PAYMENT ON DUMPTRUCK	071836	3,378.84
			FUND 41 CIP FUND	TOTAL:		18,398.99

PACKET: 12272 CLAIMS FOR 12/9/2014

VENDOR SET: 01

FUND : 42 FEDERAL FORFEITURE FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-B00413	BOB MOORE OF TULSA, LLC					
		I-14-01105	42 -5321401	CAPITAL OUTLA 2014 POLICE VEHICLE	071824	9,000.00
				FUND 42 FEDERAL FORFEITURE FUND TOTAL:		9,000.00
				REPORT GRAND TOTAL:		716,377.17

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM		GROUP BUDGET	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
2014-2015	01 -2105	COLLECTION AGENCY 25% (COU	8,677.00				
	01 -5101355	OFF-OK FOR INDEPENDENT LIV	2,000.00	21,600	11,600.00		
	01 -5210202	OPERATING SUPPLIES	179.89	2,500	1,294.63		
	01 -5210302	CONSULTANTS/LABOR RELATION	2,116.00	45,000	24,050.62		
	01 -5212317	ADVERTISING & PRINTING	118.25	2,000	326.42		
	01 -5213317	ADVERTISING & PRINTING	408.04	4,500	4,091.96		
	01 -5214302	CONSULTANTS	6,321.07	50,000	10,267.04-	Y	
	01 -5215202	OPERATING SUPPLIES	416.43	31,500	13,121.41		
	01 -5215301	AUDITTING	5,250.00	14,750	0.00		
	01 -5215302	CONSULTANTS	6,977.50	25,000	4,997.07-	Y	
	01 -5215312	EQUIPMENT RENTALS	1,270.07	21,000	0.00		
	01 -5215313	ELECTRIC UTILITY	116.19	294,500	170,939.76		
	01 -5215315	TELEPHONE UTILITY	478.66	35,000	17,198.35		
	01 -5215321	AUTO INSURANCE	8,477.80	35,000	5,614.75-	Y	
	01 -5215322	LIABILITY INSURANCE/BONDS	31,104.15	145,000	16,765.84		
	01 -5321207	CLOTHING ALLOWANCE	34.02	52,320	36,208.57		
	01 -5321308	CONTRACTED SERVICES	72.50	11,000	6,826.89		
	01 -5321316	REPAIRS & MAINTENANCE	379.00	3,000	1,968.82		
	01 -5321331	EMPLOYEE TRAVEL & TRAININ	100.00	10,000	8,697.53		
	01 -5431202	OPERATING SUPPLIES	16.93	12,900	3,911.19		
	01 -5431203	REPAIRS & MAINT SUPPLIES	50.25	9,900	5,173.04		
	01 -5431207	CLOTHING ALLOWANCE	171.99	18,000	2,620.41-	Y	
	01 -5431328	INTERNET SERVICE	62.95	2,270	287.60-	Y	
	01 -5431330	DUES & SUBSCRIPTIONS	2,296.00	8,000	3,676.00		
	01 -5432202	OPERATING SUPPLIES	271.60	24,000	11,628.02		
	01 -5432204	SMALL TOOLS	149.50	4,000	1,574.17		
	01 -5432308	CONTRACTED SERVICES	5,159.86	40,302	20,658.22		
	01 -5432330	DUES & SUBSCRIPTIONS	210.00	1,500	1,050.84		
	01 -5432331	EMPLOYEE TRAVEL & TRAINING	277.01	3,500	982.99		
	01 -5542202	OPERATING SUPPLIES	63.30	1,200	381.68		
	01 -5542203	REPAIRS & MAINT SUPPLIES	795.78	47,500	20,512.63		
	01 -5544308	CONTRACT LABOR	60.00	18,000	10,847.00		
	01 -5544328	INTERNET SERVICE	60.00	1,380	812.49		
	01 -5547203	REPAIRS & MAINT SUPPLIES	56.27	11,000	5,671.48		
	01 -5547308	CONTRACTED SERVICES	368.02	4,660	220.00		
	01 -5547328	INTERNET SERVICE	59.95	720	420.25		
	01 -5548203	REPAIRS & MAINTENANCE SUPP	2,690.05	42,000	5,365.79		
	01 -5653202	OPERATING SUPPLIES	23.29	1,000	760.98		
	01 -5653213	SAFETY EXPENSE	390.49	24,000	10,858.57		
	01 -5665202	OPERATING SUPPLIES	108.82	1,200	1,091.18		
	01 -5665218	STREET REPAIRS & MAINTENAN	1,495.32	261,000	91,387.30		
	01 -5665404	STREET REPAIR PROJECT	27,574.80	210,000	182,425.20		
	02 -2512	CBSA COLLECTION FEES	211.78				
	02 -5216202	OPERATING SUPPLIES	199.99	7,000	3,667.32		
	02 -5216317	POSTAGE	15,000.00	55,000	25,000.00		

** 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	-5267301	AUDITTING	5,250.00	14,750	0.00		
02	-5267302	CONSULTANTS	6,177.50	20,000	156.93		
02	-5267313	ELECTRIC UTILITY	30,837.33	220,785	29,970.93		
02	-5267321	AUTO INSURANCE - FLEET	1,581.79	10,000	1,657.93-	Y	
02	-5267322	LIABILITY INSURANCE/BONDS	9,380.21	50,000	12,320.63		
02	-5267521	CDBG LOAN #8908	1,145.83	13,750	6,075.02		
02	-5864510	LEASE PAYMENTS	8,524.59	51,147	0.56		
02	-5973203	REPAIRS & MAINT SUPPLIES	323.33	25,000	130.02		
02	-5973316	REPAIRS & MAINTENANCE	200.47	22,000	6,708.14		
02	-5974308	CONTRACTED SERVICES	31,859.04	85,000	43,000.00		
02	-5975202	OPERATING SUPPLIES	630.00	3,500	1,619.18		
02	-5975209	UTILITY MAINTENANCE SUPP.	415.34	32,500	3,463.85		
02	-5975218	STREET REPAIRS & MAINTENANCE	2.16	115,000	50,729.02		
02	-5975230	SEWER MAIN REPAIR	2,100.00	20,000	9,700.00		
03	-5876321	AUTO INSURANCE	101.14	500	95.45		
03	-5876322	INSURANCE/BONDS	2,357.70	12,000	1,411.61		
03	-5876511	FNB LOAN #119817 PAYMENTS	5,020.00	60,240	30,120.00		
08	-5549202	OPERATING SUPPLIES	84.87	1,000	807.13		
08	-5549308	CONTRACT SERVICES	509.68	15,500	9,105.37		
08	-5549315	TELEPHONE UTILITY	213.55	3,386	1,998.59		
08	-5549321	AUTO INSURANCE	322.81	600	981.23-	Y	
08	-5549322	LIABILITY INSURANCE/BONDS	1,083.82	3,600	767.03-	Y	
24	-5876401	CAPITAL OUTLAY	422,444.00	1,823,620	442,046.45		
27	-5655214	TOURISM EXPENSE	100.00	40,000	36,050.30		
27	-5655315	TELEPHONE UTILITY	200.00	600	137.73		
27	-5655352	MISC PRIDE IN MCALESTER	2,250.00	27,000	15,750.00		
27	-5655353	MAIN STREET PROGRAM	1,141.59	12,600	6,892.05		
28	-5654202	OPERATING SUPPLIES	100.00	2,155	2,012.81		
28	-5654203	REPAIR & MAINT SUPPLIES	478.90	10,846	15,657.21		
28	-5654210	CONCESSION SUPPLIES	720.80	17,221	8,535.82		
28	-5654313	ELECTRIC UTILITY	60.71	57,000	24,659.57		
28	-5654321	AUTO INSURANCE	96.50	300	85.99-	Y	
28	-5654322	LIABILITY INSURANCE/BONDS	5,706.11	26,000	3,146.02		
28	-5654328	INTERNET SERVICE	100.00	1,200	600.00		
29	-5324202	OPERATING SUPPLIES	60.00	5,000	4,145.75		
29	-5324308	CONTRACTED SERVICES	3,575.00	65,500	19,196.49		
29	-5324315	TELEPHONE UTILITY	473.02	59,499	37,919.33		
29	-5324321	AUTO INSURANCE	114.56	459	0.76		
29	-5324322	LIABILITY INSURANCE/BONDS	788.23	4,400	1,234.51		
29	-5324331	EMPLOYEE TRAVEL & TRAINING	200.00	4,500	4,292.00		
30	-5211352	MISC PRIDE IN MCALESTER	2,250.00	27,000	15,750.00		
30	-5211353	MAIN STREET PROGRAM	1,141.58	12,600	6,892.10		
30	-5211361	LOBBYING SERVICES	2,000.00	24,000	14,000.00		
30	-5211510	CDBG / EDTF DURATION LOAN	282.50	3,390	1,695.00		
30	-5652302	CONSULTANTS	1,000.00	130,000	107,030.00		

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====		=====GROUP BUDGET=====	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
	30 -5652331	EMPLOYEE TRAVEL & TRAINING	120.91	17,500	9,988.41		
	32 -5215220	DISC GOLF COURSE EXPENSE	440.84	0	7,638.27-	Y	
	35 -5862203	REPAIRS & MAINTENANCE SUPP	2,645.05	240,000	120,721.31		
	41 -5321401	CAPITAL OUTLAY	13,880.00	132,606	6,748.00		
	41 -5865510	LEASE PAYMENTS	4,518.99	40,547	17,993.66		
	42 -5321401	CAPITAL OUTLAY	9,000.00	33,000	24,000.00		
** 2014-2015 YEAR TOTALS **			716,377.17				

NO ERRORS

** END OF REPORT **

PACKET: 12272 CLAIMS FOR 12/9/2014
 VENDOR SET: 01
 BANK : FNB FIRST NATIONAL BANK

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
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** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT
01	11/2014	777.95CR
01	12/2014	116,161.00CR
02	11/2014	426.52CR
02	12/2014	113,420.84CR
03	12/2014	7,478.84CR
08	11/2014	213.55CR
08	12/2014	2,001.18CR
24	12/2014	422,444.00CR
27	11/2014	100.00CR
27	12/2014	3,591.59CR
28	11/2014	160.71CR
28	12/2014	7,102.31CR
29	11/2014	473.02CR
29	12/2014	4,745.79CR
30	12/2014	6,794.99CR
32	12/2014	440.84CR
35	12/2014	2,645.05CR
41	12/2014	18,398.99CR
42	12/2014	9,000.00CR
ALL		716,377.17CR

ACH PAYMENT
FOR
DECEMBER 9, 2014
CLAIMS

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====		
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
2014-2015	27 -5655340	OFFICE RENT	558.20	6,700	3,350.80				
** 2014-2015 YEAR TOTALS **			558.20						

** DEPARTMENT TOTALS **

ACCT	NAME	AMOUNT
27 -655	TOURISM	558.20
27 TOTAL	TOURISM FUND	558.20
** TOTAL **		558.20

NO ERRORS

** END OF REPORT **

SCHEDULE "D"

FORM OF PAYMENT REQUISITION

PAYMENT REQUISITION
SERIES 2013 PROJECT ACCOUNT
THE MCALESTER PUBLIC WORKS AUTHORITY CONSTRUCTION FUND

FROM: Trustees of The McAlester Public Works Authority

TO: BancFirst

DATE: December 1, 2014

Pursuant to the provisions the Series 1999 Revenue Bond Indenture dated as of May 1, 1999, as heretofore supplemented and amended by a Series 2002 Revenue Bond Indenture dated as of July 1, 2002, as supplemented and amended by a Series 2012 Supplemental Note Indenture dated as of December 1, 2012, and as further supplemented and amended by a Series 2013 Supplemental Note Indenture dated as of June 1, 2013 (collectively, the "Indenture"), all by and between The McAlester Public Works Authority and BancFirst, as Trustee, you are directed to pay Creditor from the Series 2013 Project Account within the Construction Fund of said Authority as indicated below, the amounts shown for the purposes set forth in this Requisition.

Mehlburger Brawley	874081029
CREDITOR	TRUST NO.

719 S. George Nigh Expressway McAlester, OK 74501
MAILING ADDRESS

Professional Services	Invoice: MC-14-06-01
ITEM	ITEM NO.

November 30, 2014	CIP #3	\$ 6,888.00
DATE	PURPOSE	AMOUNT

AUTHORIZATION AND CERTIFICATE OF CITY MANAGER/CHAIRMAN

With reference to the above requisition, the undersigned certifies:

1. The above requisition is approved.

2. Each obligation therein has been properly incurred and is now due and unpaid and that insofar as such obligation was incurred for work, materials, equipment or supplies, such work was actually performed, and such materials, equipment or supplies were actually installed or delivered to or for the Project as evidenced by the certificate of the supervising architect or engineer or other appropriate certification.

3. That obligations in the stated amounts have been incurred by the Authority and that each item is a proper charge against the Construction Fund and has not been paid.

4. That there has not been filed with or served upon the Authority, notice of any lien, right to lien, or attachment upon, or claim affecting the right of any such persons, firms or corporations to receive payment of, the respective amounts stated in this requisition which has not been released or will not be released simultaneously with this payment.

5. That such requisition contains no item representing payment on account of any retained percentages which the Authority is at the date of such certificate entitled to retain.

THE MCALESTER PUBLIC WORKS AUTHORITY

City Manager or Chairman

Date: December 1, 2014

Date Approved: _____

Date Paid: _____

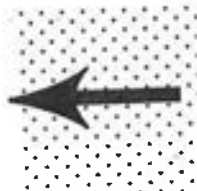
Authorized Officer

Submit in triplicate:

1 to Trustee Bank

1 to Authority

1 to City





MEHLBURGER BRAWLEY

November 26, 2014

John Modzelewski, P.E., City Engineer
City of McAlester / McAlester Public Works Authority
PO Box 578
McAlester, OK 74502-0578

In Reference To: CIP #3, Second Street from Comanche Ave to Modoc Ave
Construction Management and Resident Project Representative
Invoice # MC-14-06-01

Dear Mr. Modzelewski:

Please find attached the invoice for Engineering Services for the above referenced project. Please process this invoice for payment at your earliest convenience. If you have any questions please do not hesitate to let us know.

Please mail all payments to Mehlburger Brawley's McAlester office at the following address:

Mehlburger Brawley
719 S. George Nigh Expressway
McAlester, OK 74501

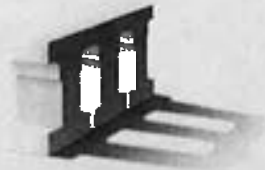
Sincerely,

Infrastructure Solutions Group, LLC
dba Mehlburger Brawley

Robert Vaughan, P.E.
Branch Manager

Enclosure

RV/ks



MEHLBURGER BRAWLEY

INVOICE SUBMITTED TO:

November 30, 2014

City of McAlester
PO Box 578
McAlester, OK 74502-0578

Invoice # MC-14-06-01

In Reference To: CIP #3, Second Street from Comanche Ave to Modoc Avenue
Construction Management and Resident Project Representative

Construction Start Date: November 14, 2014
Calendar Days in Contract: 330 days
Percentage Complete to Date: 16/330 = 4.8%

CONSTRUCTION MANAGEMENT – \$40,000.00
4.8% of \$40,000.00 \$ 1,920.00

RESIDENT PROJECT REPRESENTATIVE - \$103,500.00
4.8% of \$103,500.00 \$ 4,968.00

TOTAL SERVICES BILLED TO DATE \$ 6,888.00

LESS PREVIOUSLY INVOICED - \$ -0-

TOTAL DUE THIS INVOICE **\$ 6,888.00**

All invoices are payable within 15 days of receipt. Please send payments to

Mehlburger Brawley
719 S. George Nigh Expressway
McAlester, OK 74501

SCHEDULE "D"

FORM OF PAYMENT REQUISITION

PAYMENT REQUISITION
SERIES 2013 PROJECT ACCOUNT
THE MCALESTER PUBLIC WORKS AUTHORITY CONSTRUCTION FUND

FROM: Trustees of The McAlester Public Works Authority

TO: BancFirst

DATE: December 1, 2014

Pursuant to the provisions the Series 1999 Revenue Bond Indenture dated as of May 1, 1999, as heretofore supplemented and amended by a Series 2002 Revenue Bond Indenture dated as of July 1, 2002, as supplemented and amended by a Series 2012 Supplemental Note Indenture dated as of December 1, 2012, and as further supplemented and amended by a Series 2013 Supplemental Note Indenture dated as of June 1, 2013 (collectively, the "Indenture"), all by and between The McAlester Public Works Authority and BancFirst, as Trustee, you are directed to pay Creditor from the Series 2013 Project Account within the Construction Fund of said Authority as indicated below, the amounts shown for the purposes set forth in this Requisition.

T. McDonald Construction

874081029

CREDITOR

TRUST NO.

P.O. Box 1043 Eufaula, OK 74432

MAILING ADDRESS

Construction Services

Invoice: Payment # 1

ITEM

ITEM NO.

November 20, 2014

CIP #3

\$ 106,555.24

DATE

PURPOSE

AMOUNT

AUTHORIZATION AND CERTIFICATE OF CITY MANAGER/CHAIRMAN

With reference to the above requisition, the undersigned certifies:

1. The above requisition is approved.

2. Each obligation therein has been properly incurred and is now due and unpaid and that insofar as such obligation was incurred for work, materials, equipment or supplies, such work was actually performed, and such materials, equipment or supplies were actually installed or delivered to or for the Project as evidenced by the certificate of the supervising architect or engineer or other appropriate certification.

3. That obligations in the stated amounts have been incurred by the Authority and that each item is a proper charge against the Construction Fund and has not been paid.

4. That there has not been filed with or served upon the Authority, notice of any lien, right to lien, or attachment upon, or claim affecting the right of any such persons, firms or corporations to receive payment of, the respective amounts stated in this requisition which has not been released or will not be released simultaneously with this payment.

5. That such requisition contains no item representing payment on account of any retained percentages which the Authority is at the date of such certificate entitled to retain.

THE MCALESTER PUBLIC WORKS AUTHORITY

City Manager or Chairman

Date: December 1, 2014

Date Approved: _____

Date Paid: _____

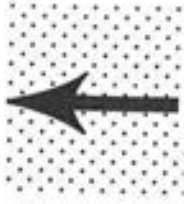
Authorized Officer

Submit in triplicate:

1 to Trustee Bank

1 to Authority

1 to City



Contractor's Application for Payment No. 1	
To (Owner):	Application Period: 11/17/2014-11/20/2014
Project: CITY OF MCALISTER SECOND STREET IMPROVEMENTS	Application Date: 11/20/2014
Owner's Contract No. N/A	From (Contractor): T. McDONALD CONST. INC.
	Via (Engineer): Mobilizer Breakby
	Contractor's Project No.: 2099
	Engineer's Project No.: MC-14-01

Application For Payment Change Order Summary


Approved Change Orders	Number	Additions	Deductions
1. ORIGINAL CONTRACT PRICE \$ 52,730,987.50			
2. Net change by Change Orders \$			
3. Current Contract Price (Line 1 + 2) \$ 52,730,987.50			
4. TOTAL COMPLETED AND STORED TO DATE			
(Column F on Progress Estimate) \$ 511,394.71			
5. RETAINAGE:			
a. 10% X \$62,500.00 Work Completed \$ 6,250.00			
b. 10% X \$55,894.71 Stored Material \$ 5,589.47			
c. Total Retainage (Line 5a + Line 5b) \$ 11,839.47			
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c) \$ 510,555.24			
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application) \$			
8. AMOUNT DUE THIS APPLICATION \$ 510,555.24			
9. BALANCE TO FINISH, PLUS RETAINAGE			
(Column G on Progress Estimate + Line 5 above) \$ 52,624,432.26			
TOTALS			
NET CHANGE BY			
CHANGE ORDERS			

Contractor's Certification

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such liens, security interests or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By:  Date: 11-25-14

Payment of: \$ 510,555.24 (Line 8 Engineer - attach explanation of the other amount)

is recommended by:  11/24/14 (Date)

Payment of: \$ 510,555.24 (Line 8 or other - attach explanation of the other amount)

is approved by: _____ (Owner) (Date)

Approved by: _____ Funding Agency (if applicable) (Date)

Progress Estimate

Contractor's Application

For (contract):		MC 14-01		Application Numl		Application Date		11/20/2014	
Application Per		11/11/2014-11/20/2014		Application Date		11/20/2014			
A									
Item									
Bid Item No	Description	Bid Quantity	Unit Price	Bid Value	Estimated Quantity Installed	D	E	F	G
1	EARTHWORK	1	\$65,000.00	\$65,000.00					\$65,000.00
2	SOLID SLAB SOD	5355	\$3.00	\$16,065.00					\$16,065.00
3	AGGREGATE TYPE A	2135	\$47.50	\$101,412.50					\$101,412.50
4	BASE REPAIR-ACG BASE TYPE A	220	\$85.00	\$18,700.00					\$18,700.00
5	LIME	68	\$200.00	\$13,600.00					\$13,600.00
6	LIME STABILIZED SUBGRADE	12800	\$12.00	\$153,600.00					\$153,600.00
7	TACK COAT	3000	\$1.00	\$3,000.00					\$3,000.00
8	PRIME COAT	135	\$10.00	\$1,350.00					\$1,350.00
9	DRIVING SURFACE (OVERLAY) SUPERPAVE SS (PG64-22)-3"	600	\$14.00	\$8,400.00					\$8,400.00
10	BASE REPAIR PATCH (OVERLAY) SUPERPAVE SS (PG64-22)-3"	75	\$150.00	\$11,250.00					\$11,250.00
11	AC/P BASE REPAIR PATCH (SUPERPAVE SS (PG64-22)-3")	70	\$150.00	\$10,500.00					\$10,500.00
12	1/2" ATER LINE BASE REPAIR PATCH (SUPERPAVE SS (PG64-22)-3")	25	\$150.00	\$3,750.00					\$3,750.00
13	CURB D MILLING PAVEMENT (OVERLAY)	3700	\$8.00	\$29,600.00					\$29,600.00
14	PC CONCRETE FOR PAVEMENT (PLACEMENT)	11520	\$24.50	\$282,240.00					\$282,240.00
15	PC CONCRETE FOR PAVEMENT (PLACEMENT)	2600	\$132.00	\$343,200.00					\$343,200.00
16	CONCRETE JOINT SEALING	23625	\$1.20	\$28,350.00					\$28,350.00
17	CONCRETE CURB (6" BARRIER-INTEGRAL)	4400	\$9.00	\$39,600.00					\$39,600.00
18	4" CONCRETE SIDEWALK	1800	\$44.00	\$79,200.00					\$79,200.00
19	6" CONCRETE DRIVEWAY	2000	\$66.00	\$132,000.00					\$132,000.00
20	TACTILE WARNING DEVICE	420	\$22.00	\$9,240.00					\$9,240.00
21	INTEL C/DES 2 (STD)	2	\$6,600.00	\$13,200.00					\$13,200.00
22	INTEL C/DES 3 (STD)	1	\$7,150.00	\$7,150.00					\$7,150.00
23	6" PERFORATED UNDERDRAIN ROUND	6000	\$10.00	\$60,000.00					\$60,000.00
24	8" NON-PERFORATED UNDERDRAIN ROUND	200	\$20.00	\$4,000.00					\$4,000.00
25	REMOVAL OF CONCRETE PAVEMENT W/ASPHALT OVERLAY	12000	\$7.00	\$84,000.00					\$84,000.00
26	REMOVAL OF SIDEWALK	1300	\$4.00	\$5,200.00					\$5,200.00
27	MULCHIZATION	1	\$80,000.00	\$80,000.00	0.5	\$40,000.00	\$40,000.00	50.0%	\$40,000.00
28	12" X 18" ROADRAIN	12800	\$10.95	\$140,160.00					\$140,160.00
29	4" X 12" JUNCTION BOXES	4	\$4,500.00	\$18,000.00					\$18,000.00
30	19" X 30" RC PIPE CLASS III	23	\$260.00	\$5,980.00					\$5,980.00
31	10" RC PIPE CLASS III	890	\$110.00	\$97,900.00					\$97,900.00
32	24" X 30" RC PIPE ARCH CLASS III	5	\$500.00	\$2,500.00					\$2,500.00
33	44" X 27" RC PIPE ARCH CLASS III	33	\$350.00	\$11,550.00					\$11,550.00
34	SEWER LINE CONNECTIONS (UNDER RCP WEST SIDE FROM COMMAMACHE TO CANAL)	11	\$1,500.00	\$16,500.00					\$16,500.00
35	8" SDR 35 PVC MAIN SEWER LINE	2910	\$65.00	\$189,150.00			\$12,444.90	\$12,444.90	6.6%

Stored Material Summary

Contractor's Application

CITY OF ELUFALA CDBG SEWER COLLECTION IMPROVEMENTS PROJECT NO. EUP-12-03										Application Number:	
11/1/2013 TO 2/17/2014										Application Date:	
A	B	C	D		E		F		G		
Invoice No.	Shop Drawing Transmittal No	Materials Description	Stored Previously		Stored this Month		Incorporated in Work		Materials Remaining in Storage (\$) (D + E - F)		
			Date (Month/Y)	Amount (\$)	Amount (\$)	Subtotal	Date (Month/Year)	Amount (\$)			
80309		WATER SERVICE CONNECTION FITTINGS				\$18,166.27			\$18,166.27		
80306		WATER AND SEWER LINE PIPE/ GATE VALVES				\$37,728.44			\$37,728.44		
		Totals				\$55,894.71			\$55,894.71		



Phone: (918) 266-0209 Fax: (918) 266-0235

19711 EAST 6TH STREET
TULSA, OK 74108
F.EIN 73-0706102

INVOICE

Invoice No. 080308
Date 11/18/2014
Order No. 147850
Customer ID TMCDONALD
Salesperson JERRY JEWETT

BILL TO:	SHIP TO:
T. MCDONALD CONSTRUCTION P.O. BOX 1043 EUFAULA, OK 74432	T. MCDONALD CONSTRUCTION 2ND STREET IMPROVEMENTS KREBS, OK

F.O.B. POINT		SHIP VIA		TERMS	CUSTOMER P.O. NO.	ORDERED BY	DATE SHIPPED	
		OUR TRUCK	Net 10th Prox				11/14/2014	
LINE NBR	QTY ORDERED	QTY SHIPPED	QTY DD	ALL MATERIALS SUBJECT TO MANUFACTURE'S WARRANTIES		UNITS	PRICE	EXT. PRICE
01	2,772.00	2,772.00	0.00	8" X 14" SDR-26 PVC PIPE		EA	4.10	11,365.20
02	120.00	120.00	0.00	16" C900 DR-18 PVC PIPE		EA	27.25	3,270.00
03	1,300.00	1,300.00	0.00	10" C900 DR-14 PVC PIPE		EA	12.50	16,250.00
04	2.00	2.00	0.00	16" MJ GATE VALVE L/ACC		EA	4,652.64	9,305.28
05	3.00	3.00	0.00	10" MJ GATE VALVE L/ACC		EA	1,190.00	3,570.00

*not included in
stored material*

Tax Description	Tax Rate	Sales Total	43,760.48
KREBS, PITTS, OK	9.500	Freight	0.00
		Tax Total	4,157.25
TOTAL			47,917.73

TERMS NET 10th
PAY FROM THIS INVOICE, STATEMENTS FAXED UPON REQUEST
A FINANCE CHARGE OF 1-1/2 % PER MONTH, EQUAL TO 18% PER YEAR WILL BE ADDED TO ALL PAST DUE ACCOUNTS



Phone: (918) 266-0209 Fax: (918) 266-0235

19711 EAST 6TH STREET
TULSA, OK 74108
F.EIN 73-0706102

INVOICE

Invoice No. 080309
Date 11/18/2014
Order No. 147852
Customer ID TMCDONALD
Salesperson JERRY JEWETT

BILL TO:	SHIP TO:
T. MCDONALD CONSTRUCTION P.O. BOX 1043 EUFAULA, OK 74432	T. MCDONALD CONSTRUCTION 2ND ST IMPROVEMENTS KREBS, OK

F.O.D. POINT		SHIP VIA		TERMS	CUSTOMER P.O. NO.	ORDERED BY	DATE SHIPPED	
		OUR TRUCK		Net 10th Prox			11/14/2014	
LINE NBR	QTY ORDERED	QTY SHIPPED	QTY BO	ALL MATERIALS SUBJECT TO MANUFACTURE'S WARRANTIES		UNITS	PRICE	EXT. PRICE
01	95.00	95.00	0.00	3/4" VBH42-7W-NL RESETTER		EA	115.42	10,964.90
02	4.00	4.00	0.00	2" B41-777W-NL CURB STOP		EA	235.15	940.60
03	2.00	2.00	0.00	2" FB1000-NL CORP STOP		EA	201.01	402.02
04	96.00	96.00	0.00	1" F1000-NL CORP STOP		EA	42.15	4,046.40
05	4.00	4.00	0.00	2" C84-77-NL ADPT		EA	59.07	236.28

Tax Description	Tax Rate	Sales Total	16,590.20
		Freight	0.00
KREBS, PITTS, OK	9.500	Tax Total	1,576.07
		TOTAL	18,166.27

TERMS NET 10th
PAY FROM THIS INVOICE, STATEMENTS FAXED UPON REQUEST
A FINANCE CHARGE OF 1-1/2 % PER MONTH, EQUAL TO 18% PER YEAR WILL BE ADDED TO ALL PAST DUE ACCOUNTS

CITY OF MCALESTER - 2ND STREET IMPROVEMENTS

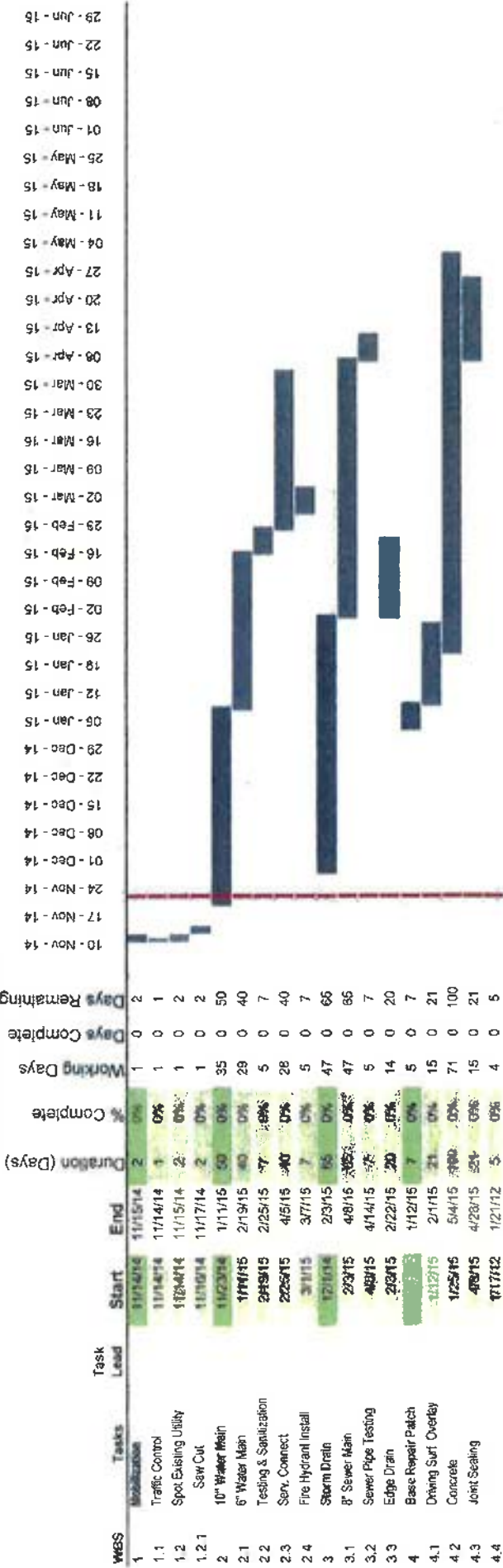
T. McDONALD CONSTRUCTION

Today's Date: 11/25/2014 Tuesday
(vertical red line)

Project Lead: PHASE 1

Start Date: 11/14/2014 Friday

First Day of Week (Mon=2): 2



CITY OF MCALESTER - 2ND STREET IMPROVEMENTS

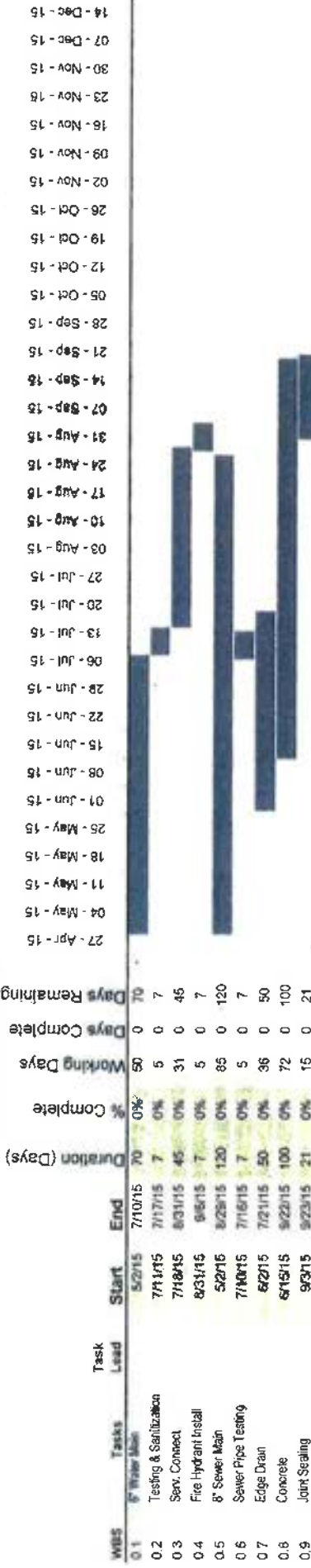
T. McDONALD CONSTRUCTION

Today's Date: 10/31/2014 Friday
(vertical red line)

Project Lead: PHASE 2

Start Date: 5/2/2015 Saturday

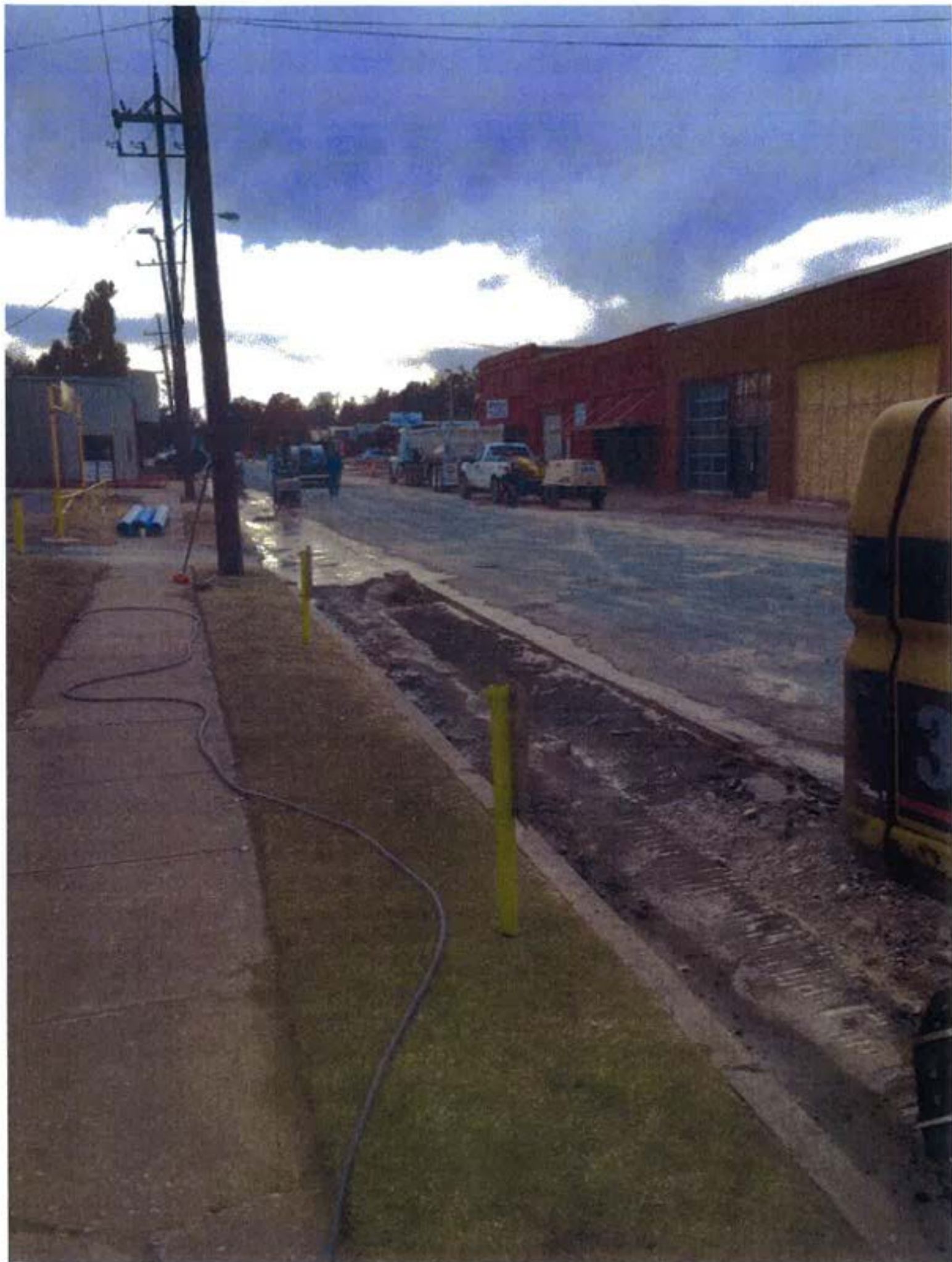
First Day of Week (Mon=2): 2

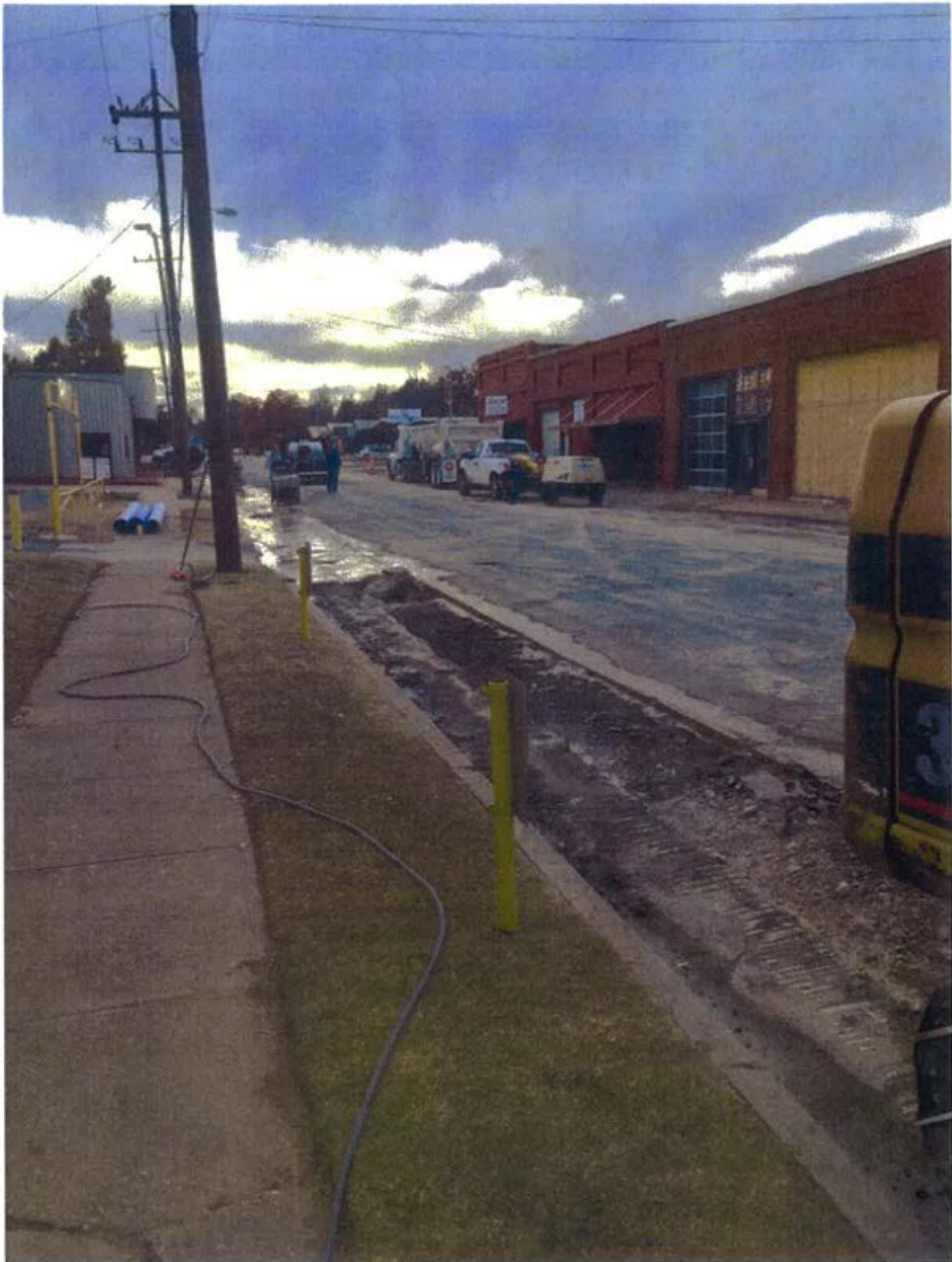














Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

November 21, 2014

Ms. Cora Middleton
City of McAlester
P.O. Box 578
McAlester, OK 74502

NOV 25 2014


Re:	Member	:	City of McAlester
	Claimant	:	Irene Contreras
	Date of Loss	:	10/15/14
	Claim No.	:	140345-KW

Dear Ms. Middleton:

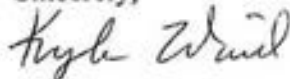
We have completed our investigation regarding the above referenced claim. It is our recommendation to the City of McAlester that this claim be denied. We find no liability on the City's part, regarding this incident.

Under the Governmental Tort Claims Act, 51 Okla. Sec 157(A), this claim will be deemed denied ninety (90) days after it was received by City of McAlester or on 1/14/15. 51 Okla. Stat. Sec 157 (B) requires any lawsuit under the Act to be commenced within one hundred eighty (180) days after denial of the claim.

Thus to begin the 180-day statute of limitations prior to 1/14/15 we suggest you docket this claim for denial at the next meeting of your municipal governing body. **For the 180-day period to start running, the claimant must be notified in writing at the address on the claim within five (5) days of the denial.** To document compliance with the Act, we recommend that you send notice of denial of the claim by certified mail.

Please advise us as soon as possible of any official action taken by the municipal governing body on denial of this claim.

Sincerely,



Kyle Waide
Claims Examiner

Enclosure



Oklahoma Municipal Assurance Group

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November 21, 2014

Ms. Irene Contreras
310 E. Crisler
McAlester, OK 74501

RE:	Member	:	City of McAlester
	Claimant	:	Irene Contreras
	Date of Loss	:	10/15/14
	Claim No.	:	140345-KW

Dear Ms. Contreras:

As the adjuster for the Oklahoma Municipal Assurance Group, the insurer for the City of McAlester, I am recommending denial of this claim and find no liability on the City's part.

Oklahoma law has consistently held that a municipality is not an insurer of its sanitary sewer system. This means that a municipality is not automatically liable for damages to property, which result from sanitary sewer overflow. A municipality may be liable only if it had prior notice of a defect or problem in the sewer line and failed to take appropriate remedial action within a reasonable time before the damage occurred.

The City of McAlester would not be liable for a plumber bill incurred prior to the City being notified of a sewer problem.

Sincerely,

Kyle Waid
Claims Examiner

cc: City of McAlester



Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

October 23, 2014

Irene Contreras
310 E. Crisler
McAlester, OK 74501

Re:	Member	:	City of McAlester
	Claimant	:	Irene Contreras
	Date of Loss	:	October 15, 2014
	Claim Number	:	140345-TW

Dear Ms. Contreras,

This will acknowledge receipt of the above captioned claim. The undersigned will be directing the handling of this matter and will be in touch in the near future.

Sincerely,

Tiara Wallace
Claims Examiner

TW/as

cc: City of McAlester

Cora Middleton

From: Cora Middleton
Sent: Monday, October 20, 2014 2:42 PM
To: 'claimsdepartment@omag.org'
Subject: alleged sewer backup
Attachments: 10.20.14 I. Contreras, Sewer backup claim, 07 or 08.14.pdf

To Whom It May Concern:

Attached is documentation for a Tort Claim for an alleged sewer backup at 310 E. Chrysler, McAlester, OK 74501, belonging to Irene Contreras. The City of McAlester was not notified at the time of this alleged incident, therefore there are no other records regarding this claim. Please process accordingly.

Thank you,

*Cora Middleton, CMC
City of McAlester
City Clerk
P.O. Box 578
McAlester, OK 74502
(918)423-9300 Ext. 4956*

10/20/2014

NOTICE OF TORT CLAIM

OKLAHOMA MUNICIPAL ASSURANCE GROUP - MUNICIPAL LIABILITY PROTECTION PLAN

A. CLAIMANT REPORT

To the

City of McAlester

Public entity you are filing this claim against.

OCT 16 2014

PLEASE PRINT OR TYPE AND SIGN

IMPORTANCE NOTICE: The filing of this form with the City Clerk's office is only the initial step in the claim process and does not indicate in any manner the acceptance of responsibility by the City or its related entities. Written notice is required by law and shall be filed with the City Clerk within one (1) year from the date of occurrence. It will then be sent to OMAG Claims Dept. for investigation. You may expect them to contact you. Failure to file within such time frame may result in the claim being barred in its entirety. Other limitations to your claim may apply (See Oklahoma Statutes Title 51, Section 151-172).

CLAIMANT(S) Irena Contreras

CLAIMANT(S) SOCIAL SECURITY NO.

ADDRESS 310 E CKISLER

CLAIMANT(S) DATE OF BIRTH

McAlester OK 74501

PHONE: HOME ()

Continue on another sheet if needed
for any information requested)

1. DATE AND TIME OF INCIDENT

// a.m. () p.m.

2. LOCATION OF INCIDENT

310 E CKISLER

3. DESCRIBE INCIDENT

Sewer back up coming out of clean out traps
1st incident plumbers didn't find the problem, for the 2nd time 3rd time called
a different plumber, found city sewer backing up into yard. 1st plumber cost \$65
the 2nd \$75. Problem started in July / August when AT&T was digging in the alley over

4. LIST ALL PERSONS AND/OR PROPERTY FOR WHICH YOU ARE CLAIMING DAMAGES: sewer lines

BODILY INJURY: WAS CLAIMANT INJURED? YES ☐ NO ☒ If yes, complete this section

Describe injury

WERE YOU ON THE JOB AT THE TIME OF INJURY? YES ☐ NO ☐ If so, please give name, address and
phone number of company

NAME OF DOCTOR OR HOSPITAL

ALL MEDICAL BILLS (attach Copies) \$

LIST OTHER DAMAGES CLAIMED \$

TOTAL BODILY INJURY..... \$

PROPERTY DAMAGE: Proof that you are the owner of the vehicle or property allegedly damaged as specified in your claim will be required.

VEHICLE NAME BODY TYPE YEAR

NOTE: If damage is to a vehicle, a photocopy of your motor vehicle title is required.

IF NOT A VEHICLE, DESCRIBE PROPERTY AND LOSS

PROPERTY DAMAGE (Attach repair bills or two estimates) \$

LIST OTHER DAMAGES CLAIMED \$

TOTAL PROPERTY..... \$

5. NAME OF YOUR INSURANCE CO.

POLICY NO.

AMOUNT CLAIMED

AMOUNT RECEIVED

6. The names of any witnesses known to you.

Name

Address

Phone Number

Name

Address

Phone Number

STATE THE EXACT AMOUNT OF COMPENSATION YOU WOULD ACCEPT AS FULL SETTLEMENT ON THIS CLAIM.

TOTAL CLAIM..... \$

SIGNATURE(S)

DATE

B. THIS SECTION IS FOR USE BY THE PUBLIC ENTITY WHICH RECEIVES THE CLAIM

To inquire about this claim you may write to OMAG Claims Dept. or call 1-800-234-9461; or in Oklahoma City call 525-6624

This Notice of Tort Claim was received by Cora Middleton
(Title) City Clerk, on Oct. 16, 20 14

For further information on this claim contact _____
(Title) _____, by telephone at (_____) _____

The following reports, statements or other documentation, which support our understanding of the facts relating to this claim, are attached:

Invoice from Plumber

Persons who have knowledge of the circumstances surrounding this claim are:

	<u>Name</u>	<u>Title/Position</u>	<u>Telephone</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

Submitted by: Cora Middleton Date: Oct. 20, 20 14
Title: City Clerk

AFTER THE PUBLIC ENTITY HAS RECEIVED THIS CLAIM, PLEASE PROVIDE INFORMATION REQUESTED ABOVE AND IMMEDIATELY SEND TO:

OMAG Claims Dept.
4130 N. Lincoln Blvd
Oklahoma City, OK 73105-5209
Fax (405) 525-0009

736318

ORDERED		SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
			Call was for stopped up house main sewer. After extensive checking we determined that the city main is blocked and diverting into this residence's sewer line.			
			1 1/2 hrs			75.00
			Pl. ch. # 8856			

Sometime in the summer June or July or August I saw a back-hoe sitting in the ^{back} yard @ 310 E Crisler. They were digging in the alley right over the sewer main where the line goes from the house to the alley. We have been having back-up in the cleanout ever since. Plumber has been called 3 times.

Irene Contreras
Oct 15, 2014

City of McAlester
Utility Maintenance

Work Order Ticket

Address Worked: 310 E Girls
Employees on Job: Chad Kelly Mike Jones

Address

Employee

Type

Type of Job:

- | | |
|---|---|
| <input type="checkbox"/> Water Main Break | <input type="checkbox"/> Sewer Main Break |
| <input type="checkbox"/> Water Service Line Break | <input type="checkbox"/> Sewer Service Line Break |
| <input type="checkbox"/> Water Main Leak | <input type="checkbox"/> Sewer Main Leak |
| <input type="checkbox"/> Water Service Line Leak | <input type="checkbox"/> Sewer Service Line Leak |
| <input type="checkbox"/> Valve Leak | <input type="checkbox"/> Meter Leak |
| <input type="checkbox"/> Hydrant Leak | <input type="checkbox"/> New Service Line/Meter Tap |

Water

Water

Water

Water

Valve

Hydrant

Job Description: Sewer flush (on city)

Job

Equipment Used: Flush truck

Equip

Parts Used:

Parts

Completed: Yes ☒ No ☐

Com

Time Arrived: 10 AM

Time

Time Out: 11 AM

Time

Chad Kelly
Signature

10-13-14
Date

Signature

Ticket No.

Closed
S/O

Service Order Maintenance - (Edit)

File Edit Options Help

Service

Order #45811CompleteVoid

Address21-1280310 E CRISLER AVE

Job

CodeFLUSH - SEWER FLUSHActionInformation

Date10/13/201401:08 PMStatusCompleted

General | Metered | Non-Metered | Notes | Charges | Costs | Footprint

Order

CUST HAVING SEWER PROBLEMS HAS HAD PLUMBER OUT TWICE AND HE SAID THAT IT IS ON THE CITY SIDE

Completion

10-13-14SEWER FLUSH ON CITY KELLY/JONES

Exit

Viewkimberlyl

Cora Middleton

From: Kyle Waid [kwaid@midman.com]
Sent: Tuesday, November 25, 2014 2:46 PM
To: Cora Middleton
Subject: CLAIM 140345-KW IRENE CONTRERAS

Cora,

I spoke with the claimant on 11/12/14. Claimant verbally confirmed with me that she had plumbers out twice before ever notifying the City. After the 2nd time is when the plumbers informed her that the problem appeared to be on the City's side, and that is when the claimant apparently contacted the City. Based on my investigation the clmt incurred the plumber bill before the City had notice of the claim, therefore, I have recommended denial for the \$75.00 plumber bill.

Thank you,

Kyle Waid
Claims Examiner
MCA/OMAG
P – (405) 657-1400
F – (405) 657-1401

11/25/2014



Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

NOV 10 2014

November 6, 2014

Ms. Cora Middleton
City of McAlester
P.O. Box 578
McAlester, OK 74502

Re:	Member	:	City of McAlester
	Claimant	:	Christine Sauro
	Date of Loss	:	10/1/14
	Claim No.	:	140342-KW

Dear Ms. Middleton:

We have completed our investigation regarding the above referenced claim. It is our recommendation to the City of McAlester that this claim be denied. We find no liability on the City's part, regarding this incident.

Under the Governmental Tort Claims Act, 51 Okla. Sec 157(A), this claim will be deemed denied ninety (90) days after it was received by City of McAlester or on 1/13/15 51 Okla. Stat. Sec 157 (B) requires any lawsuit under the Act to be commenced within one hundred eighty (180) days after denial of the claim.

Thus to begin the 180-day statute of limitations prior to 1/13/15 we suggest you docket this claim for denial at the next meeting of your municipal governing body. **For the 180-day period to start running, the claimant must be notified in writing at the address on the claim within five (5) days of the denial.** To document compliance with the Act, we recommend that you send notice of denial of the claim by certified mail.

Please advise us as soon as possible of any official action taken by the municipal governing body on denial of this claim.

Sincerely,

Kyle Waid
Claims Examiner

Enclosure



Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

NOV 10 1

November 6, 2014

Ms. Christine Sauro
2009 Whippoorwill Ave.
McAlester, OK 74501

RE: Member	:	City of McAlester
Claimant	:	Christine Sauro
Date of Loss	:	10/1/14
Claim No.	:	140342-KW

Dear Ms. Sauro:

As the adjuster for the Oklahoma Municipal Assurance Group, the general liability insurer for the City of McAlester, I am recommending denial of this claim and find no liability on the City's part for this claim.

Our investigation reveals that the City was weed eating an area in front of your vehicle where there was no gravel.

Based on this information we are recommending denial of this claim to the City of McAlester.

Sincerely,

Kyle Waid
Claims Examiner

cc. City of McAlester



Oklahoma Municipal Assurance Group

3650 S. Boulevard • Edmond, OK 73013-5581 • 405/657-1400 • 800/234-9461 • fax: 405/657-1401 • www.omag.org

October 23, 2014

Christine Sauro
2009 Whippoorwill Ave
McAlester, OK 74501

Re: Member	:	City of McAlester
Claimant	:	Christine Sauro
Date of Loss	:	October 1, 2014
Claim Number	:	140342-KW

Dear Ms. Sauro,

This will acknowledge receipt of the above captioned claim. The undersigned will be directing the handling of this matter and will be in touch in the near future.

Sincerely,

Kyle Waid
Claims Examiner

KW/as

cc: City of McAlester

NOTICE OF TORT CLAIM

OKLAHOMA MUNICIPAL ASSURANCE GROUP - MUNICIPAL LIABILITY PROTECTION PLAN

A. CLAIMANT REPORT

To the

City of McAlester

Public entity you are filing this claim against.

10/15/14

PLEASE PRINT OR TYPE AND SIGN

IMPORTANCE NOTICE: The filing of this form with the City Clerk's office is only the initial step in the claim process and does not indicate in any manner the acceptance of responsibility by the City or its related entities. Written notice is required by law and shall be filed with the City Clerk within one (1) year from the date of occurrence. It will then be sent to OMAG Claims Dept. for investigation. You may expect them to contact you. Failure to file within such time frame may result in the claim being barred in its entirety. Other limitations to your claim may apply (See Oklahoma Statutes Title 51, Section 151-172).

CLAIMANT(S) CHRISTINE SAURO

CLAIMANT(S) SOCIAL SECURITY NO. _____

ADDRESS 2009 Whippoorwill Ave

CLAIMANT(S) DATE OF BIRTH _____

McAlester, Ok 74501

PHONE: HOME() _____

BUS. (918) 426-0930

Continue on another sheet if needed
for any information requested)

1. DATE AND TIME OF INCIDENT Oct 1 11 X 1a.m. 1 1p.m.

2. LOCATION OF INCIDENT McAlester Library parking Lot

3. DESCRIBE INCIDENT City employee weed-watching close to my car Threw stones against side of car taking off paint in several places

4. LIST ALL PERSONS AND/OR PROPERTY FOR WHICH YOU ARE CLAIMING DAMAGES:

BODILY INJURY: WAS CLAIMANT INJURED? YES ___ NO ___ If yes, complete this section

Describe injury _____

WERE YOU ON THE JOB AT THE TIME OF INJURY? YES ___ NO ___ If so, please give name, address and phone number of company _____

NAME OF DOCTOR OR HOSPITAL _____

ALL MEDICAL BILLS (attach Copies) \$ _____

LIST OTHER DAMAGES CLAIMED \$ _____

TOTAL BODILY INJURY. \$ _____

PROPERTY DAMAGE: Proof that you are the owner of the vehicle or property allegedly damaged as specified in your claim will be required.

VEHICLE NAME Pontiac BODY TYPE G8 GT YEAR 2009

NOTE: If damage is to a vehicle, a photocopy of your motor vehicle title is required.

IF NOT A VEHICLE, DESCRIBE PROPERTY AND LOSS _____

PROPERTY DAMAGE (Attach repair bills or two estimates) \$ 1121.80

LIST OTHER DAMAGES CLAIMED \$ 0

TOTAL PROPERTY \$ 1121.80

5. NAME OF YOUR INSURANCE CO. _____ POLICY NO. _____ AMOUNT CLAIMED _____ AMOUNT RECEIVED _____

6. The names of any witnesses known to you.

Clifford Vanderpool

City Employee

Name

Address

Phone Number

Ellen Barlow

Library Employee 901 N Second St

426-0230

Name

Address

Phone Number

STATE THE EXACT AMOUNT OF COMPENSATION YOU WOULD ACCEPT AS FULL SETTLEMENT ON THIS CLAIM.

TOTAL CLAIM \$ 1121.80

Christine Sauro

SIGNATURE(S)

10/15/14
DATE

B. THIS SECTION IS FOR USE BY THE PUBLIC ENTITY WHICH RECEIVES THE CLAIM

To inquire about this claim you may write to OMAG Claims Dept. or call 1-800-234-9461; or in Oklahoma City call 525-6624

This Notice of Tort Claim was received by Cora Middleton
(Title) City Clerk, on Oct. 15, 2014
For further information on this claim contact _____
(Title) _____, by telephone at (_____) _____

The following reports, statements or other documentation, which support our understanding of the facts relating to this claim, are attached:

Repair Estimates

Persons who have knowledge of the circumstances surrounding this claim are:

	Name	Title/Position	Telephone
1.	<u>Clifford Vanderpool</u>	<u>Parks Maintenance</u>	<u>(918) 421-1923</u>
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

Submitted by: Cora Middleton Date: Oct. 15, 2014
Title: City Clerk

AFTER THE PUBLIC ENTITY HAS RECEIVED THIS CLAIM, PLEASE PROVIDE INFORMATION REQUESTED ABOVE AND IMMEDIATELY SEND TO:

OMAG Claims Dept.
4130 N. Lincoln Blvd
Oklahoma City, OK 73105-5209
Fax (405) 525-0009

CERTIFICATE OF TITLE

STATE OF OKLAHOMA

VEHICLE IDENTIFICATION NUMBER
662EC57Y89L196871

YEAR
2009

MAKE
PONT

TITLE NO
610709100003A

BOC TYPE
4D

MODEL
86T

DATE PURCHASED
03/21/2009

DATE ISSUED
10/24/2013

AGENT NO
6107

ODOMETER
21
ACTUAL

TYPE OF TITLE
REL LIEN

NAME AND ADDRESS OF VEHICLE OWNER

DATE INS.
LOSS OR SALVAGE

MICHAEL E OR CHRISTINE A SAURO
2009 WHIPPORWILL AVE
MCALISTER OK 74501-7500

THIS VEHICLE IS SUBJECT TO THE FOLLOWING LIENS:

CONTROL NO. **132976107A0949**

38917353

(It is not a title number)



IF REGISTERED
OWNER (SELLER) IS
A LICENSED DEALER,
PLACE OKLAHOMA
MOTOR VEHICLE TAX
STAMP HERE

ASSIGNMENT OF TITLE BY REGISTERED OWNER (If Dealer, List License # Here: _____)

I/we hereby assign and warrant ownership of the vehicle described on this certificate to the following, subject only to the liens or encumbrances, if any, properly noted on this certificate.

Purchaser(s) Name (Type or Print): _____

Purchaser(s) Complete Address: _____

Actual Purchase Price of Vehicle: _____

I certify to the best of my knowledge that the ODOMETER READING reflected on the vehicle's odometer and listed below is the ACTUAL MILEAGE of the vehicle UNLESS one of the accompanying statements is checked

☐ ☐ ☐ ☐ ☐ ☐ (NO TENTHS)

- ☐ 1. The odometer has exceeded its mechanical limits.
☐ 2. The odometer reading is NOT the actual mileage. Warning — Odometer Discrepancy

Signature of Seller(s): _____

Printed Name of Seller(s): _____

Subscribed and Sworn to Before me this _____

Day of _____

20 _____

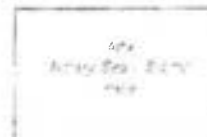
Notary Public: _____

Commission Expires: _____

Notarization required only of seller's signature(s). Affix notary seal/stamp to the right.

Signature of Buyer(s): _____

Printed Name of Buyer(s): _____



VOID IF ALTERED

LINDLEY'S PAINT AND BODY SHOP1808 SOUTH MAIN STREET, MCALESTER, OK
74501

Phone: (918) 423-0703

FAX: (918) 423-0748

Workfile ID: efe182da
Federal ID: 261754602**Preliminary Estimate****Customer: Sauro, Mike****Job Number:**

Written By: BRYAN BROWN

Insured: Sauro, Mike

Policy #:

Claim #:

Type of Loss:

Date of Loss:

Days to Repair: 0

Point of Impact:

Owner:

Sauro, Mike

Inspection Location:LINDLEY'S PAINT AND BODY SHOP
1808 SOUTH MAIN STREET
MCALESTER, OK 74501
Repair Facility
(918) 423-0703 Business**Insurance Company:****VEHICLE**

Year: 2009

Body Style: 4D SED

VIN: 6G2EC57Y09L196871

Mileage In:

Make: PONT

Engine: 8-6.0L-FI

License:

Mileage Out:

Model: G8 GT

Production Date:

State:

Vehicle Out:

Color: Int:

Condition:

Job #:

TRANSMISSIONAutomatic Transmission
Overdrive**POWER**Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Power Driver Seat
Power Passenger Seat**DECOR**Dual Mirrors
Tinted Glass
Console/Storage**CONVENIENCE**Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Rear Defogger
Keyless Entry
Alarm
Message Center
Steering Wheel Touch Controls
Telescopic Wheel
Climate Control
Remote Starter**RADIO**

AM Radio

FM Radio
Stereo
Search/Seek
Auxiliary Audio Connection
Premium Radio
Satellite Radio
CD Changer/Stacker**SAFETY**Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
Front Side Impact Air Bags
Head/Curtain Air Bags
PositractionCommunications System
Hands Free Device**SEATS**Cloth Seats
Bucket Seats**WHEELS**

Aluminum/Alloy Wheels

PAINT

Clear Coat Paint

OTHERFog Lamps
Traction Control
Stability Control
Rear Spoiler
Power Trunk/Gate Release

Preliminary Estimate

Customer: Sauro, Mike

Job Number:

Vehicle: 2009 PONT G8 GT 4D SED 8-6.0L-FI

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		FRONT LAMPS					
2	R&I	LT Headlamp assy		0	0.00	0.3	0.0
3	R&I	LT Repeater lamp		0	0.00	0.2	0.0
4		FENDER					
5	*	Rpr LT Fender		0	0.00	0.5	2.0
6		Add for Clear Coat		0	0.00	0.0	0.8
7	*	R&I <u>LT Emblem/INCL CLN&RETAPE</u>		0	0.00	0.5	0.0
8		FRONT DOOR					
9	*	Rpr LT Door shell		0	0.00	1.5	2.0
10		Overlap Major Adj. Panel		0	0.00	0.0	-0.4
11		Add for Clear Coat		0	0.00	0.0	0.3
12	R&I	LT Belt w'strip		0	0.00	0.3	0.0
13	R&I	LT R&I mirror		0	0.00	0.3	0.0
14	R&I	LT Handle, outside paint to match		0	0.00	0.4	0.0
15	*	R&I LT R&I trim panel		0	0.00	0.2	0.0
16		REAR DOOR					
17	*	Rpr LT Door shell		0	0.00	1.0	2.0
18		Overlap Major Adj. Panel		0	0.00	0.0	-0.4
19		Add for Clear Coat		0	0.00	0.0	0.3
20	R&I	LT Belt w'strip		0	0.00	0.3	0.0
21	R&I	LT Handle, outside paint to match		0	0.00	0.4	0.0
22		QUARTER PANEL					
23	*	Rpr LT Quarter panel		0	0.00	1.0	2.4
24		Overlap Major Adj. Panel		0	0.00	0.0	-0.4
25		Add for Clear Coat		0	0.00	0.0	0.4
26		REAR LAMPS					
27	R&I	LT Tail lamp assy GT & GXP		0	0.00	0.2	0.0
28		REAR BUMPER					
29	*	R&I <u>R&I bumper cover/DROP ONLY</u>		0	0.00	0.5	0.0
30	#	COVER CAR		1	5.00	0.0	0.0
31	#	HAZ WASTE		1	5.00 X	0.0	0.0
SUBTOTALS					10.00	7.6	9.0

Preliminary Estimate

Customer: Sauro, Mike

Job Number:

Vehicle: 2009 PONT G8 GT 4D SED 8-6.0L-FI

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			5.00
Body Labor	7.6 hrs @	\$ 48.00 /hr	364.80
Paint Labor	9.0 hrs @	\$ 48.00 /hr	432.00
Paint Supplies	9.0 hrs @	\$ 35.00 /hr	315.00
Miscellaneous			5.00
Subtotal			1,121.80
Grand Total			1,121.80
Deductible			0.00
CUSTOMER PAY			0.00
INSURANCE PAY			1,121.80

THIS IS JUST AN ESTIMATE OF REPAIR COST. ADDITIONAL CHARGES MAY BE NECESSARY AFTER WORK HAS BEGUN AND HIDDEN DAMAGE IS FOUND. ESTIMATE VALID FOR 30 DAYS. PART PRICE INCREASES MAY OCCUR.

PROMISED DELIVERY DATE MAY CHANGE BECAUSE OF AVAILABILITY OF PARTS OR WAIT TIME FOR ANY INSURANCE REINSPECTION. CUSTOMER WILL BE NOTIFIED OF ANY DELAYS AS SOON AS POSSIBLE.

Signed _____

Date _____

WARNING : ANY PERSON WHO KNOWINGLY, AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER, MAKES ANY CLAIM FOR THE PROCEEDS OF AN INSURANCE POLICY CONTAINING ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION IS GUILTY OF A FELONY.

Date: 10/ 7/2014 01:27 PM
 Estimate ID: 15431
 Estimate Version: 0
 Preliminary
 Profile ID: MCCULLAR

McCullar Motorsports

900 N. Main, McAlester, OK 74501
 (918) 429-0887
 Fax: (918) 429-0895
 Email: mccullarmotorsports@yahoo.com
 Tax ID: 94-3423396

Damage Assessed By: Keith McCullar
 Classification: Drive-In

Deductible: UNKNOWN
 route vlr N

Insured: mike sauro
 Telephone: Home Phone:

Mitchell Service: 910950

Description: 2009 Pontiac G8 GT
 Body Style: 4D Sed
 VIN: 6G2EC57Y09L196871
 OEM/ALT: O
 Options:

Drive Train: 6.0L Inj 8 Cyl 6A RWD

Search Code: None

PASSENGER AIRBAG, DRIVER AIRBAG, POWER DRIVER SEAT, POWER LOCK, POWER WINDOW
 REAR WINDOW DEFOGGER, CRUISE CONTROL, TILT STEERING COLUMN, POWER PASSENGER SEAT
 TELESCOPIC STEERING COLUMN, ANTI-LOCK BRAKE SYS., TRACTION CONTROL, FOG LIGHTS
 ALUM/ALLOY WHEELS, REMOTE IGNITION, AUXILIARY INPUT, LEATHER STEERING WHEEL
 SATELLITE RADIO, FRONT AIR DAM, TINTED GLASS, AUTO AIR CONDITION, TRIP COMPUTER
 SUBWOOFER, TELEMATIC SYSTEMS, VARIABLE ASSISTED STEERING, ANTI-THEFT SYSTEM
 AUTOMATIC HEADLIGHTS, SECOND ROW SIDE AIRBAG, SIDE HEAD CURTAIN AIRBAGS
 VEHICLE THEFT TRACKING/NOTIFICATION, DAYTIME RUNNING LIGHTS
 AM/FM STEREO CD CHANGER/MP3 PLAYER, ELECTRONIC STABILITY CONTROL
 FRONT BUCKET SEATS, LIMITED SLIP DIFFERENTIAL, POWER DISC BRAKES
 POWER LIFTGATE/TRUNK, REAR SPOILER, STEERING WHEEL AUDIO CONTROLS

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
<u>Front Bumper</u>							
1	000296	BDY	REMOVE/INSTALL	Frt Bumper Cover			1.3 #
<u>Front Lamps</u>							
2	000305	BDY	REMOVE/INSTALL	L Frt Combination Lamp			0.3 #
3	000308	BDY	REMOVE/INSTALL	L Signal Lamp			0.2 #
<u>Front Fender</u>							
4	000319	REF	REFINISH	L Fender Outside			C 2.0
<u>Front Door</u>							
5	000357	REF	REFINISH	L Frt Door Outside			C 1.8
6	001567	BDY	REMOVE/INSTALL	L Frt Updr Door Applique			0.4
7	001565	BDY	REMOVE/INSTALL	L Frt Rear View Mirror			INC #
8	001569	BDY	REMOVE/INSTALL	L Frt Otr Belt Moulding			0.9 #
9	001575	BDY	REMOVE/INSTALL	L Frt Otr Door Handle			0.3 #
<u>Rear Door</u>							
10	000367	REF	REFINISH	L Rear Door Outside			C 1.7
11	001571	BDY	REMOVE/INSTALL	L Rear Updr Door Applique			0.4
12	001573	BDY	REMOVE/INSTALL	L Rear Otr Belt Moulding			0.2
13	001589	BDY	REMOVE/INSTALL	L Rear Otr Door Handle			0.7 #
<u>Side Body</u>							

ESTIMATE RECALL NUMBER: 10/07/2014 13:24:32 15431

Mitchell Data Version: OEM: AUG_14_V

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Software Version: 7.1.168

Page 1 of 2

Date: 10/ 7/2014 01:27 PM
 Estimate ID: 15431
 Estimate Version: 0
 Preliminary
 Profile ID: MCCULLAR

14	001664	REF	REFINISH	L Quarter Panel Outside	C 2.2
				<u>Rear Lamps</u>	
15	001712	BDY	REMOVE/INSTALL	L Rear Combination Lamp	0.3
				<u>Rear Bumper</u>	
16	001716	BDY	REMOVE/INSTALL	Rear Bumper Cover	1.2 #
				<u>ADDITIONAL OPERATIONS</u>	
17		REF	ADD'L OPR	Clear Coat	1.9
				<u>Additional Costs & Materials</u>	
18			ADD'L COST	Paint/Materials	336.00 *
19			ADD'L COST	Hazardous Waste Disposal	5.00 *

* - Judgment Item

- Labor Note Applies

C - Included in Clear Coat Calc

Estimate Totals

I. Labor Subtotals	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals	II. Part Replacement Summary	Amount
Body	6.2	48.00	0.00	0.00	297.60		
Refinish	9.6	48.00	0.00	0.00	460.80	Total Replacement Parts Amount	0.00
Non-Taxable Labor					758.40		
Labor Summary	15.8				758.40		
III. Additional Costs					Amount	IV. Adjustments	Amount
Taxable Costs					336.00	Customer Responsibility	0.00
Sales Tax		@	9.000%		30.24		
Non-Taxable Costs					5.00		
Total Additional Costs					371.24		

Paint Material Method: Rates

Init Rate = 35.00 , Init Max Hours = 99.9, Addl Rate = 0.00

I.	Total Labor:	758.40
II.	Total Replacement Parts:	0.00
III.	Total Additional Costs:	371.24
	Gross Total:	1,129.64
IV.	Total Adjustments:	0.00
	Net Total:	1,129.64

This is a preliminary estimate.

Additional changes to the estimate may be required for the actual repair.

ESTIMATE RECALL NUMBER: 10/07/2014 13:24:32 15431

Mitchell Data Version: OEM: AUG_14_V

Software Version: 7.1.168

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Page 2 of 2

Cora Middleton

From: Cora Middleton
Sent: Monday, October 20, 2014 2:44 PM
To: 'claimsdepartment@omag.org'
Subject: alleged auto damage tort claim
Attachments: 10.20.14 C. Sauro, auto claim, 10.01.14.pdf

To Whom It May Concern:

Attached are documents regarding an alleged auto damage claim. I am waiting for a statement from City employee, Clifford Vanderpool. I will forward that report and any other information I receive.

Thank you,

*Cora Middleton, CMC
City of McAlester
City Clerk
P.O. Box 578
McAlester, OK 74502
(918)423-9300 Ext. 4956*

Cora Middleton

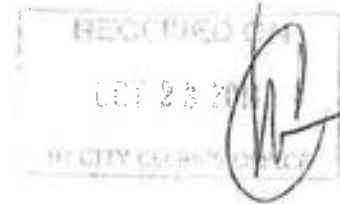
From: Cora Middleton
Sent: Tuesday, October 28, 2014 9:11 AM
To: 'Kyle Waid'
Subject: claim #140342-KW
Attachments: 10.27.14 C. Sauro, auto claim, 10.01.14.pdf

Kyle,

Attached is a statement from a City of McAlester employee regarding the above referenced claim.

*Cora Middleton, CMC
City of McAlester
City Clerk
P.O. Box 578
McAlester, OK 74502
(918)423-9300 Ext. 4956*

Claim # 140342-KW



On Wed. October 1, 2014, my crew went to the library and mowed and did the weed eating. Christina called in a claim a few days later and said we had done damage to her car from the weed eating.

McI asked me to go to the library and see if there was a possibility that my guys could have done damage to her car. I went to the library a few days later and found that her car was parked 4ft. away from the pipe fence and 2ft. down the hill past the pipe fence there was asphalt and then grass started there.

In my opinion, there is no way that we could have been using the weed eater and caused the chips that are on the front of her car 5" from the ground. If we had chipped the front side of her car, we also would have chipped the side. Because there is grass on the east side of her care and there were no chips on the passenger side of her car.

It is my opinion that the chips on the front of her car were caused by following too close behind another vehicle.


BJ Boatright

City of McAlester
Safety Office

Date: 11-25-2014

Reference: Property Damage Report

Location: McAlester Public Library

Damaged Property: 2009 Pontiac GT Tag #LIBRARY

I was informed of an alleged damage to property claim filed by Christine Sauro that occurred on October 1, 2014. I talked to Clifford Vanderpool who was there the day Ms. Sauro claimed this occurred. Clifford said Brian Graham was weed eating in the vicinity of Ms. Sauro's car but there is no gravel there to be thrown. I talked to Brian Graham, and he said that at no time did a rock ever hit this car. He looked at the chips in the paint along with BJ Boatright and he says that it looks like regular wear from driving down the road. I saw the same thing when I looked at it. It appears to be just normal chips from years of traveling the roadway. BJ Boatright made a report and sees this the same as all the rest. This damage could not have been caused from our guys weed eating. I also talked to the "witness" Ellen Barlow (918-426-0930). The only thing that Ms. Barlow witnessed was the fact that weed eating was taking place. She informed Ms. Sauro that she may need to move her car because weed eating was going on. She said Ms. Sauro went out and told her, "it's too late they already chipped it". She said she heard no rocks hitting the vehicle, that she only heard the noise of the weed eater.

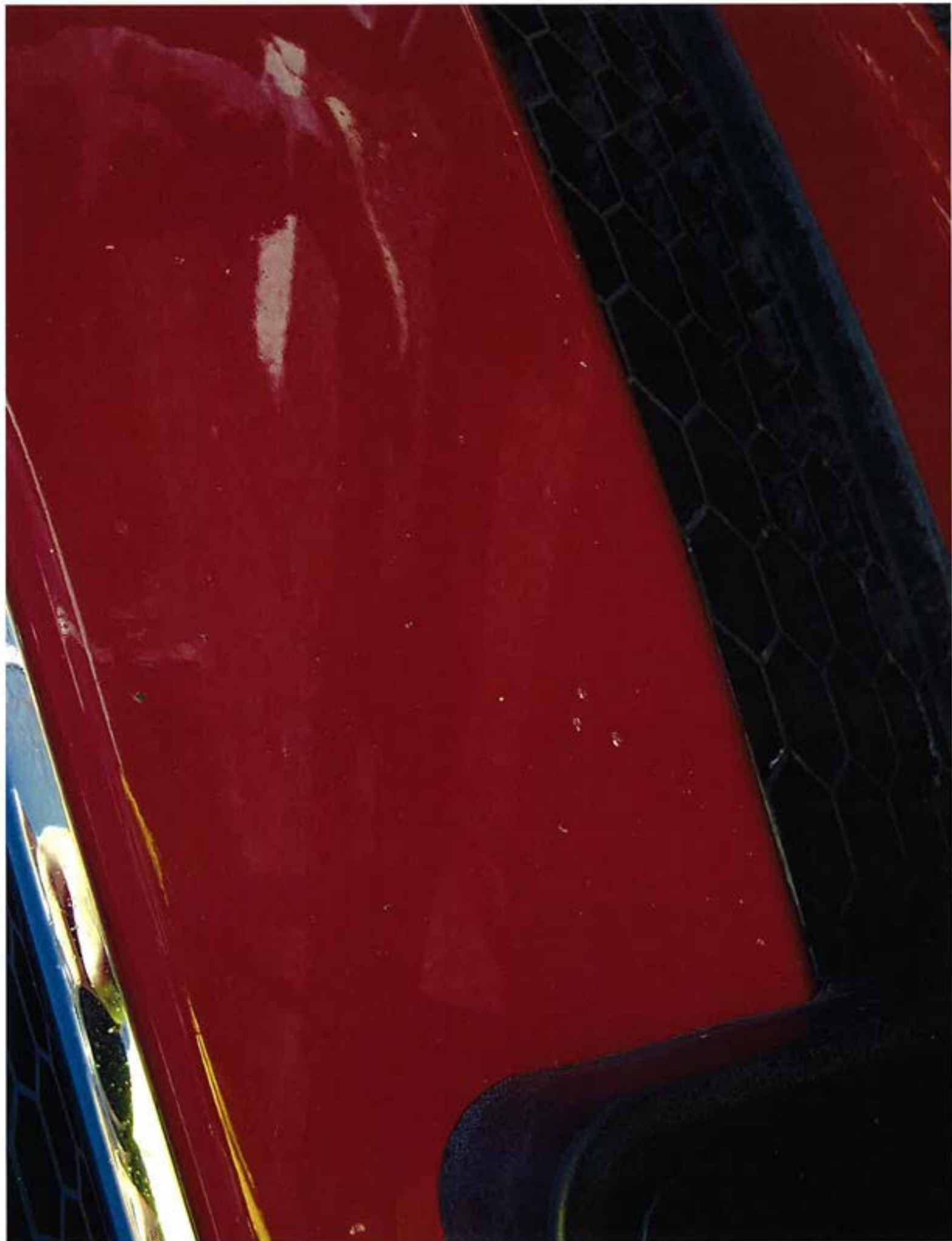
There is a pipe rail approximately 3-4 feet away from the car and the grass has been poisoned another 3-4 feet down the hill. The area in front of the vehicles has quite a bit of tree limbs that cover the ground. There would have been no grass in front of the car to weed eat. Ms. Sauro claims damage to the front bumper, left front fender, and both drivers' side doors. The driver's side of the vehicle is the opposite side of where the alleged gravel could have come from. If she later claims that she was parked in backwards that day, then the damage on the front end would not be there.

This claim was denied by OMAG and needs to be denied by the City of McAlester also. The damage on the driver's side could not have been caused by the City. The damage is clearly from normal wear of driving the roads, i.e.; bugs, gravel on the road, etc.

I was there later that day to investigate a woman that fell on the property. Ms. Sauro was there and at no time did she say anything happened to her car. She did not report this to the City Clerk until several days after the incident date.

I am attaching pictures of the area and the alleged damage to the vehicle.

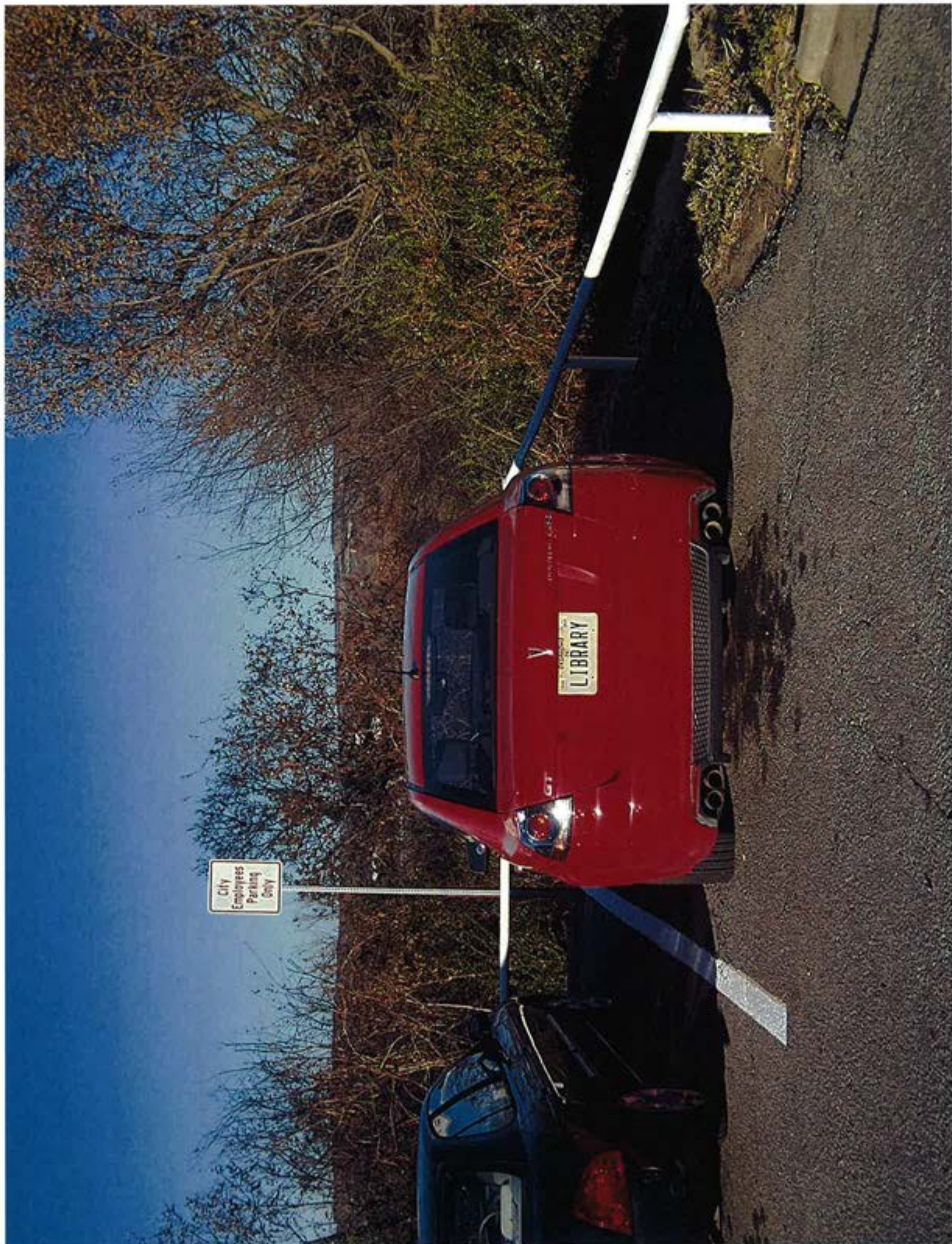
Doug Basinger
Safety/ Risk Management





LIBRARY
OK!
2015
MAR
OKCYNOWA

PONTIAC G3











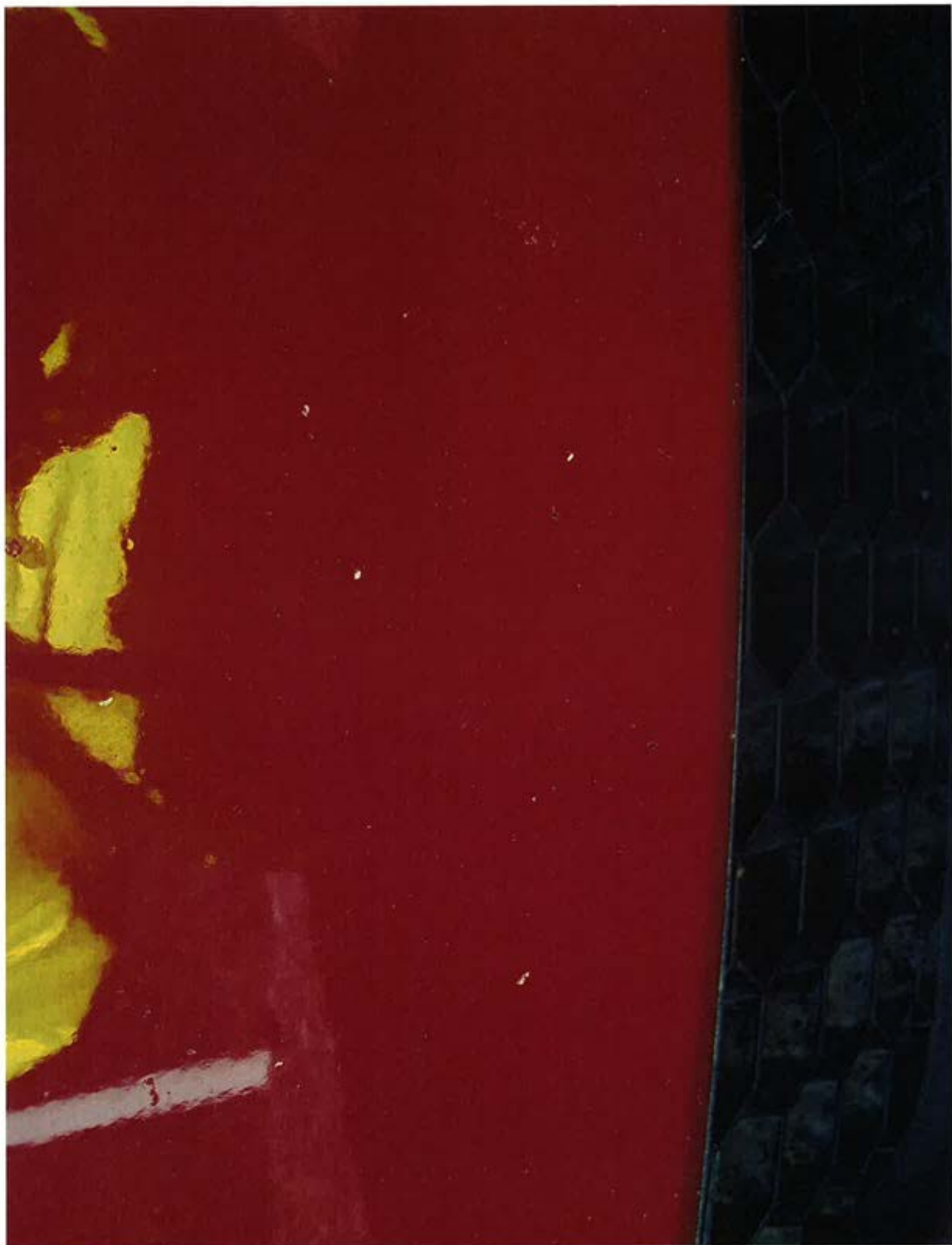














McAlester City Council

<u>Date</u>	<u>Time</u>	<u>Location</u>
Jan. 13, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Jan. 27, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Feb. 10, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Feb. 24, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Mar. 10, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Mar. 24, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Apr. 14, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Apr. 28, 2015	6:00 PM	Council Chambers, Municipal Bldg.
May 12, 2015	6:00 PM	Council Chambers, Municipal Bldg.
May 26, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Jun. 9, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Jun. 23, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Jul. 14, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Jul. 28, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Aug. 11, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Aug. 25, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Sept. 8, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Sept. 22, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Oct. 13, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Oct. 27, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Nov. 10, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Nov. 24, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Dec. 8, 2015	6:00 PM	Council Chambers, Municipal Bldg.
Dec. 22, 2015	6:00 PM	Council Chambers, Municipal Bldg.

***The Airport Authority and McAlester Public Works Authority meet immediately after each Regularly Scheduled Council meeting.**

****The McAlester Retirement Trust Authority meets after the 2nd Regularly Scheduled Council meeting.**

BOARD of ADJUSTMENT

(As of 09-25-2014)

Name	Term Expiration	Address	Phone
Mark Emmons-Chairman	03/2016 (Appt 5-28-2013)	504 E. Wyandotte mark@emmonsphoto.com	426-4540 H 423-7488 W
VACANT	March 31, 2017	John McNally Resignation	
Karen Stobaugh	03/2015	1 Miller Road info@whisperingmeadowswine.com	426-4404 H 423-4444 W 470-9972 C
Ross Eaton	03/2016 (Appt 12-10-2013)	352 E. Washington ross@rosseaton.com	424-7278 C
Susan Kanard	03/2016 (Appt 5-28-2013)	Rt. 4, Box 451 skanard@allegiance.tv	423-5539 H 916-0353 C

Meetings of the board shall be held in the Council Chambers, Municipal Building at the call of the chairman and at such other times as the board may determine.

Excerpts from Zoning Ordinance No. 1843 (2-14-1989)

Sec. 62-142. Membership.

(a) The board of adjustment shall be composed of five members, citizens of the city, each appointed by the mayor with the approval of the council for a term of three years; provided, however, that for the first appointment under the provisions of this article, one member shall be appointed for a term of one year; two members shall be appointed for a term of two years; and two members shall be appointed for a term of three years. Two alternate members shall be appointed for overlapping terms of two years. All appointments thereafter shall be for a term of three years.

(b) Not less than two members shall be appointed from the membership of the planning commission.

(c) The board shall elect a chairman from its membership to serve a term of two years.

State law reference-Membership of Board of Adjustment, 11 O.S. § 44-101.

Sec. 62-144. Powers generally.

The board of adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the interpretation or enforcement of this article.

(2) Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, which condition is not generally prevalent in the area, the strict application of this article would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the owner of such property, the board is hereby empowered to authorize upon an appeal relating to such property, a variation from such strict application so as to relieve such difficulties or hardship; but may establish such requirements relative to such property as would carry out the purpose and intent of this article.

Harvey Bollinger Bio

I am Harvey Bollinger. My wife and I have owned SBS Store 2300 in McAlester, OK since March of 2005. My experience prior to 2005 was as a registered professional engineer and certified land use planner in the State of Oklahoma as well as the owner of various businesses. I hold both BS and MS Degrees in Civil Engineering from the University of Oklahoma. I have worked both in the public and private sector. My work with a US Congressman gave me experience in Washington, DC with both the House and Senate. My work for two Federal agencies gave me experience with the government. My partnership in a Private Engineering Consulting Firm and my ownership of several small businesses gave me experience in the private market place. Prior to my retirement from engineering in 2005, I was designing and selling floating marinas.



McAlester City Council

AGENDA REPORT

Meeting Date: December 9, 2014 Item Number: 1
Department: Airport/Public Works
Prepared By: John C. Modzelewski, P.E. Account Code: _____
Date Prepared: December 2, 2014 Budgeted Amount: _____
Exhibits: 1

Subject

Consider and act upon, an Amendment to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Construction Testing during construction of improvements for runway safety and to provide an Approach Slope Survey.

Recommendation

Motion to approve Amendment #8 to the Agreement for Professional Airport Consulting Services with LBR, Inc., to provide Construction Testing during construction of improvements for runway safety for a fee not to exceed \$23,325.

Discussion

Approving this Amendment #8 will allow LBR, Inc. to provide the Construction Testing Services, required by the FAA, to construct the following: Improve Runway 2-20 Safety Areas; Remove Runway 2-20 Approach Surface Obstructions; and Improve Runway Object Free Area (ROFA) East of Runway 2-20". These projects are identified in Airport Improvement Program (AIP) Projects 3-40-0057-011-2011 and 3-40-0057-012-2011.

LBR will act as a flow through for W2 Engineering, Inc., who will provide the testing services, which include density tests and compaction tests. They will provide all the required tests that the FAA needs for the project.

These costs are included in the FAA Grant and will be paid for by the FAA at the same percentage.

Approved By

Department Head
City Manager

P. Stasiak

Initial
JCM

A handwritten signature in blue ink, appearing to be "P. Stasiak", written over a horizontal line.

Date
12/02/14

AMENDMENT NO. 8

This Amendment, made as of the _____ day of _____, 2014, by and between the City of McAlester, and LBR Inc., shall be made a part of the Agreement for Professional Airport Consulting Services between said parties, dated October 13, 2009.

1. The following service shall be added to Section I. A.1:

A. Provide Construction Testing for "Improve Runway 2-20 Safety Areas; Remove Runway 2-20 Approach Surface Obstructions; and Improve Runway Object Free Area (ROFA) East of Runway 2-20," AIP Projects 3-40-0057-011-2011 and 3-40-0057-012-2011 at McAlester Regional Airport.

2. The following fee shall be added to Section V. B. as related to the above item:

1A. Actual Cost, Not to Exceed \$23,325.00

In witness whereof, the parties hereto have made and executed this Amendment the day and year first written above.

LBR INC.

CITY OF McALESTER



President

Mayor

ATTEST

ATTEST



Secretary

City Clerk

(Seal)

(Seal)



Certification of Legality:
Approved as to form and legality

City Attorney



McAlester City Council

AGENDA REPORT

Meeting Date:	December 9, 2014	Item Number:	2
Department:	Finance	Account Code:	
Prepared By:	Toni Ervin	Budgeted Amount:	
Date Prepared:	December 2, 2014	Exhibits:	4

Subject

Consider and act upon, an Ordinance amending Ordinance No. 2501 which established the budget for fiscal year 2014-2015; 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/or expenditures not included in the budget for this fiscal year.

See attached.

Approved By

Department Head
City Manager

P. Stasiak

Initial

Date

PJS

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA,
AMENDING ORDINANCE NO. 2501 WHICH ESTABLISHED THE
BUDGET FOR FISCAL YEAR 2014-15; REPEALING ALL
CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY
CLAUSE; AND DECLARING AN EMERGENCY.**

WHEREAS, the City Council heretofore adopted Ordinance No. 2501 setting forth the Budget for Fiscal Year 2014-2015 beginning July 1, 2014 and ending June 30, 2015; 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 2014-2015 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 2014-2015 Budget of the City of McAlester, Oklahoma, as heretofore adopted by Ordinance, as summarized in Exhibit A-1 through A-4, which is 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 2014-2015 Budget.

SECTION 2: All portions of the existing FY 2014-2015 Budget, Ordinance No. 2501 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 _____ day of _____, 2014.

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

By _____
Steve Harrison, Mayor

ATTEST:

Cora Middleton, City Clerk

Approved as to form and legality this _____ day of _____, 2014.

William J. Ervin, City Attorney

Fund Number	Account Number	Department	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
01	40999		Fund Balance	32,991	225,000	257,991
			Total		225,000	

[illegible]⁴⁴⁴ Does not include appropriated fund balance.

Fund Number	Account Number	Department	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
36	40400		Charges for Services	401,000	240,000	641,000
			Total		240,000	

[illegible]

Original Budget - Revenues ***	\$ 401,000
Amendments	240,000
Current Budget - Revenues	\$ 641,000
Original Budget - Expenditures	\$ 401,000
Amendments	240,000
Current Budget - Expenditures	\$ 641,000

Approved by the City Council this
December 9, 2014

Appropriate funds for additional Worker's Compensation settlements.

Major

Posted By	Date	BA#	Pkt #
-----------	------	-----	-------

City Clerk

Fund Number	Account Number	Department	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
35	40400		Charges for services	660,038	15,000	675,038
						+
			Total		15,000	

[illegible]

Original Budget - Revenues ***	\$ 660,038
Amendments	15,000
Current Budget - Revenues	\$ 675,038
Original Budget - Expenditures	\$ 660,038
Amendments	15,000
Current Budget - Expenditures	\$ 675,038

Approved by the City Council this
December 9, 2014

Appropriate funds for additional Worker's Compensation settlements

Mayer

Altest-

Posted By	Date	BA#	Pkt #
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City Clerk

Fund Number	Account Number	Department	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
28	40720		Transfer from General	-	120,000	120,000
						-
			Total		120,000	

[illegible]

Original Budget - Revenues ***	\$ 430,286
Amendments	120,000
Current Budget - Revenues	\$ 550,286
Original Budget - Expenditures	\$ 430,286
Amendments	120,000
Current Budget - Expenditures	\$ 550,286

Approved by the City Council this
December 9, 2014

Appropriate funds for additional Worker's Compensation settlements

Index

Attest:

Posted By	Date	BA#	Pkt #
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City Clerk



McAlester City Council

AGENDA REPORT

Meeting Date: December 9, 2014
Department: Finance
Prepared By: Toni Ervin
Date Prepared: December 2, 2014

Item Number: 3
Account Code:
Budgeted Amount:
Exhibits: 2

Subject

Consider and act upon, a resolution authorizing the amending of the Personnel Policies Document.

Recommendation

Staff recommends motion to approve resolution authorizing the amending of the Personnel Policies Document.

Discussion

The purpose of this Resolution is to clarify, correct, or change the personnel policies. **See attached Resolution and Exhibit for more detail description of changes.**

Approved By

Department Head
City Manager

P. Stasiak

Initial

Date

PJS

RESOLUTION NO. _____

Resolution to authorize the changes to the Personnel Policy Document.

.....

Whereas, the new Personnel Policies were passed as a whole document by ordinance on February 25, 2014.

Whereas, these items in our Personnel Policy Document have been identified as needing to be clarified, corrected or changed;

Whereas, changes to the Personnel Policy Document must receive approval of the City Council;

Whereas, an Exhibit A has been attached for more detail of changes to the Personnel Policy Document.

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

Page 10 – Second paragraph: Non-Uniformed Employees: Change “Sunday” to “Monday”

Page 10 – Second paragraph: Deleting “and shall be established by Department Heads for each department”

Page 10 – Police Department: Change both forty three (43) hours to forty (40) hours.

Page 17 – Use of Vacation Leave: Deleted “Vacation leave may be used only during periods of active employment.” Added “No employee shall be allowed to use vacation leave past the time he or she is actively engaged in his/her employment.” (this makes it consistent with the sick leave policy)

Page 18 – Use of Sick Leave for Bereavement: 1st sentence – changed “may” to “shall” and delete “Immediate” so now it reads “employee’s family member.”

Page 35 – 3rd bullet down: Deleting “Treating” and changed to “Failure to treat”

Page 40 – 4th paragraph down: 1st sentence deleted “within four (4) hours after using alcohol or remain on duty”

Page 40 - last paragraph: 2nd sentence changed both of the words “should” to “shall”

Page 40 – Add Paragraph in bold-faced type at the end of 6.06. **Applicants and employees may be subjected to drug and alcohol testing in accordance with the City’s General Alcohol and Drug Testing Policy and/or DOT Drug and Alcohol Testing Policy.**

Page 41 – Telephone Use: 2nd paragraph, 1st sentence adding at the end of that sentence “with the exception of using hands free devices.”

Page 48 – Receipt and Acknowledgement: 2nd paragraph – last sentence deleting “subject to the provisions set forth in these Personnel Policies.”

PASSED AND APPROVED by the Council of the City of McAlester, Oklahoma on this ____ day of _____, 2014.

CITY OF MCALESTER, OKLAHOMA
A Municipal Corporation

By: _____
Steve Harrison, Mayor

ATTEST:

Cora Middleton, City Clerk

3.02 HOURS OF WORK

Employees are prohibited from working hours other than or in addition to their scheduled hours without first receiving the approval of their supervisor. Non-exempt employees are not to begin work prior to their shift or schedule, and are not to continue to work after their shift or schedule, except in an emergency, without advance approval of their supervisor. Employees who work unauthorized hours may be subject to discipline, up to and including termination.

Non-Uniformed Employees. Employees shall work forty (40) hours each week. The workweek shall begin on Monday at 7:00 a.m. and end on ~~Sunday~~ Monday at 6:59 a.m. each work period. ~~and shall be established by Department Heads for each department.~~ The general business hours are 8:00 A.M. to 5:00 P.M., Monday through Friday.

Police Department. Subject to the terms of an effective collective bargaining agreement, the normal workday shall consist of eight (8) hours and the normal work period is ~~forty-three (43)~~ (40) hours in a period of seven (7) days. Personnel engaged in Police protection may work ~~forty-three (43)~~ (40) hours in each of these workweeks prior to being paid overtime pay or receiving compensatory time off.

Fire Department. Subject to the terms of an effective collective bargaining agreement, the normal work period is twenty-seven (27) days and an average of 204 hours per work period. Personnel engaged in Fire protection may be entitled to overtime pay or compensatory time off if they work hours in excess of 204 during the work period.

3.03 OVERTIME

Non-exempt employees are prohibited from working hours other than or in addition to their scheduled hours, including overtime hours, without first receiving the approval of their supervisor. Employees who work unauthorized hours may be subject to discipline, up to and including termination.

All earned overtime will be paid at a rate one and one-half times the regular hourly rate — or in the case of compensatory time, one and one-half hours for each hour of overtime worked.

Compensatory time must be taken within ninety (90) days.

3.04 BREAKS/MEAL TIME

Employees are permitted two (2) rest periods (commonly known as coffee breaks) each day, one (1) during the first half of the workday and one (1) during the second half of the workday (generally morning and afternoon). These rest periods are limited to fifteen (15) minutes each and are not cumulative. Each employee is also granted a lunch period, generally one (1) hour in length. The lunch and rest periods will be so scheduled that no office serving the public will be closed during these breaks.

- When a holiday falls on an employee's work day; the employee shall book two (2) holidays for that holiday if they actually work the holiday. If the employee takes off on the holiday and uses sick, vacation or comp time, the employee shall book (1) holiday as their alternate day to be observed as approved by the City.
- When inclement weather falls on a holiday and requires regular essential non-uniform employees to work, the employee shall be paid for hours worked along with the 8 hours of holiday pay. Overtime will only be paid when the employee actually works 40+ hours.
- Non-Uniformed Employees covered under this section shall be limited to a maximum of 200 hours of holidays. No more than 200 hours can be carried over each fiscal year. All holidays hours in excess of the maximum 200 hours shall be lost if not taken within twelve (12) months of occurring. Employees shall be compensated for all unused holidays upon separation from the City, provided the reason for separation is not termination for cause. A retiring employee shall be compensated for all unused holidays.

4.03 VACATION LEAVE

Accrual of Vacation Leave. Each probationary or regular full-time employee will earn vacation leave as follows:

- For the first five- (5) years of service: 5/6th of a working day per month or equivalent to 6.667 hours per month.
- After completion of the fifth (5th) year through ten (10) years of service: 1 and 1/4 working days per month or equivalent to 10 hours per month.
- After completion of the tenth (10th) year of service: 1 and 3/4 working days per month or equivalent to 14 hours per month.
- **Use of Vacation Leave.** Vacation leave may be used subject to supervisor approval. Vacations must be scheduled in advance with a supervisor and as early as practicable. It is the responsibility of supervisors to establish vacation schedules in a manner best calculated to meet the needs of employees and least interruptive of departmental work. ~~Vacation leave may be used only during periods of active employment.~~ No employee shall be allowed to use vacation leave past the time he or she is actively engaged in his/her employment.

Probationary employees may use vacation time in increments of not more than two (2) days per six-month period, and on an emergency basis only.

Employees shall be allowed to carry over up to a maximum of forty-five (45) days of accrued vacation leave. Any leave over the maximum amount will be on a use it or lose it basis.

If the City remains open during a period of inclement weather, but an employee is unable to report to work because of inclement weather conditions, that employee shall be assessed vacation leave or compensatory time for the work missed.

All vacation leave will be taken in one (1) hour increments.

Compensation for Unused Vacation Leave. Employees shall be compensated for all unused vacation leave upon separation from the City, provide the reason for separation is not termination for cause. Upon termination for cause, payment for unused vacation leave will be at the discretion of the City Manager. A retiring employee shall be compensated for all unused vacation leave. Compensation for unused vacation leave for employees separating from City service with less than two (2) years of service shall be at the discretion of the City.

4.04 SICK LEAVE

Accrual of Sick Leave. Each probationary or regular full-time employee shall earn sick leave at the rate of one (1) full working day for each month of service.

Definition of "Immediate Family." For the purpose of this Sick Leave Policy, "Immediate Family" shall include an employee's spouse, children, and/or members living in the immediate household

Use of Sick Leave. Sick leave may be granted to probationary or regular full-time employees only for absence from duty due to injury, illness, or legal quarantine of the employee or the employee's Immediate Family member. Sick leave shall also be granted for Maternity Leave.

- **Use of Sick Leave for Bereavement.** Sick leave of up to three (3) days ~~may~~ shall be granted due to death of an employee's ~~immediate~~ family member. Employees will be required to use their leave accruals on the books or if no leave is available, you will be placed on leave without pay during your absence.
- In no event will sick leave be granted in excess of that which has been earned. No employee shall be allowed to use sick leave past the time he or she is actively engaged in his/her employment.
- Employees claiming sick leave in excess of three (3) consecutive working days shall be required by the Department Head to provide a certificate from a physician that the employee has been incapacitated for work for the period of his absence and is again physically able to perform his duties.
- Claiming sick leave when physically fit shall be cause for termination, unless the sick leave is used for an injury or illness of an Immediate Family member. Employees using sick leave shall not engage in any secondary employment or use sick leave for recreational or personal use.
- All sick leave will be taken in one (1) hour increments.

Compensation for Unused Sick Leave.

- A maximum of ninety (90) days of accrued but unused sick leave may be carried over at the start of a new calendar year.

- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment;
- Fighting or threatening violence while on-the-job or in the workplace;
- ~~Treating~~ Failure to treat all customers, visitors, and fellow employees in a courteous manner;
- Insubordination or other disrespectful conduct;
- Violation of safety or health rules;
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace;
- Excessive absenteeism or any absences without notice;
- Failure to report to work punctually as scheduled and being at the proper workstation, ready for work, at the assigned starting time;
- Failure to give proper advance notice whenever unable to work or report to work on time;
- Unsatisfactory performance or conduct;
- Accepting bribes, special favors, or gifts for consideration of special favors, treatment or business;
- False statements on job applications – falsifying records;
- Gambling while on the job;
- "Horseplay" of any kind;
- Making any false statement or report in regard to any interview, certificate, or appointment, or in any manner committing or attempting to commit any fraud preventing the impartial execution of the Personnel Rules;
- Giving, rendering, or paying (either directly or indirectly) any money, service, or other valuable thing to any person for, or on account of, or in connection with, his appointment, proposed appointment, promotion, or proposed promotion, by any person seeking appointment to or promotion in, the City service.
- Failure to report to management suspicious, unethical or illegal conduct by fellow employees, customers or suppliers.

6.03 USE OF CITY VEHICLES

Vehicles owned, leased or operated by the City are to be used for official City business only. Personal use is strictly prohibited.

Only the following City departments and division personnel are authorized to have City vehicles at their residence on an as-needed basis:

operated by the City, or while otherwise performing work on behalf of the City is strictly prohibited. No individual shall report for work or remain on duty while in possession of, while affected by, or with the presence in his or her system of any amount of alcohol or drugs. Any employee taking prescription or non-prescription drugs which may impair his or her ability to perform job duties must inform his or her supervisor of the medication, dosage and/or effects.

Employees who violate this policy will be subject to immediate disciplinary action up to and including termination.

Employees, their possessions and City-issued equipment and containers under their control are subject to search and surveillance at all times while on City premises or while conducting City business. Employees subject to the federal Drug-Free Workplace Act who are convicted of any criminal drug violation occurring in the work place must report such a conviction to the Human Resource Department within five (5) days, and the Human Resource Department is then to take appropriate action as required by law.

No employee shall report for duty ~~within four (4) hours after using alcohol or remain on duty~~ while having an alcohol concentration of 0.04 or greater; and no supervisor shall permit any employee to perform any work duties if the supervisor is aware the employee has an alcohol concentration of 0.04 or greater.

No employee shall report for duty, drive a City-owned vehicle or remain on duty when the employee uses any controlled substance, except when the use is pursuant to the instructions of a physician and/or when the physician has advised an employee the substance will not adversely affect his ability to drive a vehicle or perform his duties. No supervisor, having knowledge that an employee has used a controlled substance, shall permit an employee to be on duty.

Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek counseling help. City-sponsored or required counseling ~~should~~ shall be kept confidential and ~~should~~ shall not have any influence on performance appraisals. Performance appraisals will be based on performance alone and not the fact that an employee seeks counseling. (Drug and Alcohol policy will be a separate document. The master will be kept in the HR office.)

Applicants and employees may be subjected to drug and alcohol testing in accordance with the City's General Alcohol and Drug Testing Policy and/or DOT Drug and Alcohol Testing Policy.

CHAPTER 7 GENERAL ADMINISTRATION

7.01 TELEPHONE USE

All telephones and/or cellular telephones owned and/or provided by the City, or located within the workplace, are the property of the City. **There is no guaranty of privacy with respect to the use of such telephones. Employees can have no expectation of privacy in their use of such telephones.**

All employees operating a city owned vehicle or equipment must pull over and/or stop machinery while talking on a cellular device with the exception of using hands free devices. Emergency vehicles (police and fire only) responding to emergency calls are exempt from this policy. Failure to obey policy may result in disciplinary action, up to and including termination.

In order to keep City telephone lines open, employees should limit all personal incoming calls except those of an emergency nature. Except in the event of an emergency, outgoing personal calls should be made outside of scheduled working hours. Any personal call is limited to five (5) minutes. Excessive personal use of telephones during work hours can interfere with employee productivity, impact customer service, and can be a distraction to others. Excessive personal telephone usage may result in disciplinary action, up to and including termination.

The City is subject to the Oklahoma Open Records Act, and employee communications via telephone and/or cellular telephone may at times be subject to public disclosure.

7.02 ELECTRONIC COMMUNICATIONS SYSTEMS POLICY

Electronic Communications Systems. The City owns, provides and/or maintains various electronic and communications systems, agents and facilities for use by employees performing job duties on behalf of the City, including without limitation: internal and external email, telephone voice mail, facsimile devices, cell phones, office phones, copiers, printers, internet access, and computer hardware and software ("Electronic Communications Systems"). Employees utilizing these Electronic Communications Systems must adhere to this Policy. All Electronic Communications Systems and all communications and information transmitted by, received from, or stored in those Systems are the property of the City.

Use of Electronic Communications Systems. The Electronic Communications Systems are intended to be used only in connection with the provision of services or employment on behalf of the City. Employees must not use these Systems in a manner that exposes the City to risk of virus attacks, compromise of networks, etc. All software installations and removals must be authorized in advance by the City.

Prohibited Use of Electronic Communications Systems. The use of Electronic Communications Systems for private purposes is strictly prohibited. Employees using Electronic Communications Systems for personal purposes do so at their own risk. Employees may not use these Systems to engage in conduct prohibited under these Personnel Policies. Employees may not use these Systems to download, copy, send protected or confidential information to unauthorized

RECEIPT AND ACKNOWLEDGEMENT

I acknowledge that I have received a copy of the City's Personnel Policies. I understand that it is my responsibility to read, review and follow these Policies. I further understand that, if, at any time, I have questions regarding these Policies, I should direct them to my supervisor, Department Head or the Human Resources Department.

I understand and agree that these Policies do not form a contract of employment with the City, and are not a guarantee by the City of the conditions and benefits described. I further understand that my employment with the City is at-will, and that the City may terminate my employment at any time, for any reason, with or without cause. ~~subject to the provisions set forth in these Personnel Policies.~~

I understand and agree that the City may, at any time, with or without cause or notice, modify, supplement or delete any of these Personnel Policies.

Employee's Printed Name

Position

Employee's Signature

Date



McAlester City Council

AGENDA REPORT

Meeting Date:	December 9, 2014	Item Number:	4
Department:	Finance	Account Code:	
Prepared By:	Toni Ervin	Budgeted Amount:	
Date Prepared:	December 2, 2014	Exhibits:	1

Subject

Consider and act upon, an Ordinance on proposed revised Personnel Policies, including Drug and Alcohol Testing Policies, for amendment of the City Code section 2-67 and repeal of any previous Drug and Alcohol Policies; repealing all conflicting ordinances; providing for a severability clause.

Recommendation

Staff recommends discussion of any changes, questions, concerns, and a motion to approve the Revised Drug and Alcohol Testing Policies.

Discussion

These revised Drug and Alcohol Testing Policies were updated to bring our policies into legal compliance. By recommendation of legal council, we have separated the General Drug and Alcohol Testing Policy with the DOT Drug and Alcohol Testing Policy. Changes were for out of date information or policies duplicated in other ordinances or codes.

This paragraph will be added in bold-faced type at the very end of the Section 6.06 PROHIBITION AGAINST DRUG AND ALCOHOL USE of the personnel policies:

Applicants and employees may be subject to drug and alcohol testing in accordance with the City's General Alcohol and Drug Testing Policy and/or DOT Drug and Alcohol Testing Policy.

We must provide all applicants and employees with a copy of our General Drug Testing Policy and get a signed acknowledgment back. We must provide all applicants and employees performing safety-sensitive job functions (as defined in the DOT Testing Policy) with a copy of both the General Drug Testing Policy and the DOT Testing Policy, and we will get signed acknowledgments back. All testing must be performed in accordance with these policies.

We want all of this process to be transparent and understandable. Any questions or concerns from council or employees will be addressed by the Human Resources Department or Toni Ervin.

Approved By

Department Head
City Manager

P. Stasiak

Initial

Date

PS

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA,
AMENDING SECTION 2-67. PERSONNEL POLICIES OF THE CODE
OF ORDINANCES; REPEALING ALL CONFLICTING ORDINANCES;
PROVIDING FOR A SEVERABILITY CLAUSE.**

**SECTION 2-67 Personnel policies of the code of ordinances, City of
McAlester, Oklahoma, is hereby amended to read as follows:**

SEC. 2-67. Personnel Policies.

That certain document entitled "City of McAlester Personnel Policies" dated
_____ and "Alcohol and Drug Testing Policies" is incorporated herein
to the same extent as if it were set out at length, and shall be kept on file in the
office of the city clerk.

**PASSED and ruled on separately this _____ day of _____, 2014.
CITY OF MCALESTER, OKLAHOMA
A Municipal Corporation**

By _____
Steve Harrison, Mayor

ATTEST:

Cora Middleton, City Clerk

Approved as to form and legality this _____ day of _____, 2014.

William J. Ervin, City Attorney

**ALCOHOL AND DRUG TESTING
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CHAPTER 1
GENERAL ALCOHOL AND DRUG TESTING POLICY

A. Definitions. As used in this policy:

1. "Alcohol" means ethyl alcohol or ethanol;
2. "Applicant" means a person who has applied for a position with an employer and received a conditional offer of employment;
3. "Confirmation test" means a drug or alcohol test on a sample to substantiate the results of a prior drug or alcohol test on the same sample and which uses different chemical principles and is of equal or greater accuracy than the prior drug or alcohol test;
4. "Drug" means amphetamines, cannabinoids, cocaine, phencyclidine (PCP), hallucinogens, methaqualone, opiates, barbiturates, benzodiazepines, synthetic narcotics, designer drugs, or a metabolite of any of the substances listed herein;
5. "Drug or alcohol test" means a chemical test administered for the purpose of determining the presence or absence of a drug or its metabolites or alcohol in a person's bodily tissue, fluids, or products;
6. "Refusal to test" means the individual refusing to comply with the testing required in this policy or the adulteration of a specimen or of a drug or alcohol test;
7. "Review officer" means a person, qualified by the State Board of Health, who is responsible for receiving results from a testing facility which have been generated by an employer's drug or alcohol testing program, and who has knowledge and training to interpret and evaluate an individual's test results together with the individual's medical history and any other relevant information;
8. "Sample" means tissue, fluid, or product of the human body chemically capable of revealing the presence of drugs or alcohol in the human body; and
9. "Testing facility" means a facility which provides laboratory services to test samples for the presence of drugs or alcohol.

B. Application.

This policy shall apply to all full-time and part-time employees of the City of McAlester, as well as applicants for employment with the City of McAlester.

Employees and applicants for positions that are subject to U.S. Department of Transportation ("DOT") regulations on substance abuse and testing must comply with this policy and with the separate DOT drug and alcohol testing policy.

C. Types of Testing.

The substances shall be tested for drugs and alcohol as defined in the Oklahoma Standards for Workplace Drugs and Alcohol Testing Act.

1. **Applicant Testing.** The City requires all job applicants, upon receiving a conditional offer of employment, to undergo drug and/or alcohol testing as a condition of employment. Refusal to undergo a test or a confirmed positive test result shall be the basis for withdrawing a conditional offer of employment. The City may also require an employee who transfers to a different position or job, or who is reassigned to a different position or job, to undergo drug and/or alcohol testing.
2. **Reasonable Suspicion or For-Cause Testing.** The City shall require an employee to undergo drug and/or alcohol testing at any time it reasonably believes that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances:
 - a. drugs or alcohol on or about the employee's person or in the employee's vicinity,
 - b. conduct on the employee's part that suggests impairment or influence of drugs or alcohol,
 - c. a report of drug or alcohol use while at work or on duty,
 - d. information indicating that an employee has tampered with drug or alcohol testing at any time,
 - e. negative performance patterns, or
 - f. excessive or unexplained absenteeism or tardiness.
3. **Post-Accident Testing.** The City may require an employee to undergo drug and/or alcohol testing if the employee or another person has sustained an injury while at work or the employer's property has been damaged while at work, including damage to equipment resulting in at least \$500 in damage.
4. **Post-Rehabilitation Testing.** The City may require an employee to undergo drug or alcohol testing for a period of up to two (2) years commencing with the employee's return to work, following a confirmed

positive test and/or following participation in a drug/alcohol dependency treatment program. Employees shall have no right to continued employment regardless of participation in any employee assistance program or other program of alcohol or drug rehabilitation.

5. **Random Testing.** Employees in safety sensitive positions shall be tested on a random selection basis, which means that each employee from a group of employees subject to the selection mechanism has an equal probability of being selected and the City of McAlester has no discretion to waive the testing of any employee selected.
6. **Scheduled, Fitness-for-Duty, Return from Leave and Other Periodic Testing.** The City may require an employee to under go drug and/or alcohol testing if the test is conducted as a routine part of a routinely scheduled employee fitness-for-duty medical examination, or is requested or required by the City in connection with an employee's return to duty from leave of absence, or is scheduled routinely as part of its written policy.

Threshold reporting levels shall be those established and maintained by the Federal Department of Transportation and as utilized by the National Institute for Drug Abuse.

D. Testing Methods and Collection Procedures.

All collection and testing shall be done in accordance with the rules promulgated by the Oklahoma State Board of Health.

Any drug or alcohol testing shall be deemed work time for purposes of compensation and benefits for current employees.

All sample collection and testing for drugs and alcohol pursuant to the provisions of this article shall be conducted in accordance with the following:

1. Samples shall be collected and tested by labs deemed qualified by the State Board of Health.
2. Only samples deemed appropriate under applicable law for drug and alcohol testing shall be collected.
3. The collection of samples shall be performed under reasonable and sanitary conditions.
4. A sample shall be collected in sufficient quantity for splitting into separate specimens, pursuant to rules of the State Board of Health, to provide for any subsequent independent analysis in the event of challenge of the test results on the main specimen.

5. Samples shall be collected and tested with due regard for the privacy of the individual being tested. In the instances of urinalysis, no employer or representative, agent or designee of the employer shall directly observe an applicant or employee in the process of producing a urine sample; provided, however, collection shall be in a manner reasonably calculated to prevent substitutions or interference with the collection of testing of reliable samples.
6. Sample collection shall be documented and the documentation shall include:
 - a. Labeling of samples so as to reasonably preclude the probability of erroneous identification of test results, and
 - b. An opportunity for the applicant or employee to provide notification of any information which the applicant or employee considers relevant to the test, including identification of current or recently used prescription or nonprescription drugs, or other relevant information. Employees using prescription drugs which might impact the test should report this information, including the name of the authorized licensed medical practitioner who prescribed the drug, and the duration of the prescription, to the testing personnel immediately prior to any testing. Any over-the-counter drugs that may impact the test should be reported.
7. Sample collection, storage and transportation to the testing facility shall be performed so as to reasonably to preclude the probability of sample deterioration, contamination, adulteration or misidentification.
8. Sample testing shall conform to scientifically accepted analytical methods and procedures. Testing shall include confirmation of any positive test result by gas chromatography, gas chromatography-mass spectroscopy, or an equivalent scientifically accepted method of equal or greater accuracy as approved by applicable state agency rule, at the cutoff levels as determined by applicable state agency rule, before the result of any test may be used as a basis for refusal to hire a job applicant or any action by an employer.
9. A written record of the chain of custody of the sample shall be maintained from the time of the collection of the sample until the sample is no longer required.
10. An employee shall be determined to be under the influence of alcohol if the employee's normal faculties are impaired due to the consumption of

alcohol or the employee has an blood alcohol level in excess of concentrations allowed under state law.

11. An employee shall be determined to have tested positive on a drug test if the test reveals the presence of any drugs or their metabolites in excess of applicable cutoff levels.
12. Applicants and employees with a confirmed, positive test result have the right to explain, in confidence, those results to the designated City representative. This includes an explanation of whether any lawful drugs, including prescription drugs, may have impacted the test results.

E. Costs.

The City shall pay all costs of testing for drugs or alcohol required by the City . If an applicant or employee requests a confirmation test of a sample within twenty-four (24) hours of receiving notice of a positive test in order to challenge the results of a positive test, the applicant or employee shall pay all costs of the confirmation test; however, if the confirmation test reverses the findings of the challenged positive test, the City shall reimburse the individual for the cost of the confirmation test.

F. Testing Results; Refusal to Undergo Testing; Tampering With Samples

Applicants and employees may refuse to submit to testing and/or refuse to provide samples for testing. Refusal to test, provide samples and/or cooperate with testing procedures may result in disciplinary action up to and including termination.

Employees found supplying or attempting to supply an altered sample or a substitute sample, not their own, by whatever means shall be subject to disciplinary action up to and including termination.

A positive, confirmed test result for any illegal drug may result in discipline up to and including termination of employment. A positive, confirmed test indicating the presence of alcohol in excess of applicable concentrations may result in discipline up to and including termination of employment following a pre-action or pre-termination hearing.

Employees discharged on the basis of a refusal to undergo drug or alcohol testing or a positive drug or alcohol test may be considered to have been discharged for misconduct for purposes of unemployment benefits.

A non-probationary employee with a previously satisfactory work record that agrees to SAP evaluation, referral, and education/treatment may be given one opportunity to continue employment after an initial occurrence of a positive drug or alcohol test where such testing was required by the City. In such cases, no direct disciplinary action shall be effected due to the test results, unless the test arose under reasonable suspicion criteria. Some period of leave without pay may occur, prior to the employee being

allowed to return to work, dependent upon the employee's rehabilitation need. Some period of leave with pay may be granted dependent on the employee's leave accrual. Such an attempt to allow for rehabilitation of an employee is believed to be an appropriate course of action to meet the City's obligation to both the employee and to the citizens of the community.

G. Confidentiality and Recordkeeping.

Records of all drug and alcohol test results and related information maintained by the City shall be the property of the City and, upon the request of the applicant or employee tested, shall be made available for inspection and copying to the applicant or employee, with due regard for the privacy of other individuals.

The City will not release such information to any person other than the applicant or employee tested or the City's designated representative. However, such information may be released (1) as admissible evidence by the City or the individual tested in a case or proceeding before a court of record or administrative agency if either the employer or the individual tested are named parties in the case or proceeding, (2) in order to comply with a valid judicial or administrative order, or (3) to the City's employees, agents and representatives who need access to such records in the administration of the Oklahoma Standards for Workplace Drug and Alcohol Testing Act. In addition, the City may provide such information to any other employer with which it has contracted, if the employee works pursuant to any such contract.

A testing facility shall release the results of the drug or alcohol test, and any analysis and information related thereto, to the individual tested upon request.

H. Employee Assistance Program (EAP)

The City of McAlester shall develop and maintain a contractual "Employee Assistance Program". The EAP shall, at a minimum, provide drug and alcohol dependency evaluation and referral services for substance abuse counseling, treatment or rehabilitation. The employee will be responsible for all health related charges for rehabilitation.

Employees who, (1) voluntarily come forward at least twenty-four (24) hours prior to any notification of required testing, and (2) admit to alcohol or drug problems, and (3) initiate EAP rehabilitation shall not be considered to have suffered a violation of this policy or be subject to disciplinary action.

CHAPTER 2 DOT DRUG AND ALCOHOL TESTING POLICY

FOR EMPLOYEES IN SAFETY-SENSITIVE POSITIONS

The City of McAlester is committed to a drug and alcohol free workplace and the prevention of accidents and injuries associated with the use and/or abuse of drugs (controlled substances) and alcohol.

I. OVERVIEW OF POLICY AND APPLICABILITY

This policy applies to all City applicants and employees who perform or may be called upon to perform "safety-sensitive functions" during the course and scope of their employment with the City, including all employees who drive or may be called upon to drive "commercial motor vehicles" as described in Department of Transportation (DOT) and Federal Motor Carrier Safety Administration (FMCSA) regulations. (These regulations appear at 49 CFR Parts 40, 199, 382 and 391.)

Federal regulations set forth specific rules regarding alcohol and controlled substance testing of such applicants and employees. If there is a discrepancy between the DOT / FMCSA regulations and this policy, the federal regulations will govern. This policy describes the prohibited conduct, types of testing, and the consequences of violating this policy.

Compliance with this policy is mandatory for (continued) employment with the City. All applicants and employees subject to testing under this Policy are also subject to testing under the City's General Drug and Alcohol Testing Policy.

II. DEFINITIONS

"Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

"Commercial Motor Vehicle" or "CMV" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle (1) has a gross combination weight of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or (2) has a gross vehicle weight rating of 26,001 or more pounds; or (3) is designed to transport 16 or more passengers, including the driver; or (4) is of any size and

is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations.

“Confirmed drug test” means a confirmation test result received by an Medical Review Officer (“MRO”) from a laboratory.

“Controlled substances” or “drugs” means “Drug” means amphetamines, cannabinoids, cocaine, phencyclidine (PCP), hallucinogens, methaqualone, opiates, barbiturates, benzodiazepines, synthetic narcotics, designer drugs, or a metabolite of any of the substances listed.

“Designated employer representative” or “DER” is an individual identified by the employer as able to receive communications and test results from service agents and who is authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The individual must be an employee of the City. Service agents cannot serve as DERs.

“Driver” means any person who operates a commercial motor vehicle. This includes, but is not limited to full-time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors.

“Medical Review Officer” or “MRO” is a licensed physician who is responsible for receiving and reviewing laboratory test results for the purpose of evaluating medical explanations for certain test results.

“Performing a safety-sensitive function” means a employee is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.

“Refusal to submit to an alcohol or controlled substances test” means that a driver:

- (1) fails to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, after being directed to do so by the employer;
- (2) fails to remain at the testing site until the testing process is complete; provided that an employee who leaves the testing site before pre-employment testing is not deemed to have refused to test;

(3) fails to provide a urine specimen for any drug test required by this policy or DOT regulations; provided that an employee who leaves the testing site before pre-employment testing is not deemed to have refused to test;

(4) in the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the driver's providing of the specimen;

(5) fails to provide a sufficient amount of urine when directed, and it has been determined through required medical evaluation that there was no adequate medical explanation for the failure;

(6) fails or declines to take a second test the employer or collector has directed the driver to take;

(7) fails to undergo a medical examination or evaluation as directed by the MRO as part of the verification process or as directed by the DER under the DOT regulations; (note: in the case of a pre-employment drug test, the individual is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment);

(8) fails to cooperate with any part of the testing process (e.g. refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector); or

(9) is reported by the MRO as having a verified adulterated or substituted test result.

"Safety-sensitive function" means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include all time waiting to be dispatched (unless relieved from duty); all time inspecting, servicing, or conditioning any commercial motor vehicle at any time; all time spent at the driving controls of a CMV in operation; all time in or upon any CMV (except time spent resting in a sleeper berth); all time loading or unloading, or supervising or assisting in the loading or unloading, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and all time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle. For the purpose of this policy, "safety-

sensitive function” shall also include a “covered function” regulated by 49 CFR Parts 192, 193 or 195 that is performed on a pipeline or an LNG facility.

“Substance Abuse Professional” or “SAP” refers to a licensed or certified physician, social worker, psychologist, employee assistance professional, marriage or family therapist or drug and alcohol counselor with training and knowledge regarding the diagnosis and treatment of alcohol and controlled substances-related disorders.

III. PROHIBITED CONDUCT

The following actions are prohibited and are violations of the DOT drug and alcohol regulations:

- refusal to submit to an alcohol or controlled substances test, as outlined in this policy;
- reporting for or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater;
- using alcohol while performing safety-sensitive functions;
- performing safety-sensitive functions within four hours after using alcohol;
- if subject to a post-accident alcohol test, using alcohol during the eight hours immediately following the accident or until you have taken the post-accident test, whichever occurs first;
- reporting for or remaining on duty requiring the performance of safety-sensitive functions when using any controlled substance, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee’s ability to properly perform safety-sensitive functions; or
- reporting for or remaining on duty or performing a safety-sensitive function if the employee tests positive or has adulterated or substituted a test specimen for controlled substances.
-

IV. TYPES OF DRUG AND ALCOHOL TESTING

The City is required by law to perform these types of drug and alcohol testing depending upon the nature of the situation.

A. Pre-Employment (Post-Offer) Testing

An individual may be required to undergo testing for controlled substances and/or alcohol before the individual first performs safety-sensitive functions. An individual may not be allowed to operate a CMV or to perform safety-sensitive functions until the City has received a verified negative test result.

B. Post-Accident Testing

An individual who is subject to post-accident testing must remain readily available for such testing or may be deemed by the City to have refused to submit to testing. However, this shall not be considered as requiring the delay of necessary medical attention for injured people following the accident or prohibiting an employee from leaving the scene for the period necessary to obtain assistance in responding to the accident.

1. Post-accident **Alcohol Testing** is required as soon as practicable, and within thirty-two (32) hours, for each surviving employee if there is an occurrence involving a CMV operating on or off a public road and

- (a) the employee was performing safety-sensitive functions with respect to the CMV and if the accident involved the loss or human life; or

- (b) the employee receives a citation within 8 hours of the occurrence for a moving violation arising from the accident or if the accident involved bodily injury to any person who as a result immediately receives medical treatment away from the scene of the accident or damage to a vehicle that requires towing.

If a post-accident alcohol test is not administered within two (2) hours following the accident, the City will prepare and maintain a record stating the reasons the test was not promptly administered. If it is not administered within eight (8) hours following the accident, the City will stop attempts to administer the alcohol test and prepare and maintain a record as to why.

2. Post-accident **Controlled Substances Testing** is required for each surviving employee if there is an occurrence involving a CMV operating on a public road and

- (a) the employee was performing safety-sensitive functions with respect to the CMV and if the accident involved the loss or human life, or

- (b) the employee receives a citation within 32 hours of the occurrence for a moving traffic violation arising from the accident and the accident involved bodily injury to any person

who as a result immediately received medical treatment away from the scene of the accident or damage to a vehicle that requires towing.

If a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the City will stop attempts to administer the test and prepare and maintain a record stating the reasons the test was not promptly administered.

Post-accident testing shall not apply to an occurrence involving only boarding or alighting from a stationary motor vehicle; an occurrence involving only the loading or unloading of cargo; or an occurrence in the course of the operation of a passenger car or multi-purpose passenger vehicle unless the transporting of passengers is for hire or of hazardous materials such that the motor vehicle is to be marked or placarded in accordance with law.

C. Random Testing

The City will perform random drug and alcohol testing on an unannounced basis. (Currently, the DOT requires at least one random test over a twelve month period for which at least 50% of all driver positions be subjected to drug testing and at least 10% be subjected to alcohol testing. If these rates change, the City will test at the rate required by the DOT.)

Your name will be placed in a random testing pool and subjected to a scientifically valid random selection method where you will have an equal chance as every other employee in the pool chosen for random testing for drugs and/or alcohol. **Note that there are two separate testing pools; one for drugs and one for alcohol.** Based on the nature of the random selection process, it is possible that you could be chosen for both a drug and an alcohol test in the same testing period.

If your name is selected for random testing for either drug or alcohol testing, you will be required to proceed to the pre-determined testing location immediately. If you are performing a safety-sensitive function, other than driving a CMV, at the time of the notification, the City shall ensure that you cease to perform the safety-sensitive function and proceed to the testing site as soon as possible.

If you are selected for alcohol testing, you will be only be tested while you are performing safety-sensitive functions, just before you are to perform safety-sensitive functions, or just after you have ceased performing such functions. Therefore, you will not be given a choice on when to take your test; this is mandated by federal law. Once you have completed your testing, please report back to work, unless your testing time concludes after your shift has ended.

D. Reasonable Suspicion Testing

If the City has reasonable suspicion that an employee has violated these alcohol and/or controlled substances prohibitions, a reasonable suspicion test will be performed in accordance with DOT regulations. At a minimum, reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee. In the case of testing for controlled substances, reasonable suspicion may include indications of the chronic and withdrawal effects of controlled substances. These observations are to be made by a supervisor or company official who is trained accordingly under the DOT regulations. Reasonable suspicion testing is available only while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

Special Rules regarding reasonable suspicion that a driver is impaired by or under the influence of Alcohol. Reasonable suspicion alcohol testing is authorized only if the observations required are made during, just preceding, or just after the period of the work day that the employee is required to comply with this policy. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the test.

Notwithstanding the absence of a reasonable suspicion alcohol test, no employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while the employee is under the influence of or impaired by alcohol as determined by the factors described above. An employee so influenced or impaired shall not be permitted to perform or continue to perform safety-sensitive functions until (i) an alcohol test is administered and the employee's alcohol concentration measures less than 0.02 or (ii) twenty-four hours have

elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol.

E. Return to Duty Testing

If the City, in its sole discretion, decides to allow an employee to return to duty after engaging in “prohibited driver conduct,” the employee will be sent to an SAP who will, among other things, require a Return to Duty test. This is a test the employee takes on return from treatment and release from the SAP. This is a one-time only test and may be collected under direct observation. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming performance of safety-sensitive duties.

F. Follow-Up Testing

If an employee passes the return to duty test, unannounced follow up testing as prescribed by the SAP will occur for up to 60 months (5 years). At a minimum, the SAP will direct that the employee be subject to six unannounced follow-up tests in the first 12 months of safety-sensitive duty following the employee’s return to safety-sensitive functions. Follow-up testing may be conducted under direct observation.

V. PROCEDURES THAT WILL BE USED

A. General Information regarding Procedures: This is merely a summary of the procedures. For complete information about procedures, you should consult the Department of Transportation regulations, 49 C.F.R. Part 40. If at any time this policy is inconsistent with those regulations, the regulations will govern.

B. Collection Process for Controlled Substances Testing: During the collection process, a urine specimen collector will follow, at a minimum, these protocols:

- Create a secure collection site by, at a minimum:
 - Inspecting the collection room before and after each specimen collection to remove unauthorized persons and materials, including all cleaning products and fluids.
 - Securing any door or window.
 - Restricting access to the room during collection.

- Securing all water sources and placing blue dye in the standing water.
- If the employee does not arrive at the scheduled time, contact the DER to determine the appropriate interval within which the DER has determined the employee is authorized to arrive. Notify the DER if the employee arrives after that time.
- When the employee enters the collection site, the testing process must begin without undue delay.
- Verify the employee's identity using a current valid photo identification card issued either by the employer or a governmental authority (e.g., driver's license). Copies are not acceptable.
- Explain the basic collection procedures to the employee and review the instructions on the back of the Federal Drug Testing Custody and Control Form (CCF) with the employee.
- Request that the employee check his/her belongings and remove any unnecessary outer garments, including purses, briefcases, and bulky outerwear. Employees must empty their pockets and display any personal items so that the collector may determine whether the items could be used to adulterate the specimen and may need to leave the items with the collector. Employees may keep their wallets.
- Instruct the employee not to list medications that he or she is currently taking on the CCF. The employee may make notes of medications on the back of the employee copy of the form for his or her own convenience, but these notes must not be shown or given to anyone else.
- Instruct the employee to wash and dry his/her hands in the collector's presence and inform the employee that he/she should not wash his/her hands again until after the employee provides the specimen to the collector.
- Select or have the employee select a sealed collection kit and open it in the employee's presence.
- Request that the employee provide a specimen (a minimum of 45 ml) of urine into a collection container, not flush the toilet, and return the specimen to the collector as soon as the employee has completed the void. The collector may set a time limit for the employee that will be explained to the employee before the collection.
- Check the temperature of the urine within 4 minutes of receiving the specimen and inspect the specimen for unusual color, presence of foreign material, or other signs of tampering.
- In the employee's presence, pour the urine into two separate bottles, seal them with tamper-evident tape, and then ask the employee to sign the seals after they have been placed on the bottles.
- Ask the employee to provide his/her name, date of birth, and daytime and evening phone numbers on the Medical Review Officer Copy (Copy #2) of the CCF.

- Complete the necessary documentation on the Laboratory Copy (Copy #1) of the CCF to demonstrate the chain of custody (*i.e.* handling) of the specimen.
- Give the employee the Employee Copy (Copy #5) of the CCF and suggest the employee list any prescription and over the counter medications the employee may be taking on the back of his/her copy of the CCF (this may serve as a reminder for the employee in the event the MRO calls you to discuss your test results).
- Package and ship both sealed bottles and completed CCF to the laboratory as quickly as possible but in any case within 24 hours or during the next business day.
- Send Copy 2 of the CCF to the Medical Review Officer (MRO) and Copy 4 to the Designated Employer Representative (DER) within 24 hours or during the next business day.

C. Observed / Monitored Collections in Controlled Substances Testing

Under certain circumstances, the DOT regulations require that the collection be either directly observed or monitored. The circumstances requiring this and the actual processes will be as set forth in the DOT regulations.

D. Laboratory Procedures for Controlled Substances Testing

The City uses laboratories certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, one that is approved for participation by the Department of Transportation.

E. MRO Procedures for Controlled Substances Testing (once the MRO has received the results from the laboratory)

A summary of some of the tasks undertaken by the MRO include the following. For full details, see Part 40 of the DOT regulations.

- Review the paperwork for accuracy.
- Report a negative result to the Designated Employer Representative (DER).
- If the result is positive, conduct a confidential interview with the employee to determine if there is a legitimate medical reason for the result. If a legitimate medical reason is established, the MRO will report the result to the DER as negative. If not, the MRO will report the result to the DER as positive.

- If the result is an adulterated or substituted test, conduct an interview with the employee to determine if there is a legitimate medical reason for the result. If a legitimate medical reason is established, the MRO will report the result to the DER as cancelled. If not, the MRO will report the result to the DER as a refusal.
- Report a non-negative test result to the DER if:
 - The employee refused to discuss the results with the MRO.
 - The employee did not provide the MRO with acceptable medical documentation to explain the non-negative test result.
- If the MRO verifies a drug test as positive or as a refusal to test, the MRO will notify you of the right to have the split specimen tested. You will have 72 hours from the time of the verified result to request this be done. No additional tests of the specimen (e.g., DNA tests) are authorized.
- An employee shall be determined to have tested positive on a drug test if the test reveals the presence of any drugs or their metabolites in excess of the applicable cutoff levels, including, but not limited to, the following cutoff levels:

Cut-off levels on initially screened specimens:	
Marijuana metabolites	50 ng/mL
Cocaine metabolites	150 ng/mL
Opiate metabolites	
Codeine/Morphine	2000 ng/mL
6-Acetylmorphine	10 ng/mL
Phencyclidine	25 ng/mL
Amphetamines	
AMP(amphetamine) or MAMP (methamphetamine)	500 ng/mL
MDMA (methylenedioxymethamphetamine)	500 ng/mL

Cut-off levels on confirmation specimens:	
Marijuana metabolites (THCA)	15 ng/mL
Cocaine metabolites	100 ng/mL
Opiate metabolites	
Codeine	2000 ng/mL
Morphine	2000 ng/mL
6-Acetylmorphine	10 ng/mL
Phencyclidine	25 ng/mL
Amphetamines	
AMP(amphetamine)	250 ng/mL
MAMP (methamphetamine)	250 ng/mL
MDMA (methylenedioxymethamphetamine)	250 ng/mL
(MDA) Methylenedioxyamphetamine	250 ng/mL
(MDEA) Methylenedioxyethylamphetamine	250 ng/mL

F. Alcohol Procedures

A Screen Test Technician (STT) or a Breath Alcohol Technician (BAT), using only a DOT approved device will:

- Establish a private testing area to prevent unauthorized people from hearing or seeing your test result.
- If the employee does not arrive at the scheduled time, contact the DER to determine the appropriate interval within which the DER has

determined the employee is authorized to arrive. Notify the DER if the employee arrives after that time.

- When the employee enters the alcohol testing site, the testing process must begin without undue delay.
- Verify the employee's identity using a current valid photo identification card issued by either the employer or a governmental authority (e.g., driver's license). Copies are not acceptable.
- Explain the testing procedure to the employee, including showing the employee the instructions on the back of the Alcohol Testing Form (ATF).
- Require the employee to complete and sign Step #2 of the Alcohol Testing Form (ATF).
- Perform a screening test and show the employee the test result.
 - For a saliva test, the STT will:
 - Explain the testing procedure to the employee.
 - Check the expiration date of the saliva testing device and show the date to the employee.
 - Open the individually sealed package containing the device in the presence of the employee.
 - Either the employee or the STT will insert the absorbent end of the swab into the employee's mouth, moving it actively throughout the mouth for a sufficient time to ensure that it is completely saturated as indicated in the manufacturer's instructions for the device.
 - When the device is removed from the employee's mouth, the BAT or STT must follow the manufacturer's instructions regarding next steps to ensure that the device has activated .
 - For an Evidential Breath Test (EBT),
 - An individually wrapped or sealed mouthpiece will be selected and opened by the BAT or STT in view of the employee and inserted into the machine.
 - The BAT or STT will instruct the employee to blow steadily and forcefully into the mouthpiece for at least six seconds or until the device indicates that an adequate amount of breath has been obtained.
 - The employee will be shown the displayed test result.
- If the screening test result is an alcohol concentration of less than 0.02, no further testing is authorized, and there is no DOT action to be taken. The STT or BAT will document the result on the ATF, provide the employee a copy and provide the employer a copy.
- If the screening test result is 0.02 or greater, the employee must take a confirmation test, which can only be administered by a BAT using an EBT device. The BAT will:
 - Wait at least 15 minutes, but not more than 30 minutes, before conducting the confirmation test. During that time, the employee

- will not be allowed to eat, drink, smoke, belch, put anything in his/her mouth or leave the testing area.
- Perform an “air blank” (which must read 0.00) on the EBT device to ensure that there is no residual alcohol in the EBT or in the air around it.
- Perform a confirmation test using a new mouthpiece.
- Display the test result to the employee on the EBT and on the printout from the EBT.
 - If the result displayed on the EBT is not the same as that on the printed form, the test will be cancelled and the EBT removed from service.
- Document the confirmation test result on the ATF and provide the employee and employer a copy.
- Report any result of 0.02 or greater immediately to the employer.
- If the alcohol confirmation test result is 0.02 or higher, direct the employee to sign and date Step 4 of the ATF. Immediately transmit the result directly to the DER in a confidential manner.

VI. CONSEQUENCES OF VIOLATIONS

There are no consequences for obtaining a negative test result.

No employee shall perform safety-sensitive functions, including driving a commercial motor vehicle, if the employee has engaged in “prohibited conduct” described above. No employee tested under this policy who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform or continue to perform safety-sensitive functions, including driving a commercial motor vehicle, until the start of the employee’s next regularly scheduled duty period, but not less than 24 hours following administration of the test.

In its sole discretion, the City will determine whether the employee is to be discharged for engaging in any “prohibited conduct.” If, in its sole discretion, the City determines that an employee should have the opportunity to return to a DOT safety-sensitive duty following “prohibited conduct,” the employee cannot perform any safety-sensitive duties unless and until the employee completes an SAP evaluation, referral and education/treatment process. The SAP will recommend a course of education or treatment, and the employee must successfully comply with any such recommendations. The individual must also successfully complete Return to Duty testing and Follow Up testing.

A. Consequences of Positive Drug Test.

1. **First Offense:** Employees that receive a verified, positive drug test result for the first time will be immediately removed from the sensitive position and involved in discussions with City personnel. The employee will be briefed and advised of the Employee Assistance Program resources available in evaluating and resolving problems associated with the misuse of drugs (controlled substances) including; names, addresses, and telephone numbers of substance abuse professionals, counseling, and treatment centers. ***The City reserves the right to immediately terminate the employee.*** However, and at the sole discretion of the City, the employee may be placed on probation, which includes placement in a non-sensitive position for at least one month and involvement in one of the available drug abuse programs. The employee will be required to submit proof of involvement in the drug abuse program on a regular basis to City personnel. In addition, the employee will be subjected to follow-up testing consisting of at least six (6) tests in the first twelve (12) months following return to duty. After one year the employee may be removed from probation.
2. **Second Offense:** ***Employees that fail a drug test for the second time will be terminated immediately.***

B. Consequences of Alcohol Test in Excess of Applicable Concentrations.

1. **First Offense:** ***The City reserves the right to immediately terminate an employee with an alcohol concentration greater than 0.04.*** Although an employee with an alcohol concentration greater than 0.02 has violated the limitations: other than immediate removal from the sensitive position, no permanent action (termination or suspension) will be taken against employees with an alcohol concentration less than 0.04 based solely on the test results. Such employees may be allowed to return to work not less than 24-hours following the testing episode. Under these circumstances the employee will be advised of the Employee Assistance Program resources available in evaluating and resolving problems associated with the misuse of alcohol including; names, addresses, and telephone numbers of substance abuse professionals, counseling, and treatment centers. In the event the employee is willing he or she may be placed on probation, which includes placement in a non-sensitive

position for at least two days and involvement in one of the available alcohol abuse programs. The employee will be required to submit proof of involvement in the alcohol abuse program on a regular basis to City personnel. In addition, the employee will be subjected to follow-up testing consisting of at least six (6) tests in the first twelve (12) months following return to duty. After one year the employee may be removed from probation.

2. **Second Offense:** *Employees whose tests reveal an alcohol concentration greater than 0.04 for the second time will be terminated immediately.*

VII. INFORMATION CONCERNING THE IMPACT OF DRUGS AND ALCOHOL

A. Effects of drug and/or alcohol misuse on an individual's health, work and personal life.

Drugs and alcohol impact the central nervous system. They adversely affect judgment, the ability to think, and motor functions. Long term use can cause serious medical problems, including liver damage. The use of drugs or alcohol may also lead to physical or psychological dependence. Employees who use drugs or alcohol are more likely to injure themselves or someone else. More information about the effects of drug and alcohol use and misuse on an individual's health, work and personal life can be obtained from the U.S. Substance Abuse and Mental Health Services Administration, online at www.samhsa.gov or by calling its 24-hour toll free Referral Helpline at 1-800-662-HELP.

B. Signs and symptoms of a drug or alcohol problem.

Any one or more of the following signs may indicate that an individual has a problem with drugs or alcohol: (1) family or social problems caused by or relating to drug or alcohol use, (2) work-related difficulties related to drug or alcohol use (i.e., absenteeism, tardiness, etc.), (3) inability to control use of drugs or alcohol, (4) memory loss, (5) physical and/or psychological reactions during periods where neither drugs nor alcohol are used, (6) marked changes in behavior or personality when using drugs or alcohol, etc. More information about the signs and symptoms of a drug or alcohol problem can be obtained from the U.S. Substance Abuse and Mental Health Services Administration, online at www.samhsa.gov or by calling its 24-hour toll free Referral Helpline at 1-800-662-HELP.

C. Intervening when a drug or alcohol problem is suspected.

The City encourages its employees to consider intervening when it appears that a coworker may be dealing with a drug or alcohol problem. Employees are also encouraged to alert supervisory personnel when it appears that a coworker may be dealing with a drug and alcohol problem. Intervention may include referring the individual to outpatient or inpatient programs available through hospitals, residential care facilities, community health centers, family service agencies and private physicians. For information about local treatment providers, contact the U.S. Substance Abuse and Mental Health Services Administration, online at www.samhsa.gov or by calling its 24-hour toll free Referral Helpline at 1-800-662-HELP. Additional information may be obtained from human resource personnel.

VIII. QUESTIONS

For additional information about this policy or the DOT rules and regulations, or if you have any questions, please contact the **Human Resource Department**. You may also refer to the DOT regulations found at 49 C.F.R. Parts 40, 199, 382 and 391.

**ACKNOWLEDGMENT AND RECEIPT OF
GENERAL DRUG AND ALCOHOL TESTING POLICY
AND
DOT DRUG AND ALCOHOL TESTING POLICY**

I have read this Policy and have been given an opportunity to ask any questions that I may have. I understand the City reserves the right to modify or terminate this Policy at any time in its sole discretion.

I understand that my employment is at-will. I understand that this Policy in no way alters my employment status.

I understand that I am responsible for reading this DOT Drug and Alcohol Testing Policy for Employees in Safety-Sensitive Positions and all City policies, familiarizing myself with their contents, keeping them for future reference and adhering to all policies and procedures, whether set forth in this Policy or elsewhere.

Signature

Date

Printed Name

SURVEILLANCE AGREEMENT FORM

DATE: _____

NAME: _____

I have tested positive for a substance, which violates the City of McAlester's drug policy, and as part of my agreement for continued employment with the City of McAlester do hereby consent to:

1. Complete a substance abuse counseling program;
2. Provide the City of McAlester's Personnel Department a negative drug test performed by any approved lab; and
3. Agree to random drug test for a two-(2) year period from the date above.

I, sign this agreement with the understanding that any positive test during this two-(2) year period will result in my termination.

SIGNATURE

DATE

WITNESS NAME

DATE

WITNESS SIGNATURE

Council Chambers
Municipal Building
November 25, 2014

The McAlester Airport Authority met in Regular session on Thursday November 25, 2014, at 6:00 P.M. after proper notice and agenda was posted November 24, 2014.

Present: John Titsworth, Weldon Smith, Robert Karr and Travis Read, Jason Barnett & Buddy Garvin

Absent:

Presiding: Steve Harrison, Mayor

A motion was made by Mr. Smith and seconded by Mr. Read to approve the following:

- Approval of the Minutes from the November 6, 2014, Rescheduled Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item C, regarding claims ending November 18, 2014. (*Toni Ervin, Chief Financial Officer*) in the amount of \$ 1,237.36.
- Confirm action taken on City Council Agenda Item 3, authorizing the Mayor to sign a lease agreement with Resonance Broadband to install wireless infrastructure on all city owned water towers. (*James Stanford, IT Computer Support Specialist*)

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

AYE: Trustees Smith, Titsworth, Karr, Read, Barnett, Garvin & Mayor Harrison

NAY: None

Mayor Steve Harrison declared the motion carried.

There being no further business to come before the Authority, Mr. Smith moved for the meeting to be adjourned, seconded by Mr. Read.

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

AYE: Trustees Smith, Titsworth, Karr, Read, Barnett, Garvin & Mayor Harrison

NAY: None

Chairman Harrison declared the motion carried.

Steve Harrison, Mayor

ATTEST:

Cora Middleton, Secretary

Council Chambers
Municipal Building
November 17, 2014

The McAlester Public Works Authority met in a Special session on Monday, November 17, 2014, at 5:30 P.M. after proper notice and agenda was posted November 13, 2014.

Present: Weldon Smith, John Titsworth, Travis Read, Robert Karr, Buddy Garvin, Jason Barnett & Steve Harrison

Absent: None

Presiding: Steve Harrison, Chairman

A motion was made by Mr. Read and seconded by Mr. Smith to approve the following:

- Confirm action taken on City Council Agenda Item 1, authorize the McAlester Public Works/Streets Department to complete remaining project work on CIP#1 (17th Street Improvements Project), or in the alternative to re-bid completion of the project.

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

AYE: Trustees Read, Smith, Titsworth, Karr, Garvin, Barnett & Chairman Harrison

NAY: None

Chairman Harrison declared the motion carried.

There being no further business to come before the Authority. Mr. Read moved for the meeting to be adjourned, seconded by Mr. Smith. There was no discussion and the vote was taken as follows:

AYE: Trustees Read, Smith, Titsworth, Karr, Garvin, Barnett & Chairman Harrison

NAY: None

Chairman Harrison declared the motion carried.

ATTEST:

Steve Harrison, Chariman

Cora Middleton, Secretary

Council Chambers
Municipal Building
November 25, 2014

The McAlester Public Works Authority met in Regular session on Thursday, November 25, 2014, at 6:00 P.M. after proper notice and agenda was posted November 24, 2014.

Present: Weldon Smith, Robert Karr, John Titsworth, Travis Read, Jason Barnett, Buddy Garvin & Steve Harrison, Mayor.

Absent:

Presiding: Steve Harrison, Mayor

A motion was made by Mr. Smith and seconded by Mr. Read to approve the following:

- Approval of the Minutes from the November 6, 2014, Rescheduled Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending November 18, 2014. *(Toni Ervin, Chief Financial Officer)* in the amount of \$319,064.22.
- Confirm action taken on City Council Agenda Item G, authorization of payment to Poe & Associates, Inc., Invoice # 0-102096-9556, in the amount of \$116,006.72, for engineering services related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item H, receipt of the following permits from the Oklahoma Department of Environmental Quality (ODEQ) to serve the City of McAlester's CIP#3 on Second Street: Permit No. WL 000061140816 for the construction of 2,760 linear feet of six (6) inch PVC potable water line, 430 linear feet of ten (10) inch PVC potable water line, 110 linear feet of sixteen (16) inch PVC potable water line, and all appurtenances; Permit No. SL000061140815 for the construction of 3,300 linear feet of eight (8) inch PVC sanitary sewer line and all appurtenances. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action on City Council Agenda Item I, approve resolution and application for the 2060 Drought Grant from Oklahoma Water Resources Board. This Item is to authorize the application for a grant with a maximum value of \$500,000. No matching City funds are required. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending Ordinance No. 2501 which established the budget for fiscal year 2014-2015; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

- Confirm action taken on City Council Agenda Item 3, authorizing the Mayor to sign a lease agreement with Resonance Broadband to install wireless infrastructure on all city owned water towers. *(James Stanford, IT Computer Support Specialist)*
- Confirm action taken on City Council Agenda Item 5, an Ordinance proposed by City Councilman Robert Karr to amend Section "62-197, R-1B Single Family Residential District" of the McAlester City Code to add Barbershop and/or Beauty Shop to the uses permitted after review in R-1B Single Family Residential Districts and providing certain definitions and restrictions. *(Leroy Alsup, Community and Economic Development Director)*
- Confirm action taken on City Council Agenda Item 6, an Ordinance amending the general zoning ordinance and accompanying map thereto known as General Zoning Ordinance No. 1843 (1989), by changing the classifications of the zoning district for Lot 3 less the Northerly 430 feet of the Easterly 100 feet thereof; and The Northerly 70 feet of the Southerly 230 feet of Lot 4; and the North-Half of Lot 13 lying North of U.S. Highway No. 270; all in Townsite Addition No. 2, Pittsburg County, State of Oklahoma from R1-B (single-family residential district) to R-3 (multi-family dwelling district). *(Leroy Alsup, Community and Economic Development Director)*
- Confirm action taken on City Council Agenda Item 7, a "Use Permitted After Review" for Cherokee Communication to construct a 10' by 12' structure on their property at 725 North G Street for a hub to house fiber optic and transmission equipment for their utility. *(Leroy Alsup, Community and Economic Development Director)*

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

AYE: Trustees Titsworth, Karr, Smith, Read, Barnett, Garvin & Mayor Harrison

NAY: None

Mayor Steve Harrison declared the motion carried.

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

AYE: Trustees Smith, Titsworth, Karr, Read, Barnett, Garvin & Mayor Harrison

NAY: None

Chairman Harrison declared the motion carried.

ATTEST:

Steve Harrison, Mayor

Cora Middleton, Secretary