



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, August 11, 2015 – 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

ROLL CALL

CEREMONY AND AWARDS

Employee of the Month for July, 2015 is Bill Geary, Groundskeeper for the City of McAlester. *(Steve Harrison, Mayor)*

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 July 21 2015, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the July 28 2015, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for July 22, 2015 through August 5, 2015. *(Toni Ervin, Chief Financial Officer)*
- D. Concur with the Mayor's Re-Appointment of Mr. Robert Way, 981 Swan Rd, McAlester, to the McAlester Housing Authority Board for a term to expire March, 2019. *(Steve Harrison, Mayor)*
- E. Concur with the Mayor's Re-Appointment of Mr. Larry Walla, to the McAlester Housing Authority Board for a term to expire March, 2019. *(Steve Harrison, Mayor)*
- F. Accept and place on file the McAlester Main Street Annual Performance Report for July 2014 through June 2015. *(Lacey Sudderth, Executive Director)*
- G. Consider and act upon, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 200553-ME. *(Cora Middleton, City Clerk)*
- H. Consider and act upon, authorization of payment to Infrastructure Solutions Group, LLC; dba Mehlburger Brawley, Invoice # MC-14-06-09, in the amount of \$ 6,601.00, 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., CFM, City Engineer and Public Works Director)*
- I. Consider and act upon, authorization of payment to EST, Inc., Invoice #34989, in the amount of \$11,330.00 for Construction Management Services and Materials Testing Services related to CIP#2 and funded through the McAlester Public Works Authority

Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

- J. Consider and act upon, authorization of payment to EST, Inc., Invoice #34990, in the amount of \$65,578.50 for Construction Management Services and Materials Testing Services related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- K. Consider and act upon, authorizing the Mayor to sign an agreement for one year between the City of McAlester and McAlester Regional Health Center Authority for the full use of the MRHC's Wellness Center. *(Cora Middleton, City Clerk)*

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 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 THE WESTERLY 85 FEET OF LOT 3, IN BLOCK 600, CITY OF MCALESTER, FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM R1-B (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO R-2 (TWO-FAMILY [DUPLEX] DWELLING DISTRICT).

SCHEDULED BUSINESS

1. Presentation and update on McAlester Regional Health Center by Mr. David Keith. *(David Keith, CEO, McAlester Regional health Center)*

Executive Summary
Presentation and update.

2. Consider and act upon, authorizing the Mayor to sign "Application for Federal Assistance SF-424" to provide Federal Funding for: Project 3-40-0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement". *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

Executive Summary
The recommendation is to authorize the Mayor to sign Application for Federal Assistance SF-424 to provide funding for: Project 3-40-0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement".

3. Consider and act upon, authorizing the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement", Project 3-40-0057-013-2015. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

Executive Summary

The recommendation is to authorize the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement", Project 3-40-0057-013-2015, for an amount of \$209,825.50.

4. Consider and act upon, 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 The Westerly 85 feet of Lot 3, in Block 600, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma from R1-B (Single-Family Residential District) to R-2 (Two-family Dwelling [Duplex] District). (*Jayme Clifton, Planning Tech*)

Executive Summary

Motion to act upon and approve the above Ordinance changing the classification of the zoning district for the property identified in the Ordinance from R1-B (Single-Family Residential District) to R-2 (Two-family Dwelling [Duplex] District) and authorizing the Mayor to sign the ordinance.

5. Consider and act upon, awarding a bid in the amount of \$31,000.00 to Oklahoma Contract Flooring, LLC. (*Mel Priddy, Community Services Director*)

Executive Summary

Motion to approve the award of the bid to Oklahoma Contract Flooring, LLC.

6. Consider and act upon, approval of the revised Canine Operations Policy for the McAlester Police Department and acceptance of the check awarded by Life Church in the amount of \$9,400 for purchase of a Drug Dog. (*Gary Wansick, Police Chief*)

Executive Summary

Staff recommends approval of the revised Policy for Canine Operations and acceptance of the funds provided by Life Church to go towards the purchase of a Drug Dog.

7. Consider and act upon, Change Order No. 2 to the contract with Carstensen Contracting, Inc. for the construction of CIP#2 Improvements and authorize the Mayor to sign Change Order No. 2. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

Executive Summary

Motion to approve Change Order No. 2 to the contract with Carstensen Contracting, Inc and authorizing the Mayor to sign Change Order No. 2. The requested fourteen days changes the Contract Substantial Completion to April 18, 2015, and the cost decrease of \$2,572.17 changes the Contract amount to \$2,880,077.08 The cost of this change order, \$15,117.00, is offset by the Prime Coat line item that is not utilized with this project.

8. Consider and act upon, Change Order No. 3 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Improvements and authorize the Mayor to sign Change Order No. 3. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

Executive Summary

Motion to approve Change Order No. 3 to the contract with Carstensen Contracting, Inc and authorizing the Mayor to sign Change Order No. 3 which includes the replace 175 linear feet of 8" sewer main from manhole B1 north to a new manhole near Seneca Avenue due to the existing clay pipe leaking. This includes replacing the asphalt removed for this sewer trench. The cost of this change order, \$22,487.10, is offset by the lime stabilization line item that is not utilized with this project.

NEW BUSINESS

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

CITY MANAGER'S REPORT (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 July 28, 2015, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending August 5, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign "Application for Federal Assistance SF-424" to provide Federal Funding for: Project 3-40-0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement". *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

- Confirm action taken on City Council Agenda Item 3, authorizing the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement", Project 3-40-0057-013-2015. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the July 21, 2015, Special Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Approval of the Minutes from the July 28, 2015, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending August 5, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item G, to concur with Oklahoma Municipal Assurance Group recommendation to deny Claim No. 200553-ME. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item H, authorization of payment to Infrastructure Solutions Group, LLC; dba Mehlburger Brawley, Invoice # MC-14-06-09, in the amount of \$ 6,601.00, 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., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item I, authorization of payment to EST, Inc., Invoice #34989, in the amount of \$11,330.00 for Construction Management Services and Materials Testing Services related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item J, authorization of payment to EST, Inc., Invoice #34990, in the amount of \$65,578.50 for Construction Management Services and Materials Testing Services related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign "Application for Federal Assistance SF-424" to provide Federal Funding for: Project 3-40-

0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement". *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

- Confirm action taken on City Council Agenda Item 3, authorizing the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement", Project 3-40-0057-013-2015. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 7, Change Order No. 2 to the contract with Carstensen Contracting, Inc. for the construction of CIP#2 Improvements and authorize the Mayor to sign Change Order No. 2. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 8, Change Order No. 3 to the contract with Carstensen Contracting, Inc for the construction of CIP#4 Improvements and authorize the Mayor to sign Change Order No. 3. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

ADJOURN MPWA

RECONVENE COUNCIL MEETING

EXECUTIVE SESSION

Recess into Executive Session in compliance with Section Title 25 Section 307 B.2 et.seq. Oklahoma Statutes, to wit:

- Proposed executive session pursuant to Title 25, Sec. 307 (B) (4) for Confidential communications between a public body and its attorney concerning a pending investigations, claims, or actions, more particularly: John Jarrett

RECONVENE INTO OPEN SESSION

- Consider and act upon, authorizing the City Manager to propose a settlement agreement per the guidelines discussed.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2015 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 Tuesday, July 21, 2015 at 5:30 P.M. after proper notice and agenda was posted, July 20, 2015, at 3:51 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 & Steve Harrison
Absent: Buddy Garvin & Jason Barnett
Presiding: Steve Harrison, Mayor

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

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to open a Public Hearing addressing two (2) Ordinances. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried and the Public Hearing was opened at 5:31 P.M.

Public Hearing

- **An ordinance of the City of McAlester relating to the imposition of a city excise tax (sales tax) of one half percent (.5%) in addition to any and all other excise taxes now in force, for the purpose of funding street construction, repairs, maintenance, and improvements, as well as related infrastructure improvements within the project areas.**
- **An ordinance of the City of McAlester, amending prior ordinance 2159, relating to the imposition of a city excise tax (sales tax) of one half percent (.5%) in addition to any and all other excise taxes now in force; extending said excise tax, and from the date of said extension, repurposing the one half percent (.5%) excise tax presently being levied pursuant to said ordinance no. 2159 for the purpose of funding street construction, repairs, maintenance, and improvements, as well as related infrastructure improvements within the project areas.**

Mayor Harrison opened the floor for Citizens' Comments on the two (2) ordinances.

Stephanie Giacomo, 509 W. Adams addressed the Council stating that she could support the ½ cent sales tax but could not support the repurposing of the ¼ cent Economic Development sales tax. She commented that many of the City's organizations depended on that for funding.

Dr. Marsha Gore, 1904 Sandpiper addressed the Council expressing her opposition to the repurposing of the ¼ cent Education Sales tax. She highlighted some of her concerns about the school system losing that funding.

Brent Grilliot, 528 E. Adams; Dan Heathcock, P.O. Box 272, Krebs; Danny Giacomo; Jimmy Williams, 803 Village Boulevard and Jason Strickland, 419 E. Monroe each addressed the Council expressing their opposition to the repurposing of the ¼ cent Education Sales tax.

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to close the Public Hearing. There was no discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried and the Public Hearing was closed at 5:54 P.M.

Scheduled Business

1. Consider and act to approve an ordinance of the City of McAlester relating to the imposition of a city excise tax (sales tax) of one half percent (.5%) in addition to any and all other excise taxes now in force, for the purpose of funding street construction, repairs, maintenance, and improvements, as well as related infrastructure improvements within the project areas. (*William J. Ervin, Jr., City Attorney*)

ORDINANCE NO. 2541

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, RELATING TO THE IMPOSITION OF A CITY EXCISE TAX (SALES TAX) OF THREE- QUARTER PERCENT (.75%) (IN ADDITION TO ANY AND ALL OTHER EXCISE TAXES NOW IN FORCE); SAID EXCISE TAX TO BE LEVIED UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM ALL SALES TAXABLE UNDER THE OKLAHOMA SALES TAX CODE; PROVIDING FOR THE USE OF THE PROCEEDS OF SAID EXCISE TAX; PROVIDING FOR THE EFFECTIVE DATE OF SAID EXCISE TAX; PROVIDING FOR SUBSISTING STATE PERMITS; PROVIDING FOR PAYMENT OF TAX; PROVIDING THAT THE TAX IS IN ADDITION TO TAXES CURRENTLY LEVIED, EXCEPT AS PROVIDED ABOVE; INCORPORATING CERTAIN PROVISIONS OF PRIOR CITY ORDINANCES; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE ARE CUMULATIVE AND IN ADDITION TO ANY AND ALL TAXING

PROVISIONS OF OTHER CITY ORDINANCES; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to approve **ORDINANCE NO. 2541.**

Before the vote, Attorney Ervin reviewed the language of the Ordinance explaining that this was a new tax that would go into effect on January 1, 2016 and expire June 30, 2023. He commented that it was dedicated to funding streets, maintenance and infrastructure and it did not replace any other tax.

There was discussion among the Council including Manager Stasiak and Attorney Ervin concerning a revised version that had been distributed to the Council, if this would allow the City to sale bonds, how much revenue a ½ cent sales tax would generate, informing the citizens of what the proposals were, changing it to a ¾ cent permanent sales tax, finding other ways to fund street repairs, if this proposal was tied to the second ordinance, funding for Education and Economic Development and the City not competing with Education and Economic Development.

Vice-Mayor Read moved to amend the Ordinance changing the sales tax from ½ cent to ¾ cent with no expiration and effective January 1, 2016. The motion was seconded by Councilman Karr. There was no further discussion, and the vote was taken as follows:

AYE: Councilman Read, Karr, Smith & Mayor Harrison

NAY: Councilman Titsworth

Mayor Harrison declared the motion carried.

2. Consider and act to approve an ordinance of the City of McAlester, amending prior ordinance 2159, relating to the imposition of a city excise tax (sales tax) of one half percent (.5%) in addition to any and all other excise taxes now in force; extending said excise tax, and from the date of said extension, repurposing the one half percent (.5%) excise tax presently being levied pursuant to said ordinance no. 2159 for the purpose of funding street construction, repairs, maintenance, and improvements, as well as related infrastructure improvements within the project areas. (*William J. Ervin, Jr., City Attorney*)

Mayor Harrison stated that this had been his proposal and that he was going to pull the item but before it was pulled he wanted more discussion concerning the matter. He explained that this tax had been passed in 2003 after school bonds had been defeated many times. He then read an excerpt from the minutes of the July 8, 2003 Special Meeting. In the minutes, "Manager Green had explained that the proceeds from the "Phase 1" bond sale had been a little over \$10 million, and the McAlester Public Schools were entitled to \$6.1 million." The minutes also stated that "the school administration had expressed their wish to receive their money upfront, forgoing any claim to further interest earned."

Mayor Harrison recessed the Special Meeting at 6:30 P.M., to allow the Planning and Zoning Commission to call their scheduled meeting to order and recess to the 2nd Floor Conference Room. The Special Meeting was reconvened at 6:32 P.M.

Mayor Harrison continued to read from the July 8, 2003 minutes. He then referenced excerpts from the minutes from a July 26, 2005 and a June 20, 2006 Council meetings where the McAlester Public Schools had submitted requests for excess proceeds from the ¼ cent Education Sales Tax. He then commented that the City had obtained a legal opinion from a bond attorney regarding the payments to the School System of the additional funds. Mayor Harrison informed the audience of how the cities in Oklahoma were funded, emphasizing that sixty-six percent (66%) of the City of McAlester's funding was sales tax and every time the State Legislature approves an exemption that lowers the cities funding. He also commented that the McAlester Public Works Authority would be responsible for the payment of the bond not the Public School System.

Councilman Karr commented on the percentage of sales tax that the City had received for the first month of the fiscal year and stressed the City's priorities.

Mayor Harrison then formally withdrew this item.

3. Consider and act to approve resolution authorizing the calling and holding of an election in the City of McAlester, State of Oklahoma, for the purpose of submitting to the registered qualified electors of said city the question of approval or rejection of the ordinances contained in items 1 and 2 above. (*William J. Ervin, Jr., City Attorney*)

A motion was made by Mayor Harrison and seconded by Councilman Smith, to strike item two (2) from and approve RESOLUTION NO. 15-10.

After a brief discussion between Mayor Harrison and Attorney Ervin regarding the changes that needed to be made to RESOLUTION NO. 15-10 and **ORDINANCE NO. 2541**, the vote was taken as follows:

AYE: Councilman Smith, Read, Karr & Mayor Harrison

NAY: Councilman Titsworth

Mayor Harrison declared the motion carried.

Recess Council Meeting

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

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

AYE: Councilman Smith, Read, Karr & Mayor Harrison

NAY: Councilman Titsworth

Mayor Harrison declared the motion carried and the meeting was recessed at 6:42 P.M.

Reconvene Council Meeting

The meeting was reconvened at 6:43 P.M.

Adjournment

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

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

NAY: None

Mayor Harrison declared the motion carried and the meeting was adjourned at 6:44 P.M.

ATTEST:

Steve Harrison, Mayor

Cora Middleton, City Clerk

The McAlester City Council met in a Regular session on Tuesday, July 28, 2015, at 6:00 P.M. after proper notice and agenda was posted, July 24, 2015 at 11:46 A.M.

Call to Order

Mayor Harrison called the meeting to order.

Captain Robert Daniels gave the invocation and led the Pledge of Allegiance.

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, City Engineer/Public Works Director; Ralph Jernigen, Assistant Fire Chief; Toni Ervin, CFO; Leroy Alsup, Community & Economic Development Director; Gary Wansick, Police Chief; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Citizens Comments on Non-Agenda Items

No comments.

Consent Agenda

- A. Approval of the Minutes from the July 14, 2015, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of Claims for July 8, 2015 through July 21, 2015. *(Toni Ervin, Chief Financial Officer)* In the following amounts: Gen. Fund - \$138,168.13; Parking Authority - \$129.18; Nutrition - \$1,310.10; Landfill Res./Sub-Title D - \$3,778.00; Tourism Fund - \$658.45; SE Expo Center - \$595.64; E-911 - \$4,660.03; Economic Development - \$90.28; Fleet Maintenance - \$11,699.30; Worker's Compensation - \$941.68; CIP Fund - \$179.67 and Technology Fund - \$325.94.
- C. Consider and act upon, a request by Eastern Oklahoma State College, E.O.S.C., McAlester Campus, to partner with them for the rental fee for the use of the Southeast

Expo Center for the 8th Annual Career & College Tour set for October 28-29, 2015 in the amount of \$2,000.00. *(Jerry Lynn Wilson, Community Services)*

- D. Consider and act upon, acceptance of funds in the amount of \$9,400.00 from Life Church of McAlester to put towards the purchase of a Drug Dog for the City of McAlester. *(Peter Stasiak, City Manager)*
- E. Consider and act upon, authorization to expend funds in the amount of \$3,000.00 for the Mayor to attend the McAlester Stampede in Washington D.C. on September 28th through October 2, 2015. *(Peter Stasiak, City Manager)*
- F. Consider and act upon, authorizing the Mayor to sign a Campus Police Agreement between the Board of Education for the McAlester School District and the City of McAlester. *(Gary Wansick, Police Chief)*
- G. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #1", in the amount of \$108,602.96, for the construction of road and infrastructure improvements related to CIP#1 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- H. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #7", in the amount of \$213,619.28, for the construction of road and infrastructure improvements related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- I. Consider and act upon, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #2", in the amount of \$369,583.28, for the construction of road and infrastructure improvements related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- J. Consider and act upon, to concur with the Oklahoma Municipal Assurance Group recommendation to deny Claim No. 200705-KW. *(Cora Middleton, City Clerk)*
- K. Consider and act upon, to concur with the Oklahoma Municipal Assurance Group recommendation to deny Claim No. 200554-ME. *(Cora Middleton, City Clerk)*
- L. Consider and act upon, to concur with the Oklahoma Municipal Assurance Group recommendation to deny Claim No. 200538-ME. *(Cora Middleton, City Clerk)*

Vice-Mayor Read requested that item "D" be removed for individual consideration.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve Consent Agenda items "A, B, C, and E through L". There was no discussion, and the vote was taken as follows:

AYE: Councilman Smith, Read, Titsworth, Karr, Garvin, Barnett & Mayor Harrison
NAY: None

Mayor Harrison declared the motion carried.

Items Removed from Consent Agenda

- D. Consider and act upon, acceptance of funds in the amount of \$9,400.00 from Life Church of McAlester to put towards the purchase of a Drug Dog for the City of McAlester. *(Peter Stasiak, City Manager)*

A motion was made by Councilman Smith and seconded by Councilman Karr to accept funds in the amount of \$9,400.00 from Life Church of McAlester to put towards the purchase of a Drug Dog for the City of McAlester.

Before the vote, Vice-Mayor Read stated that he appreciated the Church's donation but he had questions regarding the program.

After discussion concerning having a written policy regarding how the dog would be handled, who would be supervising the handler and dog, and not accepting the funds until a Department policy had been approved, Vice-Mayor Read moved to table the item until there was an acceptable policy. The motion was seconded by Councilman Smith. There was no further 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.

Scheduled Business

1. Consideration and action to accept the 2016 OSMPC Incentive Fund Award in the amount of \$193,256.60 from the Oklahoma Strategic Military Planning Commission and to authorize the execution and submittal of Invoice No. 20150728-001 to the Oklahoma Department of Commerce to draw down the \$193,256.60 of funds. *(Leroy Alsup, Community and Economic Development Director)*

Executive Summary

Motion to approve and accept the 2016 OSMPC Incentive Fund Award in the amount of \$193,256.60 from the Oklahoma Strategic Military Planning Commission and to authorize the execution and submittal of Invoice No. 20150728-001 to the Oklahoma Department of Commerce to draw down the \$193,256.60 of funds.

A motion was made by Councilman Garvin and seconded by Councilman Karr to accept the 2016 OSMPC Incentive Fund Award in the amount of \$193,256.60 from the Oklahoma Strategic Military Planning Commission and to authorize the execution and submittal of Invoice No. 20150728-001 to the Oklahoma Department of Commerce to draw down the \$193,256.60 of funds.

Before the vote, Director Alsup addressed the Council reviewing the Award that the City had been granted by the Oklahoma Strategic Military Planning Commission and what the funds could be used for.

Following a discussion, among the Council and Director Alsup regarding the Defense Sector Strategic Plan Project, the Defense/Homeland Security Industrial Park Project, when these projects might begin and how the City could develop another industrial park that was reared toward military programs, the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

2. Consideration and action to approve and to authorize bid letting for a specific section of the Belmont Trail Project as designated by the City Council and subsequently approved by the Oklahoma Tourism and Recreation Department (OTRD). (*Leroy Alsup, Community and Economic Development Director*)

Executive Summary

Motion to approve and to authorize the bid letting of a specific section of the Belmont Trail Project as designated by the City Council and subsequently approved by the Oklahoma Tourism and Recreation Department (OTRD).

A motion was made by Vice-Mayor Read and seconded by Councilman Smith to authorize bid letting for a specific section of the Belmont Trail Project as designated by the City Council and subsequently approved by the Oklahoma Tourism and Recreation Department (OTRD).

Before the vote, Director Alsup addressed the Council concerning the recent input from citizens regarding the placement of the "Belmont Trail". He commented that "Option 1" would accommodate the wishes of the residents that lived in the Paddocks Subdivision and would replace the existing bridge. He then reviewed the other four (4) options for this first phase of the "Trails" project for the Council to consider.

Carl Dupuy, 1705 Boardwalk Avenue addressed the Council expressing his opposition to "Option 2" for the proposed trail and his support for "Option 1".

After discussion among the Council and Director Alsup regarding the reasons for opposition to "Option 2", the expense of the various options, how "Option 1" might affect the trees along the trail, finishing this phase within the original timeframe and if this would be on City easement, Vice-Mayor Read restated the motion as "authorize the bid letting for "Option 1" of the Belmont

Trail” and Councilman Smith seconded this motion. There was no further discussion 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.

3. Discussion and possible action on resolution for a Visit McAlester Program for Tourism, *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Staff recommends passing the resolution to recognize the importance of attracting, “encouraging, promoting, and fostering conventions, conferences, and tourism development”.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve RESOLUTION NO. 15-11.

Before the vote, CFO Ervin addressed the Council explaining that this would help the City to be more competitive in attracting tourism events and would help to answer many of the questions regarding the McAlester Tourism program.

There was discussion among the Council, Manager Stasiak, City Attorney Ervin and CFO Ervin regarding the competitiveness of the tourism industry, how incentives helped to draw events to a community, how this program would be different from the Council partnering with educational and charitable events that are conducted at the Expo, how this program would be monitored, how this was program was patterned after successful Tourism programs in other cities and giving this program a chance and revisiting it in a year. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

4. Discussion and possible action, on approval of certain costs related to the Fire Department. Funds to be used from the City of McAlester Fire Department’s portion of the county quarter cent excise tax for fire services. *(Brett Brewer, Fire Chief)*

Executive Summary

Motion to approve the purchase of new mattresses for the dorms of the fire departments. The cost of the mattresses not to exceed \$6,000.00. Purchase to be made with funds from the City of McAlester Fire Department’s portion of the county quarter cent excise tax for fire services.

Councilman Smith moved to approve the purchase of new mattresses for the dorms of the fire departments. The cost of the mattresses not to exceed \$6,000.00, using the City of McAlester Fire Department’s portion of the county quarter cent excise tax for fire services. The motion was seconded by Councilman Karr.

Before the vote, there was a brief discussion among the Council and Assistant Fire Chief Jernigen regarding the number of mattresses that would be purchased and if there had been more than one (1) quote received.

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

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

NAY: None

Mayor Harrison declared the motion carried.

5. Consider and act upon, authorizing the Mayor to sign a Professional Services Agreement with EST, Inc., for Construction Management Services related to CIP#4 Amendment, which includes a segment of Sixth Street from Chadick Park to Wyandotte Avenue. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

Executive Summary

Motion to approve authorizing the Mayor to sign a Professional Services Agreement with EST, Inc. to provide Construction Management Services related to CIP#4 Amendment, which includes a segment of Sixth Street from Chadick Park to Wyandotte Avenue. The total fee to perform these services is a lump sum amount of \$92,075.00.

A motion was made by Councilman Karr and seconded by Councilman Garvin to authorize the Mayor to sign a Professional Services Agreement with EST, Inc. to provide Construction Management Services related to CIP#4 Amendment, which includes a segment of Sixth Street from Chadick Park to Wyandotte Avenue, for a total fee to perform these services in a lump sum amount of \$92,075.00.

Before the vote, Director Modzelewski addressed the Council explaining that this would allow for inspection services for the amendment to CIP #4, which included a segment of Sixth Street from Chadick Park to Wyandotte Avenue.

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

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

NAY: None

Mayor Harrison declared the motion carried.

6. Consider and act upon, Change Order No. 5 to the contract with T. McDonald Construction, Inc. for the construction of Second Street Improvements and authorize the Mayor to sign Change Order No. 5 resulting in the addition of seven (7) days and adding \$2,930.00 to the Contract Price. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

Executive Summary

Motion to approve Change Order No.5 to the contract with T. McDonald Construction, Inc. and authorizing the Mayor to sign the Change Order changing the Contract Substantial Completion to

November 29, 2015 and the cost increase of \$2,390.00 that changes the Contract amount to \$2,735,941.50.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve Change Order No. 5 to the contract with T. McDonald Construction, Inc. for the construction of Second Street Improvements and authorize the Mayor to sign Change Order No. 5 resulting in the addition of seven (7) days and adding \$2,930.00 to the Contract Price increasing the Contract amount to \$2,735,941.50.

Before the vote, Director Modzelewski addressed the Council explaining that this change order was due to adverse weather and adding funds for installing additional water main. He added that while doing the CIP projects the City was learning a lot about its water lines.

Mayor Harrison verified that the completion date was being moved to November 29, 2015. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

7. Consider and act upon, Final and Contractor's Pay Estimate No. 4 for contract with Garrow Construction, LLC, to construct the 30-inch Water Plant Pump Header Replacement, and necessary appurtenances, at the Water Treatment Plant, and accept the project as completed. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

Executive Summary

Motion to approve final payment of \$37,253.30 for the 30-inch Water Plant Pump Header Replacement, and necessary appurtenances, at the Water Treatment Plan to Garrow Construction, LLC, and accept the project as completed.

Councilman Garvin moved to approve final payment of \$37,253.30 for the 30-inch Water Plant Pump Header Replacement, and necessary appurtenances, at the Water Treatment Plan to Garrow Construction, LLC, and accept the project as completed. The motion was seconded by Councilman Karr.

Before the vote, Director Modzelewski addressed the Council informing them that the leak at the Water Treatment Plant had been fixed, the control valve had been rehabilitated and a 30-inch Mag-meter and vault had been installed. He added that the City could now track how much water was brought into the plant and how much treated water was distributed.

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

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

NAY: None

Mayor Harrison declared the motion carried.

8. Consider and act upon, Change Order No. 1 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Improvements and authorize the Mayor to sign Change Order No. 1. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

Executive Summary

Motion to approve Change Order No. 1 to the contract with Carstensen Contracting, Inc. and authorizing the Mayor to sign Change Order No. 1 which includes the addition of surge rock stabilization for the construction of the access driveway behind Will Rogers School. The cost of this change order, \$40,050.92, is offset by the lime stabilization line items that are not utilized with this project.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve Change Order No. 1 to the contract with Carstensen Contracting, Inc. and authorizing the Mayor to sign Change Order No. 1 which includes the addition of surge rock stabilization for the construction of the access driveway behind Will Rogers School with the cost of this change order, \$40,050.92, being offset by the lime stabilization line items that are not utilized with this project.

There was discussion among the Council including Director Modzelewski regarding the changes being made to the project, the lime stabilization not being used in the product, what would happen to the excess dirt after the project was completed and how the Change Order balanced. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

New Business

Manager Stasiak stated the City had received a Change Order for CIP #4 that had been unforeseen and after conferring with the City Attorney it was deemed appropriate for New Business.

Director Modzelewski addressed the Council explaining that Change Order No. 2 for CIP #4 was to address unmapped additional sewer lines that were connected to an existing manhole. He commented that the additional work would require the core drilling of two (2) holes into the manhole and the cost of that additional work would be offset by the lime stabilization material that would not need to be used.

After a brief discussion concerning clear water that had infiltrated the sewer line, the motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve Change Order No. 2 for CIP #4. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

City Manager's Report

- Report on activities for the past two weeks.

Manager Stasiak informed the Council that the City of McAlester had been awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada for its comprehensive annual financial report (CAFR). He explained that this achievement was normally only obtained by larger cities with full staff. He added that this would add additional pages to the Audit and the award would be presented to Toni Ervin.

Mayor Harrison commented that this was a big deal and hoped that the City would continue to achieve this honor.

Councilman Garvin stated that the City should present Ms. Ervin with a plaque.

Manager Stasiak reported that there would be two (2) employee meetings tomorrow at the Expo. The first at 7:30 A.M. and the second at 3:00 P.M. He then informed the Council that the Police Department had begun a new program called "Coffee with Cops" and the first meeting was at the Meeting Place this morning. He informed the Council that he would get them the dates and times for the meetings. He reported that he would be off next Monday and Tuesday. He added that the Sales Tax receipts were stronger for June 15th through July 15th period.

Remarks and Inquiries by City Council

Councilmen Smith, Read, Titsworth, Karr and Barnett did not have any comments for the evening.

Councilman Garvin asked that the Street Sweeper on its rounds in North Town if it would start at West Street and Stonewall Avenue and work east to Seventh Street. He then inquired about the construction project at West Street and Carl Albert Parkway.

Manager Stasiak explained that the company building the project was experiencing internal problems but they were committed to completing the entire project.

Mayor's Comments and Committee Appointments

Mayor Harrison did not have any comments for the evening.

Recess Council Meeting

Mayor Harrison asked for a motion to recess the Regular Meeting to convene the Authorities. Vice-Mayor Read moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Smith. There was no discussion, 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 recessed at 7:16 P.M.

Reconvene Council Meeting

The meeting was reconvened at 7:17 P.M.

Adjournment

There being no further business to come before the Council, Councilman Garvin moved for the meeting to be adjourned. The motion was seconded by Councilman Karr. There was no discussion, and the vote was taken as follows:

AYE: Councilman Garvin, Karr, Barnett, Smith, Titsworth, Read & Mayor Harrison
NAY: None

Mayor Harrison declared the motion carried, and the meeting was adjourned at 7:17 P.M.

ATTEST:

Steve Harrison, Mayor

Cora Middleton, City Clerk

CLAIMS FROM

**July 22, 2015
Thru
August 5, 2015**

PACKET: 13086 CLAIMS FOR 8/11/2015

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1	MISC VENDOR					
	FRANCHESKA RADOSEV	I-201508037670	01 -5431331	EMPLOYEE TRAV FRANCHESKA RADOSEVICH: REIMB	074852	2,200.00
	RODNEY RAGAN	I-201508037672	01 -5431207	CLOTHING ALLO REIMB CLOTHING ALLOW	074853	51.84
	JIMMY FOREHAND	I-201508037673	01 -5431207	CLOTHING ALLO REIMB CLOTHING ALLOWANCE	074854	172.20
	JAMES VINSON	I-201508037674	01 -5431331	EMPLOYEE TRAV TRAVEL EXPENSE-TRAINING	074855	73.59
	ERIC GILES	I-201508037676	01 -5431207	CLOTHING ALLO REIMB CLOTHING ALLOWANCE	074856	376.81
01-A00036	A-ONE, INC					
		I-15-00214	01 -5320121	GRANT- DOJ MA TRAVEL EXP-A-ONE CONF.	074857	225.00
01-A00200	ADAM TRUE VALUE & AG SU					
		I-265837	01 -5544203	REPAIRS & MAI FERTILIZER FOR 4 FIELDS	074858	300.00
		I-274223	01 -5542203	REPAIRS & MAI SUPPLIES FOR STIPE CTR	074858	105.98
01-A00267	AIRGAS, INC					
		I-9041719449	01 -5653213	SAFETY EXPENS SAFETY SUPPLIES	074861	156.40
01-A00362	VYVE BROADBAND					
		I-201507227642	01 -5431328	INTERNET SERV INTERNET SVS- FIRE STATION #2	074769	62.95
		I-201507297650	01 -5431328	INTERNET SERV INTERNET SVS-EMER RESP CTR	074783	62.95
		I-201507297650	01 -5547328	INTERNET SERV INTERNET SVS-CEM	074783	61.64
		I-201507297650	01 -5865328	INTERNET SERV INTERNET SVS-CEM	074783	83.85
01-A00500	AMERICAN MUNICIPAL SERV					
		I-201508037668	01 -2105	COLLECTION AG COURT COLLECTION FEE-JUNE 2015	074863	8,011.07
01-A00751	ATWOODS					
		I-2624/9	01 -5542203	REPAIRS & MAI MISC MAINT ITEMS	074866	37.99
		I-2629/9	01 -5542203	REPAIRS & MAI MISC REPAIR ITEMS	074866	76.93
		I-2659/9	01 -5542203	REPAIRS & MAI MISC REPAIR ITEMS	074866	50.97
		I-2674/9	01 -5542203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	074866	69.95
		I-2680/9	01 -5542203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	074866	49.97
		I-2690/9	01 -5543202	OPERATING SUP MISC MAINT & REPAIR ITEMS	074866	75.93
		I-2699/9	01 -5542203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	074866	79.98
		I-2700/9	01 -5542203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	074866	23.93
		I-2713/9	01 -5542203	REPAIRS & MAI MISC REPAIR AND MAINTITEM	074866	459.62
01-B00089	BANK OF OKLAHOMA					
		I-5087186	01 -5547308	CONTRACTED SE CEM CARE FUND ADMIN FEE	074868	368.04
01-B00093	BANCFIRST-TRUST DEPT					
		I-201508047688	01 -5865218	STREET REPAIR PANEL REPLACEMENT SOUTH ST NOT PART OF CIP PROGRAMS	074869	36,660.00
01-B00380	BOARD OF TEST FOR ALCOH					
		I-3735	01 -5321331	EMPLOYEE TRAV INTOX CERT. 2 OFFICERS	074874	124.00
01-B00503	BROKEN ARROW ELECTRIC S					
		I-S1924864.001	01 -5548203	REPAIRS & MAI EMER. LIGHT FOR JAIL	074875	204.94

PACKET: 13086 CLAIMS FOR 8/11/2015

VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00149	CANON FINANCIAL SERVICE	I-15122986	01 -5215312	EQUIPMENT REN MONTHLY COPIER LEASE	074876	873.50
01-C00251	CAVENDER'S STORE, INC	I-73282	01 -5431207	CLOTHING ALLO CLOTHING ALLOWANCE	074877	150.00
		I-81503	01 -5431207	CLOTHING ALLO CLOTHING ALLOWANCE	074877	150.00
01-C00430	CHIEF FIRE & SAFETY CO.	I-179780	01 -5431316	REPAIRS & MAI FIRE ID TAGS	074878	319.00
01-C00443	CHRIS HEAROD	I-201508047681	01 -5544308	CONTRACT LABO UMPIRE FEES-10 GAMES	074879	250.00
01-C00840	CRAWFORD & ASSOCIATES P	I-9170	01 -5215302	CONSULTANTS CONSULTANT FEES	074881	1,287.50
01-D00470	DISPLAY SALES	I-002238	01 -5542319	LIGHTS REPLAC CHRISTMAS LIGHTS	074884	369.00
01-D00500	DLT SOLUTIONS	I-4449319	01 -5225349	SOFTWARE MAIN AUTO CAD RENEWAL FEE	074885	575.51
01-D00540	DOLESE BROTHERS	I-AG15090323	01 -5865218	STREET REPAIR CRUSHER ROCK FOR REPAIRS	074886	447.43
01-E00266	ERVIN & ERVIN ATTORNEYS	I-201508037661	01 -5214302	CONSULTANTS CONTRACT LEGAL SVS-AUG 2015	074849	3,125.00
01-G00130	GALL'S, AN ARAMARK CO.,	I-BC0168898	01 -5431202	OPERATING SUP UNIFORM SUPPLIES	074890	228.79
01-G00490	GRISSOM IMPLEMENT INC	I-498150	01 -5544203	REPAIRS & MAI FILTER FOR EQUIP	074893	59.01
01-H00021	H L'S SPORTS SHOP	I-4026-17	01 -5431207	CLOTHING ALLO CLOTHING ALLOWANCE	074894	79.99
		I-4026-18	01 -5431207	CLOTHING ALLO CLOTHING ALLOWANCE	074894	124.99
01-H00052	HARD SCAPE MATERIALS	I-100302	01 -5542203	REPAIRS & MAI PUMP FOR WATR FALL DEAK	074895	309.99
01-H00290	HUMPHREY PLUMBING, INC.	I-0617	01 -5548316	REPAIRS & MAI HVAC REPAIRS-CAPACITOR	074898	262.50
01-I00049	IDEAL CLEANING	I-201508057690	01 -5548308	CONTRACTED SE MONTHLY CLEANING SVS	074899	1,575.00
01-I00099	IKON OFFICE SOLUTIONS	I-5037120087	01 -5321308	CONTRACTED SE POLICE COPIER LEASE FEE	074900	254.31

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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-I00110	IMPRESS OFFICE SUPPLY					
	I-037155	01 -5215202	OPERATING SUP OFFICE SUPPLIES		074901	21.14
	I-037729	01 -5215202	OPERATING SUP OFFICE SUPPLIES		074901	99.00
	I-037731	01 -5215202	OPERATING SUP OFFICE SUPPLIES		074901	80.50
01-I00120	TYLER TECHNOLOGIES					
	I-025-130446	01 -5213336	FEES MONTHLY SUPPORT FEE-COURT		074902	200.00
	I-025-130446	01 -5225349	SOFTWARE MAIN MONTHLY SUPPORT FEE-IT		074902	220.50
01-I00140	INDIAN NATION WHOLESALE					
	I-6319288	01 -5544202	OPERATING SUP CONCESSION SUPPLIES		074903	639.48
	I-6325265	01 -5544202	OPERATING SUP CONCESSION SUPPLIES		074903	132.00
	I-6327028	01 -5544202	OPERATING SUP CONCESSION SUPPLIES		074903	522.46
	I-6327402	01 -5544202	OPERATING SUP CONCESSION SUPPLIES		074903	45.03
	I-6333175	01 -5544202	OPERATING SUP CONCESSION SUPPLIES		074903	696.69
01-J00121	JAMESCO ENTERPRISES, LL					
	I-9538	01 -5542203	REPAIRS & MAI JANITORIAL SUPPLIES		074905	1,143.55
01-J00327	JIM RICHARDS					
	I-753430	01 -5544316	REPAIRS & MAI REPAIR COOLER AT SBC		074907	118.00
01-J00340	JIM WOOD REFRIGERATION					
	I-201508037667	01 -5548316	REPAIRS & MAI FREEZER REPAIR-NUTRITION		074908	289.42
01-K00159	BSN SPORTS					
	I-6392992	01 -5544203	REPAIRS & MAI 8 PITCHING PADS		074914	156.87
01-K00205	KIAMICHI AUTOMOTIVE WHO					
	I-003283	01 -5431203	REPAIRS & MAI MISC AUTO PARTS FOR REPAI		074916	21.99
01-L00428	LOWE'S CREDIT SERVICES					
	C-07003	01 -5431203	REPAIRS & MAI MISC REPAIR ITEMS		074917	14.97
	C-07003	01 -5431203	REPAIRS & MAI MISC REPAIR ITEMS		074917	12.32-
	C-07003	01 -5431203	REPAIRS & MAI MISC REPAIR ITEMS		074917	15.17-
	I-009116	01 -5542203	REPAIRS & MAI MISC REPAIR& MAINT ITEMS		074917	46.95
	I-02738	01 -5542203	REPAIRS & MAI MISC REPAIR& MAINT ITEMS		074917	11.92
	I-05100	01 -5542203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS		074917	9.40
	I-06934	01 -5542203	REPAIRS & MAI MISC REPAIR& MAINT ITEMS		074917	35.33
	I-07243	01 -5431203	REPAIRS & MAI MISC REPAIR ITEMS		074917	18.96
	I-07460	01 -5542203	REPAIRS & MAI MISC REPAIR& MAINT ITEMS		074917	117.78
	I-07535	01 -5542203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS		074917	55.01
	I-07781	01 -5431203	REPAIRS & MAI MISC REPAIR ITEMS		074917	22.27
	I-07931	01 -5542204	SMALL TOOLS MISC MAINT & REPAIR ITEMS		074918	360.02
	I-07934	01 -5542204	SMALL TOOLS MISC MAINT & REPAIR ITEMS		074918	473.10
	I-12494	01 -5431203	REPAIRS & MAI MISC REPAIR ITEMS		074918	15.17
	I-92416	01 -5544203	REPAIRS & MAI A/C FOR CONCESSIO		074918	388.51
01-L00456	LUKER HEAT & AIR					

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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-L00456	LUKER HEAT & AIR		continued			
	I-4361	01	-5544316	REPAIRS & MAI REPAIR LEAK UPSTAIRS UNIT	074919	95.00
01-L00551	LYNNE M GOMEZ					
	I-201508037677	01	-5210302	CONSULTANTS/L ARBITRATION FEE-FOP	074920	2,380.76
01-M00174	MATTHEW HULL					
	I-201508047685	01	-5544308	CONTRACT LABO UMPIRE FEES-3 GAMES	074921	75.00
01-M00280	MEGAPATH					
	I-201507297656	01	-5215315	TELEPHONE UTI LONG DISTANCE	074785	421.32
01-M00460	MITCHAEAL D'S DIST., LLC					
	I-293500	01	-5544202	OPERATING SUP CONCESSION SUPPLIES	074922	158.50
01-M00480	MILLER GLASS					
	I-17049	01	-5542316	REPAIRS & MAI DOOR REPAIR @ STIPE CTR	074923	40.00
01-M00487	MILLER OFFICE EQUIPMENT					
	I-MCA371211	01	-5215312	EQUIPMENT REN MONTHLY COPIER SVS-OVERAG	074924	418.70
	I-MCA371292	01	-5215312	EQUIPMENT REN MONTHLY COPIER SVS-UB&C	074924	703.30
01-M00570	MOORE MEDICAL CORP.					
	I-98727936	01	-5432202	OPERATING SUP EMS SUPPLIES	074926	841.04
01-M00593	MOST DEPENDABLE FOUNTAI					
	I-38543	01	-5544203	REPAIRS & MAI 12 MISTER HEADS	074927	272.00
01-M00620	MSDSONLINE, INC.					
	I-124865	01	-5653213	SAFETY EXPENS MSDS ON LINE-RENEWAL	074928	1,500.00
01-MC0098	MCAFEE & TAFT					
	I-460583	01	-5210302	CONSULTANTS/L LEGAL FEES-IAFF	074931	1,560.00
	I-460584	01	-5210302	CONSULTANTS/L LEGAL FEES-FOP	074931	96.00
	I-460585	01	-5210302	CONSULTANTS/L LEGAL FEES-FOP	074931	96.00
	I-460586	01	-5210302	CONSULTANTS/L LEGAL FEES-FOP	074931	2,342.59
	I-460587	01	-5210302	CONSULTANTS/L LEGAL FEES-IAFF	074931	168.00
	I-460588	01	-5210302	CONSULTANTS/L LEGAL FEES-FOP	074931	72.00
	I-460589	01	-5210302	CONSULTANTS/L LEGAL FEES-FOP	074931	72.00
01-MC0226	MC DONALDS RESTURANT					
	I-000042	01	-5321202	OPERATING SUP MEALS FOR PRISONERS	074933	5.97
	I-039	01	-5321202	OPERATING SUP MEALS FOR PRISONERS	074933	11.94
	I-042	01	-5321202	OPERATING SUP MEALS FOR PRISONERS	074933	11.16
01-N00181	NAT'L OCCUPATIONAL HEAL					
	I-1014696	01	-5431305	PHYSICALS ANNUAL HAZMAT PHYSICALS	074934	1,500.00
01-N00250	MCALESTER NEWS CAPITAL					

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VENDOR SET: 01

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-N00250	MCALISTER NEWS CAPITAL	continued				
	I-24057	01	-5212202	OPERATING SUP NEWSPAPER SUBSCRIPTION	074935	119.58
	I-300001955	01	-5215202	OPERATING SUP BID AD FEES	074935	30.16
	I-300001957	01	-5212317	ADVERTISING & COUNCIL PUBLICATIONS	074935	30.25
	I-300002038	01	-5215202	OPERATING SUP BID AD FEES	074935	35.45
	I-300002049	01	-5652317	ADVERTISING & PUBLICATION FEES	074935	35.40
	I-300002050	01	-5652317	ADVERTISING & PUBLICATION FEES	074935	51.80
	I-300002051	01	-5652317	ADVERTISING & PUBLICATION FEES	074935	59.00
01-000273	OKLA DEPT OF HEALTH					
	I-2015LICFEEEMT	01	-5432330	DUES & SUBSCR PARAMEDIC LIC FEE	074940	210.00
01-000414	OKLA TAX COMMISSION-AUT					
	I-01-5865202	01	-5865202	OPERATING SUP TITLE TRANS FEE	074944	12.50
01-000427	OKLA UNIFORM BUILDING C					
	I-01-5652331	01	-5652336	FEES WORKBOOK FOR CODES	074945	25.25
01-000520	OIL-OK INDEPENDENT LIVI					
	I-072015-2015-2016	01	-5101355	OIL-OK FOR IN CONTRACT-OK FOR INDEPENDENT LI	074946	2,000.00
01-P00328	PITTS COUNTY CLERK					
	I-15-00397	01	-5212339	CODIFICATION FILING FEE-RESOLUTIO	074948	13.00
01-P00329	PITSTOP					
	I-7081	01	-5543203	REPAIRS & MAI REP LOCK AT CHADDICK PK	074949	14.91
	I-7125	01	-5431204	SMALL TOOLS KEY BOX	074949	50.00
01-P00451	PURCHASE POWER / PITNEY					
	I-13809093-JY23-2015	01	-5215317	POSTAGE POSTAGE FOR POSTAGE MACH	074951	750.00
	I-13809093-JY24-2015	01	-5215317	POSTAGE POSTAGE FOR POSTAGE MACH	074951	750.00
01-P00510	PRO-KIL, INC					
	I-155584	01	-5431316	REPAIRS & MAI QTRLY PEST CONTROL	074952	96.00
	I-155586	01	-5431316	REPAIRS & MAI QTRLY PEST CONTROL	074952	96.00
01-P00552	PUBLIC SAFETY GROUP					
	I-2396	01	-5324331	EMPLOYEE TRAV 9-11 COMMUNICATION TRAINI	074953	199.00
01-Q00035	QUILL OFFICE SUPPLIES					
	I-6030203	01	-5215202	OPERATING SUP INK FOR STOCK	074954	364.96
01-R00105	RANDY NORMAN					
	I-201508037675	01	-5544202	OPERATING SUP REIMB CONCESSION SUPPLY EXP	074955	70.59
01-R00523	ROY J. ENGLEMAN					
	I-15-00291	01	-5865218	STREET REPAIR STORM DR REPAIR-14TH&69	074959	22,900.00
01-S00184	SECURITY BANK CARD CENT					

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 FUND : 01 GENERAL FUND

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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-S00184	SECURITY BANK CARD CENT	continued				
	I-201508047689	01 -5210331	EMPLOYEE TRAV	TRAVEL EXP DEQ MTG	074962	48.71
	I-201508047689	01 -5210331	EMPLOYEE TRAV	MTG EXP - EMPLOYEE RETIREMENT	074962	66.53
	I-201508047689	01 -5321331	EMPLOYEE TRAV	TRAVEL EXP-POLICE TRAINING	074962	200.00
	I-201508047689	01 -5321331	EMPLOYEE TRAV	TRAVEL EXP-POLICE TRAINING	074962	402.17
	I-201508047689	01 -5210331	EMPLOYEE TRAV	TRAVEL EXP-STAMPEDE	074962	383.20
01-S00190	SECURITY SYS. & ENG. IN					
	I-30317	01 -5321308	CONTRACTED SE	QTLY ALARM MONITORING	074963	45.00
	I-30318	01 -5320308	CONTRACTED SE	QTLY ALARM MONITORING	074963	45.00
	I-30319	01 -5321325	FIRING RANGE	QTLY ALARM MONITORING	074963	45.00
01-S00329	SHRED-IT USA, INC-OKLAH					
	I-9406644705	01 -5212308	CONTRACTED SE	MONTHLY SHRED SERV	074965	64.00
01-S00726	STAPLES ADVANTAGE					
	I-11238	01 -5215202	OPERATING SUP	OFFICE SUPPLIES	074968	276.29
01-S00956	SWANK MOTION PICTURES,					
	I-RG2071661	01 -5215202	OPERATING SUP	MOVIE RENTAL FEE	074970	351.00
01-T00010	T. H. ROGERS LUMBER CO.					
	I-506723	01 -5865218	STREET REPAIR	FORMING MATERIALS	074971	7.20
01-T00056	TED ALEXANDER					
	I-201508047683	01 -5544308	CONTRACT LABO	UMPIRE FEES-19 GAMES	074972	475.00
01-T00429	THOMAS J DAVIS					
	I-201508047684	01 -5544308	CONTRACT LABO	UMPIRE FEES-23 GAMES	074973	575.00
01-T00439	TODD HOUSE					
	I-201508047680	01 -5544308	CONTRACT LABO	UMPIRE FEES-8 GAMES	074974	200.00
01-T00499	TRACTOR SUPPLY COMPANY					
	I-185581	01 -5542203	REPAIRS & MAI	MISC MAINT & REPAIR ITEMS	074975	63.95
	I-188424	01 -5542203	REPAIRS & MAI	MISC MAINT & REPAIR ITEMS	074975	67.75
	I-234469	01 -5431203	REPAIRS & MAI	SUPPLIES FOR FIRE DEPT.	074975	64.99
01-T00589	TOTAL RADIO					
	I-102000410-1	01 -5321316	REPAIRS & MAI	RADIO REPAIR	074976	298.00
01-T00630	TWIN CITIES READY MIX,					
	I-111821	01 -5865218	STREET REPAIR	CONCRETE FOR STREET REP	074977	1,633.50
	I-112131	01 -5865218	STREET REPAIR	CONCRETE FOR STREET REP	074977	920.00
	I-112229	01 -5865218	STREET REPAIR	CONCRETE FOR STREET REP	074977	990.00
	I-112399	01 -5865218	STREET REPAIR	CONCRETE FOR STREET REP	074977	990.00
01-W00040	WALMART COMMUNITY BRC					
	I-007049	01 -5432203	REPAIR & MAIN	MISC OPERATING SUPPLIES	074981	302.46

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FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-W00040	WALMART COMMUNITY BRC		continued			
	I-00778	01	-5432203	REPAIR & MAIN MISC OPERATING SUPPLIES	074981	29.52
	I-02639	01	-5653213	SAFETY EXPENS SAFETY SUPPLIES	074981	18.50
	I-05730	01	-5210202	OPERATING SUP MISC OFFICE SUPPLIES	074981	53.10
	I-06831	01	-5432203	REPAIR & MAIN MISC OPERATING SUPPLIES	074981	66.81
01-W00270	WHITE ELECTRICAL SUPPLY					
	I-S1922876.001	01	-5548203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	074983	61.01
	I-S1924875.001	01	-5548203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	074983	184.92
	I-S1927111.001	01	-5548203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	074983	167.70
	I-S1927617.001	01	-5548203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	074983	6.86
	I-S1927913.001	01	-5548203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	074983	31.65
	I-S1928280.001	01	-5548203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	074983	57.44
01-W00381	WILLIAM D ROBERTSON					
	I-201508047682	01	-5544308	CONTRACT LABO UMPIRE FEES-4 GAMES	074984	100.00
				FUND 01 GENERAL FUND	TOTAL:	116,643.97

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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00267	AIRGAS, INC					
		I-9041544006	02 -5216202	OPERATING SUP METER READER SUPPLIES	074861	63.12
01-A00362	VYVE BROADBAND					
		I-201507297650	02 -5973328	INTERNET SERV INTERNET SVS-CEM	074783	70.63
01-A00582	AT&T					
		I-201507297652	02 -5267315	TELEPHONE UTI INTERNET SVS CITY HALL	074784	1,414.50
01-A00751	ATWOODS					
		I-2710/9	02 -5216202	OPERATING SUP METER READER SUPPLIES	074866	19.95
01-B00180	UNION IRON WORKS, INC.					
		I-S1871062.001	02 -5975209	UTILITY MAINT MISC MAINT & REPAIR ITEMS	074872	23.20
		I-S1871720.001	02 -5975209	UTILITY MAINT MISC MAINT & REPAIR ITEMS	074872	186.16
		I-S1872681.001	02 -5975209	UTILITY MAINT MISC MAINT & REPAIR ITEMS	074872	55.23
		I-S1872894.001	02 -5975209	UTILITY MAINT MISC MAINT & REPAIR ITEMS	074872	62.18
01-C00649	COMPUTER SUPPLIES & SER					
		I-23637	02 -5216202	OPERATING SUP RETURN ENV & PAPER-UB&C	074880	699.50
		I-23664	02 -5216202	OPERATING SUP RETURN ENV & PAPER-UB&C	074880	1,627.18
01-D00158	DAVID T HARDGRAVE					
		I-4-1601	02 -5973302	CONSULTANTS (MONTHLY PRETREATMENT FEE	074882	1,800.00
01-H00215	HOLLOWAY, UPDIKE AND BE					
		I-1	02 -5975230	SEWER MAIN RE CONSULTANT FEE	074897	10,500.00
01-I00120	TYLER TECHNOLOGIES					
		I-025-130446	02 -5216336	FEES MONTHLY SUPPORT FEE-UB&C	074902	293.16
01-K00118	KENDALL PRATHER					
		I-02-5267323	02 -5267323	DAMAGES REIMB PLUMBING EXP	074913	125.00
01-K00210	KIAMICHI ELECTRIC COOP.					
		I-201507227644	02 -5267313	ELECTRIC UTIL ELEC EXP UTM OFFICE	074770	691.19
01-L00428	LOWE'S CREDIT SERVICES					
		I-002718	02 -5975209	UTILITY MAINT MISC MAINT & REPAIR ITEMS	074917	92.75
		I-01939	02 -5973203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	074917	69.27
		I-02147	02 -5973203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	074917	28.92
		I-04711	02 -5975209	UTILITY MAINT MISC MAINT & REPAIR ITEMS	074917	361.32
01-M00532	MISTY VALLEY WATER CO.					
		I-6-24-15BF	02 -5973203	REPAIRS & MAI WATER FOR RECYCLE CTR	074925	14.67
		I-97629	02 -5866230	RECYCLING CEN WATER FOR RECYCLE CTR	074925	14.67
		I-98123	02 -5866230	RECYCLING CEN WATER FOR RECYCLE CENTER	074925	28.84
		I-99518	02 -5866230	RECYCLING CEN WATER FOR RECYCLE CENTER	074925	14.67
		I-BALANCE FORWARD	02 -5866230	RECYCLING CEN WATER FOR RECYCLE CTR	074925	57.68

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VENDOR	NAME	ITEM #	G/L	ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-000075	O'REILLY AUTO PARTS						
		I-0230-303844	02	-5973203	REPAIRS & MAI MISC REPAIR PARTS	074938	49.34
		I-0230-304391	02	-5973203	REPAIRS & MAI MISC REPAIR PARTS	074938	156.09
01-000275	OKLA DEPT OF COMMERCE						
		I-082015-#8908	02	-5267521	CDBG LOAN #89 CDBG - EDIF #8908	074942	1,145.83
01-P00040	PACE ANALYTICAL SERVICE						
		I-157520773	02	-5973304	LAB TESTING MONTHLY TESTING FEE	074947	206.22
		I-157521060	02	-5973304	LAB TESTING MONTHLY TESTING FEE	074947	71.22
01-S00184	SECURITY BANK CARD CENT						
		I-201508047689	02	-5975209	UTILITY MAINT MARKING PAINT FOR UTM LOCATER	074962	262.35
01-T00630	TWIN CITIES READY MIX,						
		I-112170	02	-5975218	STREET REPAIR CONCRETE FOR STREET REP	074977	184.00
		I-112170	02	-5975218	STREET REPAIR CONCRETE FOR STREET REP	074977	258.00
01-U00051	UTILITY SUPPLY CO., INC						
		I-086008	02	-5975209	UTILITY MAINT MISC REPAIR PARTS	074978	612.00
		I-086009	02	-5975209	UTILITY MAINT MISC REPAIR PARTS	074978	666.36
		I-086010	02	-5975209	UTILITY MAINT MISC REPAIR PARTS	074978	36.00
		I-086123	02	-5975209	UTILITY MAINT MISC REPAIR PARTS	074978	44.13
		I-086124	02	-5975209	UTILITY MAINT MISC REPAIR PARTS	074978	204.65
		I-086125	02	-5975209	UTILITY MAINT WTR LINE REPAIR PARTS	074978	5,891.10
01-U00128	UNITED PACKAGING & SHIP						
		I-166375	02	-5973203	REPAIRS & MAI SHIPPING FEES	074980	30.49
					FUND 02 MPWA	TOTAL:	28,131.57

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VENDOR SET: 01

FUND : 03 AIRPORT AUTHORITY

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-F00170	FIRST NATIONAL BANK					
		I-082015-#119817	03 -5876511	FNB LOAN #119 LOAN #119817 - AIRPORT AUTH	074888	5,020.00
01-L00428	LOWE'S CREDIT SERVICES					
		I-09915	03 -5876203	REPAIRS & MAI MAINTENANCE SUPPLIES	074918	194.34
			FUND 03	AIRPORT AUTHORITY	TOTAL:	5,214.34

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VENDOR SET: 01

FUND : 08 NUTRITION

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00324	ALISHA RAE HOWELL					
		I-201508037664	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	074862	195.00
		I-201508037665	08 -5549308	CONTRACT SERV REIMB MILEAGE FOR MEAL DEL	074862	150.65
01-A00619	ANDREA K GENTRY					
		I-201508047686	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	074864	30.00
		I-201508047687	08 -5549308	CONTRACT SERV REIMB MILEAGE FOR MEAL DEL	074864	12.65
01-G00288	GERALDINE E MALKOWSKI					
		I-201508037662	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	074892	195.00
		I-201508037663	08 -5549308	CONTRACT SERV MILEAGE REIMB FOR MEAL DEL	074892	117.30
01-R00304	RICHELLE CHEYENNE					
		I-201508037666	08 -5549308	CONTRACT SERV REIMB MILEAGE FOR MEAL DEL	074957	100.05
01-S00580	AT & T					
		I-201507227643	08 -5549315	TELEPHONE UTI PHONE EXP-NUTRITION	074771	238.01
			FUND	08 NUTRITION	TOTAL:	1,038.66

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VENDOR SET: 01

FUND : 09 LANDFILL RES./SUB-TITLE D

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-B00097	BANK OF OKLAHOMA					
		I-401	09 -5864327	SUB TITLE D E ESCROW DEPOSIT-LANDFILL	074870	1,000.00
01-B00244	BIG MAC TANK TRUCKS, LL					
		I-S1493533	09 -5864327	SUB TITLE D E LEACH WATER REMOVAL-LF	074873	2,100.00
01-D00540	DOLESE BROTHERS					
		I-AG15090322	09 -5864327	SUB TITLE D E GRAVEL FOR STREET REPAIRS	074886	1,300.32
		I-AG15091012	09 -5864327	SUB TITLE D E GRAVEL FOR STREET REPAIRS	074886	1,082.32
01-H00075	HARRIS CONSTRUCTION SER					
		I-468196	09 -5864327	SUB TITLE D E HAULING FEE-GRAVEL	074896	1,476.94
01-K00005	K-BAR CO CONSTRUCTION					
		I-13929	09 -5864327	SUB TITLE D E DIRT FOR LANDFILL	074910	24,884.50
				FUND 09 LANDFILL RES./SUB-TITLE DTOTAL:		31,844.08

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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-072015-2015-2016	27 -5655353	MAIN STREET P CONTRACT- MCALESTER MAIN ST	074932	1,250.00
01-P00450	PRIDE IN MCALESTER					
		I-072015-2015-2016	27 -5655352	MISC PRIDE IN CONTRACT-PRIDE IN MCALESTER	074950	2,500.00
01-S00069	SANTA FE AGENCY, INC.					
		I-147660	27 -5655214	TOURISM EXPEN TOURISM EVENT INSURANCE	074961	474.00
01-S00184	SECURITY BANK CARD CENT					
		I-201508047689	27 -5655214	TOURISM EXPEN TOURISM EVENT EXPENSE	074962	56.85
		I-201508047689	27 -5655331	TRAVEL & TRAI TOURISM-TRAVEL EXP OKC MTG	074962	15.53
		I-201508047689	27 -5655331	TRAVEL & TRAI TOURISM-TRAVEL EXP TRAINING	074962	26.63
		I-201508047689	27 -5655331	TRAVEL & TRAI TOURISM TRAVEL EXP	074962	25.70
01-W00040	WALMART COMMUNITY BRC					
		I-05881	27 -5655202	OPERATING SUP TOURISM SUPPLIES	074981	29.78
				FUND 27 TOURISM FUND	TOTAL:	4,378.49

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VENDOR SET: 01

FUND : 28 SE EXPO CENTER

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-J00110	JACKIE BRANNON CORR. CT	I-20150242	28 -5654308	CONTRACT SERV INMATE FEES	074904	66.37
01-J00121	JAMESCO ENTERPRISES, LL	I-11289	28 -5654203	REPAIR & MAIN JANITORIAL SUPPLIES	074905	87.50
01-000355	OKLA ST DEPT OF HEALTH	I-61-74575-2015	28 -5654202	OPERATING SUP KITCHEN LICENSE RENEWAL	074943	100.00
01-P00560	PUBLIC SERVICE/AEP	I-201507297651	28 -5654313	ELECTRIC UTIL ELEC UTIL-EXPO RV	074786	70.73
01-S00009	SADLER PAPER CO	I-25912	28 -5654203	REPAIR & MAIN JANITORIAL SUPPLIES	074960	393.28
			FUND	28 SE EXPO CENTER	TOTAL:	717.88

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VENDOR SET: 01

FUND : 29 E-911

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-P00552	PUBLIC SAFETY GROUP					
		I-2396	29 -5324331	EMPLOYEE TRAV 9-11 COMMUNICATION TRAINI	074953	398.00
01-W00392	WINDSTREAM CORPORATION					
		I-201507297655	29 -5324315	TELEPHONE UTI 911 COUNTY TRUNK LINE	074787	452.41
			FUND	29 E-911	TOTAL:	850.41

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FUND : 30 ECONOMIC DEVELOPMENT

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-MC0134	MCALESTER MAIN STREET	I-072015-2015-2016	30 -5211353	MAIN STREET P CONTRACT- MCALESTER MAIN ST	074932	1,250.00
01-000275	OKLA DEPT OF COMMERCE	I-082015-#12248	30 -5211510	CDBG / EDIF D CDBG - EDIF CONT #12248	074941	282.50
01-P00450	PRIDE IN MCALESTER	I-072015-2015-2016	30 -5211352	MISC PRIDE IN CONTRACT-PRIDE IN MCALESTER	074950	2,500.00
01-R00260	RETAIL ATTRACTIONS LLC	I-0818	30 -5652302	CONSULTANTS ECON DEV CONSULTING SVS	074956	2,500.00
01-S00184	SECURITY BANK CARD CENT	I-201508047689	30 -5652350	BUSINESS DEVE MTG EXP - BUS DEV	074962	92.88
		I-201508047689	30 -5652340	MCAPP STRATEG MTG EXP-MDSA	074962	448.83
		I-201508047689	30 -5652340	MCAPP STRATEG MTG EXP-MDSA	074962	99.13
		I-201508047689	30 -5652331	EMPLOYEE TRAV MTG EXP-ECON DEV	074962	24.98
		I-201508047689	30 -5652350	BUSINESS DEVE MTG EXP-MCAAP	074962	22.63
		I-201508047689	30 -5652340	MCAPP STRATEG MTG EXP-MDSA	074962	100.07
		I-201508047689	30 -5652331	EMPLOYEE TRAV TRAVEL EXP-BUS DEV	074962	10.00
		I-201508047689	30 -5652331	EMPLOYEE TRAV TRAVEL EXP-BUS DEV	074962	185.74
		I-201508047689	30 -5652350	BUSINESS DEVE BUS DEV MTG EXP	074962	34.16
		I-201508047689	30 -5652331	EMPLOYEE TRAV TRAVEL EXP-STAMPEDE	074962	383.20
		I-201508047689	30 -5652331	EMPLOYEE TRAV COM DEV MTG EXP	074962	43.29
			FUND 30	ECONOMIC DEVELOPMENT	TOTAL:	7,977.41

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VENDOR SET: 01

FUND : 33 CDBG GRANTS FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-N00347	MEHLBURGER BRAWLEY, INC	I-MC-14-04-03-1	33 -5971516	2014 CDBG PRO CONSULTANT FEES 201	074937	547.00
			FUND	33 CDBG GRANTS FUND	TOTAL:	547.00

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 VENDOR SET: 01
 FUND : 35 FLEET MAINTENANCE

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VENDOR	NAME	ITEM #	G/L	ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00215	ADVANCE AUTO PARTS						
		C-8117520587641 CR	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	176.37-
		C-8117521074993 CR	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	6.79-
		I-8117519874614	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	188.37
		I-8117519874639	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	91.11
		I-8117519874640	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	91.11
		I-8117519874644	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	269.39
		I-8117520187583	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	229.49
		I-8117520187583	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	10.79
		I-811752087637	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	10.75
		I-8117520887666	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	41.70
		I-8117520974961	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	6.79
		I-8117521087732	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	074859	18.52
01-A00229	ADVANTAGE TRUCK AND AUT						
	I-48542		35	-5862203	REPAIRS & MAI BED LINERS FOR NEW TRUCKS	074860	800.00
01-A00751	ATWOODS						
	I-2705/9		35	-5862203	REPAIRS & MAI MISC REPAIR ITEMS	074866	67.92
01-B00043	B & S SUPPLY, INC.						
	I-64003		35	-5862203	REPAIRS & MAI SUPPLIES FOR SHOP	074867	296.31
01-B00150	BEALES GOODYEAR TIRES						
	I-1-GS17911		35	-5862203	REPAIRS & MAI TIRES FOR EXPO-1	074871	586.24
	I-1GS18371		35	-5862203	REPAIRS & MAI TIRES FOR PD-UNITS	074871	2,216.40
	I-1GS18400		35	-5862203	REPAIRS & MAI TIRES FOR PD-UNITS	074871	2,566.40
01-F00037	FASTENAL						
	I-135343		35	-5862203	REPAIRS & MAI MISC REPAIR ITEMS	074887	4.65
	I-135504		35	-5862203	REPAIRS & MAI MISC REPAIR ITEMS	074887	135.01
01-F00305	FRONTIER EQUIP. SALES,						
	I-150602MCA		35	-5862203	REPAIRS & MAI PARTS FOR UTM-13	074889	84.04
01-G00490	GRISSOM IMPLEMENT INC						
	I-0498150		35	-5862203	REPAIRS & MAI MISC SMALL PARTS	074893	59.01
	I-498082		35	-5862203	REPAIRS & MAI MISC SMALL PARTS	074893	102.00
	I-498166		35	-5862203	REPAIRS & MAI MISC SMALL PARTS	074893	113.04
	I-498345		35	-5862203	REPAIRS & MAI MISC SMALL PARTS	074893	67.17
	I-498707		35	-5862203	REPAIRS & MAI MISC SMALL PARTS	074893	23.98
	I-499125		35	-5862203	REPAIRS & MAI MISC SMALL PARTS	074893	90.07
01-J00310	JET TIRE SERVICE						
	I-113835		35	-5862203	REPAIRS & MAI MISC TIRE REPAIRS	074906	48.95
	I-113884		35	-5862203	REPAIRS & MAI MISC TIRE REPAIRS	074906	48.95
01-K0003	K & S FIELD TESTING						
	I-2529		35	-5862316	REPAIRS & MAI BUCKET TRUCK TESTING	074911	550.00

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 FUND : 35 FLEET MAINTENANCE

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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-K00190	YELLOWHOUSE MACHINERY C	I-71111	35 -5862203	REPAIRS & MAI BACKHOE OUTRIGER PADS	074915	1,257.12
01-K00205	KIAMICHI AUTOMOTIVE WHO	I-004201	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074916	52.34
		I-004382	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074916	41.95
		I-004480	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074916	111.47
		I-004628	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074916	82.37
		I-004643	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074916	78.60
		I-004910	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074916	16.80
01-M00769	MYDER FIRE SUPPORT SERV	I-ML02156	35 -5862317	EMERGENCY VEH NFPA INSPECTION FEE	074929	600.00
		I-ML02156B	35 -5862317	EMERGENCY VEH NFPA INSPECTION FEE	074929	1,092.80
		I-ML02156C	35 -5862317	EMERGENCY VEH NFPA INSPECTION FEE	074929	409.60
		I-ML02156D	35 -5862317	EMERGENCY VEH NFPA INSPECTION FEE	074929	4,675.16
		I-ML02156E	35 -5862317	EMERGENCY VEH NFPA INSPECTION FEE	074929	3,150.00
01-MC0002	MCALESTER AUTO COLLISIO	I-3089454	35 -5862317	EMERGENCY VEH REPAIRS TO PD POOL-1	074930	1,361.30
01-N00271	FREEDOM FORD INC	I-164276	35 -5862203	REPAIRS & MAI MISC AUTO REPAIRS	074936	52.90
		I-164648	35 -5862203	REPAIRS & MAI MISC AUTO REPAIRS	074936	58.62
		I-164733	35 -5862203	REPAIRS & MAI MISC AUTO REPAIRS	074936	64.48
		I-164758	35 -5862203	REPAIRS & MAI MISC AUTO REPAIRS	074936	42.95
		I-164839	35 -5862203	REPAIRS & MAI MISC AUTO REPAIRS	074936	39.95
01-O00075	O'REILLY AUTO PARTS	I-0230-303091	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	29.83
		I-0230-303798	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	36.46
		I-0230-304068	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	237.59
		I-0230-304155	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	14.35
		I-0230-304206	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	30.00
		I-0230-304223	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	123.37
		I-0230-304629	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	23.19
		I-0230-304636	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	30.00
		I-0230-304636	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	197.55
		I-0230-304679	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	76.36
		I-0230-304703	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	39.98
		I-0230-304917	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	5.99
		I-0230-305651	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074938	14.22
		I-0230-305792	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074939	30.92
		I-0230-305947	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074939	50.57
		I-0230-306004	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074939	11.45
		I-0230-306080	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074939	14.79
		I-0230-306343	35 -5862203	REPAIRS & MAI SMALL AUTO PARTS	074939	150.63
01-P00329	PITSTOP					

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FUND : 35 FLEET MAINTENANCE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-P00329	PITSTOP		continued			
		I-5410	35 -5862203	REPAIRS & MAI KEYS AND MISC ITEMS	074949	170.00
01-R00480	ROGER KEY EQUIPMENT					
		I-92059	35 -5862203	REPAIRS & MAI REPAIRS TO PK-57	074958	2,981.90
01-S00384	SMITH DISTRIBUTING					
		I-825858	35 -5862203	REPAIRS & MAI REPAIR PARTS FOR MOWERS	074966	300.33
01-S00710	STANDARD MACHINE LLC					
		I-242708	35 -5862203	REPAIRS & MAI MISC REPAIR PARTS	074967	434.81
01-S00948	STUTEVILLE FORD					
		I-FOCS60465	35 -5862317	EMERGENCY VEH A/C REPAIRS FOR MEDIC 4	074969	4,481.33
01-U00127	UNITED ENGINES, LLC					
		I-2057856	35 -5862203	REPAIRS & MAI TRANSMISSION FOR PK-31	074979	4,104.86
		I-2057856	35 -5862203	REPAIRS & MAI TRANSMISSION FOR PK-31	074979	30.06-
				FUND 35 FLEET MAINTENANCE	TOTAL:	35,383.83

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VENDOR SET: 01

FUND : 36 WORKER'S COMPENSATION

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-J00435	JORDAN CARRIS AGENCY	I-5301	36 -5215309	INSURANCE EXCESS WORK COMP INS	074909	53,942.00
			FUND	36 WORKER'S COMPENSATION	TOTAL:	53,942.00

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PACKET: 13086 CLAIMS FOR 8/11/2015

VENDOR SET: 01

FUND : 41 CIP FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00712	ARVEST BANK dba ARVEST					
		I-082015-002	41 -5862401	FLEET MAINTEN VEHICLE LEASE 800-1503001-002	074865	2,485.55
		I-082015-800150300	41 -5862401	FLEET MAINTEN VEHICLE LEASE 800-1503001-001	074865	3,210.15
01-D00217	DEERE CREDIT, INC.					
		I-082015-#0063527	41 -5865510	LEASE PAYMENT LEASE PMT #0063527-EXCAVATOR	074883	1,140.15
		I-082015-0063527-0	41 -5865510	LEASE PAYMENT LEASE PMT-JD 624K LOADER	074883	1,821.57
01-G00147	GARROW CONSTRUCTION, LL					
	I-#4 FINAL		41 -5974402	30 INCH PUMP 30" PUMP HEADER REPLACE	074891	37,253.30
01-K00106	A. KEITH KIRBY					
	I-608107		41 -5865406	CIP#1 - 17TH IRRIGATION LINE REPAIR	074912	785.00
01-L00428	LOWE'S CREDIT SERVICES					
	I-07352		41 -5321401	CAPITAL OUTLA MISC ITEMS FOR JAIL	074917	168.09
01-N00347	MEHLBURGER BRAWLEY, INC					
	I-MC-13-02-05		41 -5974403	20 INCH WATER CONSULT FEE-20" WTR LINE	074937	1,137.00
	I-MC-15-03-02		41 -5865403	CAPITAL PROJE CONSULTANT FEE-A STREET	074937	3,840.00
01-W00194	WELCH STATE BANK					
	I-082015-55766		41 -5865510	LEASE PAYMENT LEASE PMT-2015 DUMP TRUCK	074982	1,517.90
	I-082015-55820		41 -5865510	LEASE PAYMENT LEASE PMT-2015 DUMP TRUCK	074982	2,555.73
			FUND 41 CIP FUND	TOTAL:		55,914.44

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PACKET: 13086 CLAIMS FOR 8/11/2015

VENDOR SET: 01

FUND : 44 TECHNOLOGY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-S00311	SHI INTERNATIONAL CORP					
		I-B03713530	44 -5225401	TECHNOLOGY UP FILE SERVER	074964	3,996.00
		I-B03735266	44 -5225401	TECHNOLOGY UP FILE SERVER	074964	2,068.00
		I-B03737177	44 -5225401	TECHNOLOGY UP EMAIL CONTENT FILTER	074964	2,018.00
		I-B03778500	44 -5225401	TECHNOLOGY UP EMAIL CONTENT FILTER	074964	4,200.00
		I-B03781877	44 -5225401	TECHNOLOGY UP EMAIL CONTENT FILTER	074964	510.00
			FUND 44	TECHNOLOGY FUND	TOTAL:	12,792.00
					REPORT GRAND TOTAL:	355,376.08

** 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	01 -2105	COLLECTION AGENCY 25% (COU	8,011.07						
	01 -5210302	CONSULTANTS/LABOR RELATION	6,787.35	90,503	6,786.99-	Y			
	01 -5215312	EQUIPMENT RENTALS	418.70	26,689	524.13				
	01 -5542203	REPAIRS & MAINT SUPPLIES	165.89	53,500	3,878.69				
	01 -5548316	REPAIRS & MAINTENANCE	289.42	30,927	2,069.53				
	01 -5865218	STREET REPAIRS & MAINTENAN	36,660.00	261,000	3,347.89-	Y			
	02 -5267313	ELECTRIC UTILITY	691.19	415,724	690.92-	Y			
	02 -5866230	RECYCLING CENTER EXPENSE	72.35	2,300	581.22				
	02 -5973203	REPAIRS & MAINT SUPPLIES	14.67	45,000	9,318.34				
	02 -5975230	SEWER MAIN REPAIR	10,500.00	35,759	10,475.47				
	09 -5864327	SUB TITLE D EXPENSE	2,100.00	80,000	32,932.20				
	35 -5862203	REPAIRS & MAINTENANCE SUPP	84.04	221,813	9,883.61				
	35 -5862317	EMERGENCY VEHICLES	4,481.33	101,433	1,218.63				
	41 -5974402	30 INCH PUMP HEADER REPLAC	37,253.30	177,820	111,091.05				
	44 -5225401	TECHNOLOGY UPGRADES	6,064.00	178,602	8,038.84				
**	2014-2015 YEAR TOTALS	**	113,593.31						
2015-2016	01 -5101355	OIL-OK FOR INDEPENDENT LIV	2,000.00	24,000	22,000.00				
	01 -5210202	OPERATING SUPPLIES	53.10	2,500	2,200.00				
	01 -5210331	EMPLOYEE TRAVEL & TRAININ	498.44	6,500	5,846.91				
	01 -5212202	OPERATING SUPPLIES	119.58	850	730.42				
	01 -5212308	CONTRACTED SERVICES	64.00	1,360	414.00				
	01 -5212317	ADVERTISING & PRINTING	30.25	2,500	2,000.00				
	01 -5212339	CODIFICATION	13.00	15,000	14,987.00				
	01 -5213336	FEES	200.00	2,400	2,000.00				
	01 -5214302	CONSULTANTS	3,125.00	115,000	83,750.00				
	01 -5215202	OPERATING SUPPLIES	1,258.50	30,000	14,203.24				
	01 -5215302	CONSULTANTS	1,287.50	35,000	20,000.00				
	01 -5215312	EQUIPMENT RENTALS	1,576.80	30,836	9,893.89				
	01 -5215315	TELEPHONE UTILITY	421.32	33,000	27,658.68				
	01 -5215317	POSTAGE	1,500.00	10,000	5,750.00				
	01 -5225349	SOFTWARE MAINTENANCE	796.01	70,000	20,207.92				
	01 -5320121	GRANT- DOJ MARIJUANA OT	225.00	0	3,508.20-	Y			
	01 -5320308	CONTRACTED SERVICES	45.00	3,500	3,020.00				
	01 -5321202	OPERATING SUPPLIES	29.07	12,500	12,200.00				
	01 -5321308	CONTRACTED SERVICES	299.31	10,000	7,820.00				
	01 -5321316	REPAIRS & MAINTENANCE	298.00	3,000	2,370.89				
	01 -5321325	FIRING RANGE	45.00	10,000	9,820.00				
	01 -5321331	EMPLOYEE TRAVEL & TRAININ	726.17	9,500	8,773.83				
	01 -5324331	EMPLOYEE TRAVEL & TRAINING	199.00	2,000	882.00				
	01 -5431202	OPERATING SUPPLIES	228.79	18,000	16,377.01				
	01 -5431203	REPAIRS & MAINT SUPPLIES	130.86	8,500	6,762.50				
	01 -5431204	SMALL TOOLS	50.00	4,400	3,350.00				
	01 -5431207	CLOTHING ALLOWANCE	1,105.83	23,025	18,756.24				

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====		
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
	01 -5431305	PHYSICALS	1,500.00	12,000	9,900.00				
	01 -5431316	REPAIRS & MAINTENANCE	511.00	3,500	1,976.00-	Y			
	01 -5431328	INTERNET SERVICE	125.90	4,200	3,948.20				
	01 -5431331	EMPLOYEE TRAVEL & TRAININ	2,273.59	10,000	4,620.10				
	01 -5432202	OPERATING SUPPLIES	841.04	28,000	24,590.08				
	01 -5432203	REPAIR & MAINT SUPPLIES	398.79	5,000	3,551.43				
	01 -5432330	DUES & SUBSCRIPTIONS	210.00	1,500	1,290.00				
	01 -5542203	REPAIRS & MAINT SUPPLIES	2,651.06	48,000	40,352.81				
	01 -5542204	SMALL TOOLS	833.12	3,000	1,442.35				
	01 -5542316	REPAIRS & MAINTENANCE	40.00	15,000	14,960.00				
	01 -5542319	LIGHTS REPLACEMENT	369.00	12,500	1,806.13-	Y			
	01 -5543202	OPERATING SUPPLIES	75.93	11,000	10,924.07				
	01 -5543203	REPAIRS & MAINT SUPPLIES	14.91	12,000	10,285.09				
	01 -5544202	OPERATING SUPPLIES	2,264.75	20,000	17,167.45				
	01 -5544203	REPAIRS & MAINTENANCE SUPP	1,176.39	16,000	13,250.76				
	01 -5544308	CONTRACT LABOR	1,675.00	20,000	17,115.00				
	01 -5544316	REPAIRS & MAINTENANCE	213.00	0	11,731.74-	Y			
	01 -5547308	CONTRACTED SERVICES	368.04	4,500	60.00				
	01 -5547328	INTERNET SERVICE	61.64	750	627.29				
	01 -5548203	REPAIRS & MAINTENANCE SUPP	714.52	53,270	43,123.79				
	01 -5548308	CONTRACTED SERVICES-CLEANI	1,575.00	22,000	20,425.00				
	01 -5548316	REPAIRS & MAINTENANCE	262.50	22,000	15,918.44				
	01 -5652317	ADVERTISING & PRINTING	146.20	2,300	1,900.00				
	01 -5652336	FEES	25.25	1,800	1,400.00				
	01 -5653213	SAFETY EXPENSE	1,674.90	25,500	23,155.40				
	01 -5865202	OPERATING SUPPLIES	12.50	1,200	1,187.50				
	01 -5865218	STREET REPAIRS & MAINTENAN	27,888.13	235,000	124,657.68				
	01 -5865328	INTERNET SERVICE	83.85	1,920	1,676.35				
	02 -5216202	OPERATING SUPPLIES	2,409.75	9,000	1,795.29				
	02 -5216336	FEES	293.16	4,100	3,513.68				
	02 -5267315	TELEPHONE UTILITY	1,414.50	85,000	75,131.12				
	02 -5267323	DAMAGES	125.00	20,000	19,875.00				
	02 -5267521	CDBG LOAN #8908	1,145.83	13,750	11,458.34				
	02 -5866230	RECYCLING CENTER EXPENSE	43.51	2,300	600.00				
	02 -5973203	REPAIRS & MAINT SUPPLIES	334.11	37,500	19,971.81				
	02 -5973302	CONSULTANTS (IND. PRETREAT	1,800.00	20,000	12,000.00				
	02 -5973304	LAB TESTING	277.44	32,100	28,400.00				
	02 -5973328	INTERNET SERVICE	70.63	824	683.81				
	02 -5975209	UTILITY MAINTENANCE SUPP.	8,497.43	60,000	23,589.46				
	02 -5975218	STREET REPAIRS & MAINTENAN	442.00	95,000	68,375.00				
	03 -5876203	REPAIRS & MAINT SUPPLIES	194.34	2,000	705.66				
	03 -5876511	FNB LOAN #119817 PAYMENTS	5,020.00	60,240	50,200.00				
	08 -5549308	CONTRACT SERVICES	800.65	15,500	14,043.32				
	08 -5549315	TELEPHONE UTILITY	238.01	3,800	3,478.08				
	09 -5864327	SUB TITLE D EXPENSE	29,744.08	80,000	44,255.92				

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====		
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
	27 -5655202	OPERATING SUPPLIES	29.78	2,500	2,100.00				
	27 -5655214	TOURISM EXPENSE	530.85	34,500	28,844.15				
	27 -5655331	TRAVEL & TRAINING	67.86	3,500	3,432.14				
	27 -5655352	MISC PRIDE IN MCALESTER	2,500.00	30,000	27,500.00				
	27 -5655353	MAIN STREET PROGRAM	1,250.00	15,000	13,750.00				
	28 -5654202	OPERATING SUPPLIES	100.00	2,500	2,400.00				
	28 -5654203	REPAIR & MAINT SUPPLIES	480.78	17,000	14,500.00				
	28 -5654308	CONTRACT SERVICES	66.37	3,500	2,966.37				
	28 -5654313	ELECTRIC UTILITY	70.73	60,000	59,929.27				
	29 -5324315	TELEPHONE UTILITY	452.41	66,500	62,681.30				
	29 -5324331	EMPLOYEE TRAVEL & TRAININ	398.00	4,500	2,185.00				
	30 -5211352	MISC PRIDE IN MCALESTER	2,500.00	30,000	27,500.00				
	30 -5211353	MAIN STREET PROGRAM	1,250.00	15,000	13,750.00				
	30 -5211510	CDBG / EDIF DURALINE LOAN	282.50	3,390	2,825.00				
	30 -5652302	CONSULTANTS	2,500.00	120,000	88,999.91				
	30 -5652331	EMPLOYEE TRAVEL & TRAINING	647.21	22,500	21,077.79				
	30 -5652340	MCAPP STRATEGIC PLAN PROJE	648.03	0	260,699.93-	Y			
	30 -5652350	BUSINESS DEVELOPMENT EXPEN	149.67	24,600	24,450.33				
	33 -5971516	2014 CDBG PROJECT	547.00	0	160,815.00-	Y			
	35 -5862203	REPAIRS & MAINTENANCE SUPP	18,979.60	240,000	188,634.66				
	35 -5862316	REPAIRS & MAINTENANCE	550.00	30,000	26,358.34				
	35 -5862317	EMERGENCY VEHICLES	11,288.86	50,000	27,288.65				
	36 -5215309	INSURANCE	53,942.00	65,000	11,058.00				
	41 -5321401	CAPITAL OUTLAY	168.09	65,000	95,747.40-	Y			
	41 -5862401	FLEET MAINTENANCE	5,695.70	66,983	58,077.15				
	41 -5865403	CAPITAL PROJECTS	3,840.00	500,000	434,100.00				
	41 -5865406	CIP#1 - 17TH STREET	785.00	0	1,315.00-	Y			
	41 -5865510	LEASE PAYMENTS	7,035.35	87,804	70,354.46				
	41 -5974403	20 INCH WATER LINE RELOCAT	1,137.00	0	458,465.00-	Y			
	44 -5225401	TECHNOLOGY UPGRADES	6,728.00	142,500	117,015.91				
** 2015-2016 YEAR TOTALS **			241,782.77						

NO ERRORS

** END OF REPORT **

8/05/2015 9:11 AM

A / P CHECK REGISTER

PAGE: 15

PACKET: 13086 CLAIMS FOR 8/11/2015

VENDOR SET: 01

BANK : FNB FIRST NATIONAL BANK

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
--------	-------------	------	---------------	---------------	----------	--------	--------------	-----------------

** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT
01	7/2015	692.71CR
01	8/2015	115,951.26CR
02	7/2015	2,176.32CR
02	8/2015	25,955.25CR
03	8/2015	5,214.34CR
08	7/2015	238.01CR
08	8/2015	800.65CR
09	8/2015	31,844.08CR
27	8/2015	4,378.49CR
28	7/2015	70.73CR
28	8/2015	647.15CR
29	7/2015	452.41CR
29	8/2015	398.00CR
30	8/2015	7,977.41CR
33	8/2015	547.00CR
35	8/2015	35,383.83CR
36	8/2015	53,942.00CR
41	8/2015	55,914.44CR
44	8/2015	12,792.00CR
ALL		355,376.08CR

ACH PAYMENT
FOR
AUGUST 11, 2015
CLAIMS

PAGE : 1

VENDOR SET: 01

VENDOR	ITEM NO#	DESCRIPTION	BANK	CHECK	STAT	DUE DT DISC DT	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
01-T00500 PARROTT COMPANY, LLC									
I	201508037678	TOURISM OFFICE RENT-AUG 201 FNB G/L ACCOUNT			E	8/03/2015	558.20 558.20	558.20CR	
	27	5655340 OFFICE RENT				558.20	TOURISM OFFICE RENT-AUG 2015		
		VENDOR TOTALS	EFT				558.20 558.20	558.20CR 0.00	0.00

REPORT TOTALS

FUND DISTRIBUTION

FUND NO#	FUND NAME	AMOUNT
27	TOURISM FUND	558.20CR
** TOTALS **		558.20CR

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

	NUMBER	GROSS BALANCE	PAYMENT DISCOUNT	OUTSTANDING
HAND CHECKS		0.00 0.00	0.00 0.00	0.00
DRAFTS		0.00 0.00	0.00 0.00	0.00
REG-CHECKS		0.00 0.00	0.00 0.00	0.00
EFT		558.20 558.20	558.20CR 0.00	0.00
NON-CHECKS		0.00 0.00	0.00 0.00	0.00
ALL CHECKS		558.20 558.20	558.20CR 0.00	0.00

TOTAL CHECKS TO PRINT: 0

ERRORS: 0 WARNINGS: 0

Susan Hooper

From: Cora Middleton
Sent: Wednesday, August 05, 2015 1:19 PM
To: Susan Hooper
Subject: FW: McAlester Housing Auth Appointment

Susan,

Here is the bio for Robert Way. I will get you the language for Larry Walla and then try to get a bio on him.

Cora

From: Robert Way [rway46@hotmail.com]
Sent: Wednesday, August 05, 2015 10:36 AM
To: Cora Middleton
Subject: McAlester Housing Auth Appointment

Hello Cora, here is a short bio. Hope it is helpful. Also, Member Larry Walla did agree to continue to serve.

Robert Way

Age 71

Address: 981 Swan Rd.

McAlester, Ok 74501

Resident of McAlester 18 yrs (My wife and I live on McAlester Lake)

Retired: Worked 27yrs in Public Education

Last job...served 8yrs as Principal at Haileyville Schools
retired in 2005

Member of First Baptist Church

Member of McAlester Gideon Camp

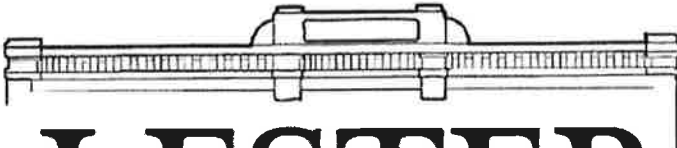
Presently serve as Chairman of McAlester Housing Authority

Presently serve on District 16 Water Board (Tannihill District)

Previously served on Planning Commission Bd for 5yrs

Previously served on Mayor Don Lewis' City Improvement Comm.

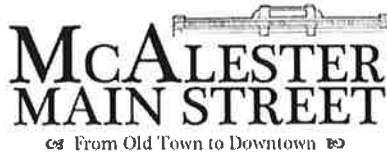
BIOGRAPHY FOR MR. WALLA NOT
AVAILABLE AT THIS TIME



McALESTER MAIN STREET

☞ From Old Town to Downtown ☛

**Annual Performance Report for the City of McAlester
July 2014 – June 2015**



Board of Directors, Staff, & Committees

Board of Directors

Carl Gullick, President
Nicole Stufflebean, Vice President
Amber Young, Secretary
Chris Good, Treasurer
Kathy Crowl
Lee Anderson
Billy Ray Holt
Ranada Wall
Brenda Baxter
Chris Taylor

Executive Director

Lacey Sudderth

Organization Committee

Nicole Stufflebean, Chair
Amber Young
Helen Forbes

Design Committee

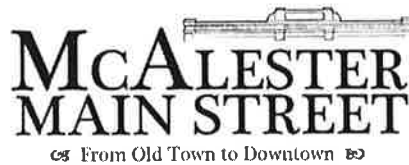
Kristen Lloyd, Chair
Micky Lloyd
Adam Gronwald
Mayor Steve Harrison
Karl Scifres
J. Michael Matkin
Kindra Williams

Promotion Committee

Vacant, Chair
Taryn Grippando
Morgan Stevens

Economic Reconstruction

Lee Anderson, Chair
Rebekah Kelton
Carl Gullick



Members & Sponsors

Members

Diamond Trophy & Engraving
Dottie's Children's Boutique
Jet Tire
McAlester Chamber of Commerce
Pride In McAlester
The Weekly Bargain Journal;
The Yellow Gazebo
Walter Bethune, CPA
Whistle-Stop Bistro
Buffalo Gals Antiques
Crossroads BBQ
JJ McAlester Antiques
Lucy's Two
PSO
SOFA Art Gallery
The Grand Event Center
The Art Spot OK
Creative Design Works
Common Roots Mercantile

Platinum Sponsors

City of McAlester

Gold Sponsors

McAlester Radio
The Bank NA

Silver Sponsors

BancFirst
First National Bank



State of the Program

Organization

The Organization committee works very hard to raise funds through special fundraising events and membership drives.

In October, Main Street assisted with the third annual Wild Color Stampede, a 5K color run to kick off the Wild West Festival in Old Town, which raised \$1,393.88.

Main Street hosted the annual Trick or Treat Party in the Street, a Halloween carnival held in Downtown McAlester. This event was the largest turn-out thus far, raising a total of \$3,068.00 for Main Street.

In December, Main Street raised a total of \$300.00 through the entry fees for the annual Christmas Parade.

In February, Main Street teamed up with Old Town Association to host a Valentine's Day Bake Sale raising \$221.25 for Main Street.

In June, Main Street began the Membership Drive to raise awareness of the program. Two new members were introduced through the efforts of the Director and Board of Directors, The Art Spot OK and Creative Design Works. Both located on Choctaw Ave.

Main Street Volunteers worked a total of 511 hours this year.

Design

The Design Committee works hard to beautify Choctaw Ave and maintain the potted plants and parklet.

Main Street is currently working on a *streetscape design plan* to present to the City of McAlester to improve intersections of 1st and Choctaw and 2nd and Choctaw.

Main Street provided information to the State Historic Preservation Office to complete the application to list Downtown McAlester on the National Register of Historic Places, which was officially listed by the National Park Service in April 2015.

Contractors removed the Lead and Asbestos from the OKLA Theatre in September 2015.

Main Street partnered with the City of McAlester to install the first mobile parklet. The first parklet was placed Downtown in August and is successful demonstration of future streetscape improvements.

Main Street continues to maintain the potted plants Downtown and water the mobile parklet three times per week.

Promotion

The Promotion Committee works hard to raise awareness of our Downtown and Old Town through promotional activities to bring customers to the area.

In August, Main Street held the annual Crazy Day Sales in conjunction with the tax free holiday weekend. Businesses opened at 8 a.m. and held special sales all day long. Items were placed on the side walk to help draw more attention as well as the theme “Back to the 60s” with the Downtown decorated in retro 1960s décor and even some store owners dressed for the occasion.

In August, Main Street partnered with McAlester Arts & Humanities, Pride in McAlester, and The McAlester Chamber of Commerce to host the third annual CultureFest in Downtown McAlester. Main Street member businesses participated in the Passport Activity which educated the children on different countries and traditions as well as bringing the children and parents into the stores to shop.

In October, Main Street co-hosted the Wild West Festival with Old Town Association that brought in thousands of people into the Old Town District to shop and dine.

In November, Main Street began the first annual Cookie Tour in Downtown and Old Town that brought in several new costumers who could shop while they enjoyed homemade cookies made by the business owners.

In December, Main Street hosted the Annual Christmas Parade which brought in thousands of people Downtown to enjoy the Festival of Lights Parade.

In January, Main Street began the first “Lunch Bunch” which welcomes anyone to attend and helps to show our Main Street member restaurants that we support them and want to help bring in a big lunch crowd. Main Street hosts this event every month in one of our three Main Street member restaurants.

In May, Main Street partnered with the McAlester Tourism Department to co-host the twice monthly “CASH MOB” which shows local Main Street and non-Main Street members that we support local business and to help attract new Main Street members.

Kelly Yadon from Oklahoma Main Street came in July for a social media workshop hosted in Old Town with an attendance of 15 business owners. The workshop helped several businesses in Old Town create Facebook pages that have helped promote the Old Town Antique Malls tremendously.

Economic Reconstructing

The Economic Reconstructing Committee works hard to bring in new business to our Downtown and Old Town districts to help fill vacant properties.

Economic Reconstruction committee worked with property owners Downtown and in Old Town for Mixed-used development zoning for Downtown and Old Town Loft Apartments which was approved by City Council this year and we look forward to Loft Apartments coming soon.

Main Street is also putting together a new and improved Shopping and Dining Guide to be handed out to businesses and hotels throughout McAlester, knowing that hundreds of people stay evenings in hotels, the guides will direct them and their families to both our districts.

Total Private Sector Reinvestment: \$415,000
(includes property purchases and improvements)

Total Business Openings, Expansions, and Relocations: 3

Net Gain in Business Openings, Expansions, & Relocations: 1

Net Gain in Jobs Created: 3

The above figures are approximate, because not all business and property owners provide information to McAlester Main Street.



**McALESTER
MAIN STREET**
From Old Town to Downtown

Objectives & Tactics

Fiscal Year 2015-2016

Design

Maintain existing potted plants in both districts and parklet in Downtown

Continue to seek funding for Master Streetscape plan

McAlester Main Street is still seeking funding for a Master Streetscape plan. In the meantime, we are working on plans for more short term improvements.

Economic Reconstruction

Implement business recruitment program for vacant buildings Downtown.

McAlester Main Street created a Downtown Business Recruitment Packet to be distributed by the Economic Restructuring Committee. The committee is distributing the packet this summer.

Organization

Generate \$14,000 through membership dues and \$9,000 through fundraising activities

McAlester Main Street anticipates reaching this membership goal with our Board Members membership drive coming this summer.

Host or Co-host Cruise Night, Wild Color Stampede, and Trick or Treat Party in the Street

Promotion

Host or Co-host Crazy Days, Armed Forces Day Parade, CultureFest, and the Christmas Parade.

Work with Christmas on the Hill committee to expand the event to Downtown to directly benefit Main Street Merchants.

Work with member business to improve building façades by applying for façade match grant

Continue to expand marketing efforts for our Main Street member businesses

Assist with Wild West Festival

Finish the process to install way finding signage for both districts

The application process should be complete by fall.

McAlester Main Street Budget FY 2015-2016

Salary and Wages		
Base Salary	27,200	
Taxes/benefits	4,413	
Office Expenses		
Rent & Utilities	2,198	
Equipment	200	
Office Supplies	500	
Telephone/Internet	1,800	
Car Allowance	1,200	
Contingency	250	
Accounting Services		5,575
Professional Development		
Conference/Travel	3,500	
Other Expenses		
Printing/Publications	700	
Promotion/Advertising	1,000	
CultureFest	1,500	
Postage	200	
Insurance	1,631	
Membership Dues	450	
Other Expenses	206	
Committee Expenses		
Executive Committee	150	
Fundraising/Membership	1,700	
Promotion	1,500	
Design	2,000	
Economic Restructuring	702	
Total Expenses	53,000	5,575
Revenue		
City of McAlester	30,000	
Membership	14,000	
Fundraising	9,000	
	53,000	5,575
Total Budget		58,575
% City funded		51.22

McAlester Main Street 2014-2015 Budget		Year End Actual	Yearly Budget
Revenue			
In-Kind (accounting)	\$ 7,711.00	\$ 5,575.00	
Fundraiser	\$ 5,684.00	\$ 9,000.00	
Interest Income	\$ 14.53	\$ 0	
McAlester City Contract	\$ 27,421.50	\$ 27,398.00	
Membership	\$ 5,375.04	\$ 14,000	
Total Revenue	\$ 46,206.07	\$ 55,973.00	
Operating Expenses			
Advertising	\$ 809.02	\$ 5,056.00	
Insurance	\$ 1,669.00	\$ 1,631.00	
In Kind (accounting)	\$ 7,711.00	\$ 5,575.00	
Office Supplies	\$ 498.46	\$ 700.00	
Payroll and Expenses	\$ 28,216.03	\$ 29,813.00	
Travel Expenses	\$ 2,969.41	\$ 3,500.00	
Website	\$ 528.26	\$ 1,800.00	
Rent for New Office 119 E Choctaw Ave	\$ 3,322.88	\$ 2,198.00	
Committee Expenses	\$ 1,769.52	\$ 5,450.00	
Contingency	\$ 0	\$ 250.00	
Fundraising Downtown	\$ 250.52	\$ 0	
Total Expenses	\$ 45,995.10	\$ 55,973.00	
Net Income	\$ 210.97	\$ 0	
Cash Assets (Actual cash in bank + \$100 petty cash in drawer)	\$ 12,377.24		



Oklahoma Municipal Assurance Group

P.O. Box 691719 • Tulsa, OK 74169 • 918/439-9442 • 800/234-9461 • fax: 918/439-9443 • www.omag.org

July 20, 2015

Ms. Cora Middleton
City of McAlester
PO Box 578
McAlester, OK 74502-0578



RE: Member : City of McAlester
 Claimant : N. Main Smoke Shop
 Date of Loss : 5/9/15
 Claim No. : 200553-ME

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 the City of McAlester. 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 9/2/15, you must deny this claim in writing before 9/2/15. For the 180-day period to start running, the claimant **must be notified 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 this claim by certified mail.

Please advise us as soon as possible of any official action taken by you on denial of this claim.

Sincerely,

Mary Ellis, CPCU, AIC
Claims Supervisor



Oklahoma Municipal Assurance Group

P.O. Box 691719 • Tulsa, OK 74169 • 918/439-9442 • 800/234-9461 • fax: 918/439-9443 • www.omag.org

July 20, 2015

Mr. Terry Riddle
N. Main Smoke Shop
720 N. Main
McAlester, OK 74501



RE: Member : City of McAlester
 Claimant : N. Main Smoke Shop
 Date of Loss : 5/9/15
 Claim No. : 200553-ME

Dear Mr. Riddle:

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 a 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.

Our investigation indicates that the cause of this sewer backup was a fiberglass tent pole and a large number of baby diapers that had blocked the line and the City had no notice of this problem prior to the sanitary sewer overflow at 720 N. Main Street, McAlester, Oklahoma.

Therefore, we have determined that the City of McAlester was not negligent in its maintenance of the sanitary sewer line. Accordingly, while we regret the inconvenience and distress involved in the clean up, we do not believe that state law authorizes us to pay for these damages on behalf of the City of McAlester.

Sincerely,

Mary Ellis, CPCU, AIC
Claims Supervisor

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

June 9, 2015

N. Main Smoke Shop
Attn: Terry Riddle
720 N. Main Street
McAlester, OK 74501

Re: Member	:	City of McAlester
Claimant	:	N. Main Smoke Shop
Date of Loss	:	5/9/2015
Claim Number	:	200553-ME

Dear Mr. Riddle,

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,

Mary Ellis
Mary Ellis, CPCU
Claims Supervisor

ME/jp

cc: City of McAlester

Cora Middleton

From: Cora Middleton
Sent: Tuesday, June 23, 2015 2:59 PM
To: 'mellis@omag.com'
Subject: claim #200553-ME
Attachments: 1909_001.pdf

Mary,

Attached is the Sanitary Sewer Overflow Questionnaire for the above referenced claim.

Cora

From: First Floor Copier
Sent: Tuesday, June 23, 2015 2:25 PM
To: Cora Middleton
Subject: Attached Image

6/23/2015

OMAG SANITARY SEWER OVERFLOW QUESTIONNAIRE


CLAIMANT: N. Main Smoke Shop
ADDRESS: 720 N. Main Street, McAlester, OK 74501
DATE OF LOSS: 5/9/2015
CLAIM NUMBER: 200553-ME
LOCATION OF SANITARY SEWER OVERFLOW (SSO): McAlester, OK



Instructions: Please complete this questionnaire and attach or identify any supporting documentation. Use back or additional paper if more space is required for a response.

1. Are records available of the rainfall in the area preceding the subject sewer?
Yes ☐ No ☒. If yes, specify the amount of rainfall for each time period to the backup:
24 hrs. 1.95, 48 hrs. 1.48, 72 hrs. .75.
1. Were you able to determine the cause of the SSO? Yes ☒ No ☐
☐ (a) infiltration or inflow;
☒ (b) a foreign object, for example, roots
☐ (c) other cause
Please explain specifically what was found and identify any person(s) with personal knowledge of the findings. Tent pole, several diapers
2. Have there been previous blockages or SSOs in this line or within 300 feet of this address in the last 5 years preceding the subject SSO? Yes ☐ No ☒. If yes, specify:
(a) when? _____
(a) where on the line? _____
(b) what was determined to be the cause? _____
4. Have the claimants or other occupants at this address given any other notice to the municipality of a sewer problem in the past 5 years? Yes ☐ No ☒. If yes, when and how was it documented?
5. Does the municipality have a regular maintenance program of cleaning, jetting, or rodding the sewer line that serves this address? Yes ☐ No ☒. If yes, on what date(s) and in what manner was this done in the six months prior to this claim?
5. What is the size and age of the sewer line in which the SSO occurred? Size 8 and 12
Age 50 plus years
7. Is the sewer line sufficient for the current load? (for example, if a 6" line was sufficient in 1940, is it sufficient today where greater number of homes or businesses may have been added to capacity of the line)? Yes ☒ No ☐.

8. Did the claimant have a backflow prevention device on the private line? Yes ____ No ✓.
If yes, when was it installed?
9. Does the municipality have any ordinances, contracts, or regulations which may relate to the consideration of this claim? Yes ____ No _____. If yes, attach a copy of the pertinent document.
10. If this SSO was due to grease in the line, does the municipality have a grease trap ordinance? Yes ____ No _____. If yes, how was it enforced?
11. Are there any other parties that have an interest in the subject property? Yes ____ No ✓.
If yes, specify whether the person(s) is a landlord, property owner, spouse, business partner or other occupant.
11. Does the municipality maintain records, work orders or any other documents regarding the subject of SSOs? Yes ____ No _____. If so, please attach legible copies of all records regarding the subject SSO and, for the preceding 5 years, any other SSOs on the subject municipal line within 300 feet of claimant's address.
12. Is the sewer system maintained and operated by some one other than the municipality? Yes ____ No ✓. If so, please provide copy of the contract with the third party contractor.
13. Had the line involved been jet rodded or cleaned in any other manner in the 72-hour period before the SSO occurred? Yes ____ No ✓.
14. Please provide any additional information relevant to this claim.


Signed by

Brandon Clark
Print Name

UTM operator
Job Title

6-23-15
Date

918-470-0292
Phone Number

RETURN TO:

OMAG
3650 S. Boulevard
Edmond, OK 73013

Phone: (405) 657-1400

Fax: (405) 657-1401

Cora Middleton

From: Cora Middleton
Sent: Friday, June 05, 2015 12:23 PM
To: 'claimsdepartment@omag.org'
Subject: Notice of Tort Claim
Attachments: photo 10.JPG; Damage Report 5-9-15 720 N Main.docx; Notice of tort claim.pdf; photo 1.JPG; photo 2.JPG; photo 3.JPG; photo 4.JPG; photo 5.JPG; photo 6.JPG; photo 7.JPG; photo 8.JPG; photo 9.JPG

To Whom It May Concern:

Attached is a Notice of Tort Claim and supporting documents regarding an alleged flood damage at 720 N. Main, McAlester, OK.

If you have any questions please do not hesitate to contact me.

Thank you,

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

6/5/2015

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.

JUN 04 2015

IN CITY CLERK'S OFFICE

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) N Main Smoke Shop
ADDRESS 720 N Main
McAlester OK 74501

CLAIMANT(S) SOCIAL SECURITY NO. _____
CLAIMANT(S) DATE OF BIRTH _____
PHONE: HOME() _____ BUS.() _____

- DATE AND TIME OF INCIDENT May 9th 1 a.m. () p.m. Continue on another sheet if needed for any information requested)
- LOCATION OF INCIDENT 720 N Main McAlester OK 74501
- DESCRIBE INCIDENT Showered up at 7:00 in morning + the store had about 5m of water standing. It was a Back of sewer It was on the city side.

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 _____ 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 \$ _____

Ley P. Davis
SIGNATURE(S)

6-4-15

DATE

11/06

Here is the list of the damage done

Over

Loss in cigarettes

total 5725.54

camera system 545.00 Invoice 1616

Cooler damage 345.18 Inv-15-17036

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 06/04/15, 2015

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:

list of damages, safety officer report and photos

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 06/05, 2015

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

Lost in Cigarettes

Time	130	cartons	X	29.65	=	3854.50
Newport	3	cartons	X	52.00	=	156.00
Newport N/mm	3	cartons	X	41.45	=	124.35
Poll mall	8	cartons	X	40.50	=	324.00
Eagle	7	cartons	X	32.97	=	230.79
Wave	9	cartons	X	32.27	=	290.43
Wings	12	cartons	X	34.41	=	412.92
Pyramid	9	cartons	X	36.95	=	332.55
						5725.54

JIM WOOD REFRIGERATION, INC
200 EAST WYANDOTTE
MCALESTER, OK 74501
918-426-3283

North Main Smoke Shop
720 N. Main
McAlester, OK 74501
918 423-5930

Invoice

				Oklahoma Mechanical License # 07086
INVOICE #	DATE	WORK ORDER DATE	P.O. NO.	TERMS
15-17036	5/22/2015	5/21/2015		Due Upon Receipt
DESCRIPTION				AMOUNT
Travel Time: McAlester				39.00
Re: Coolers				
Labor to check coolers. Replaced condenser fan motor in one cooler.				255.00
Building had flooded causing drain pans on coolers to become full of water and debris. Coils had trash in them as well.				
3, 2 men				
9w 115v cw condenser fan motor				51.18
Thank You For Your Business. We appreciate your prompt payment.			TOTAL	\$345.18
All invoices are DUE UPON Receipt. Any invoice not paid within 10 days of billing date is considered PAST DUE. A Late Fee of \$25.00 per month or 1.5% of total balance due (Which ever is greater) will be charged to all PAST DUE invoices. IN THE EVENT OF DEFAULT, DEBTOR BECOMES LEGALLY LIABLE FOR ANY REASONABLE ATTORNEY AND/OR COLLECTION FEES AND ALL RELATED COST NECESSARY TO REMIT THE ENTIRE BALANCE TO JIM WOOD REFRIGERATION, INC.				

City of McAlester
Safety Office

Date: May 9, 2015

Reference: Property Damage Report Smoke Shop

Location: 720 N. Main, Terry Riddle 918-470-8696

Damaged Property: Approximately \$5k to \$6k worth of tobacco products.

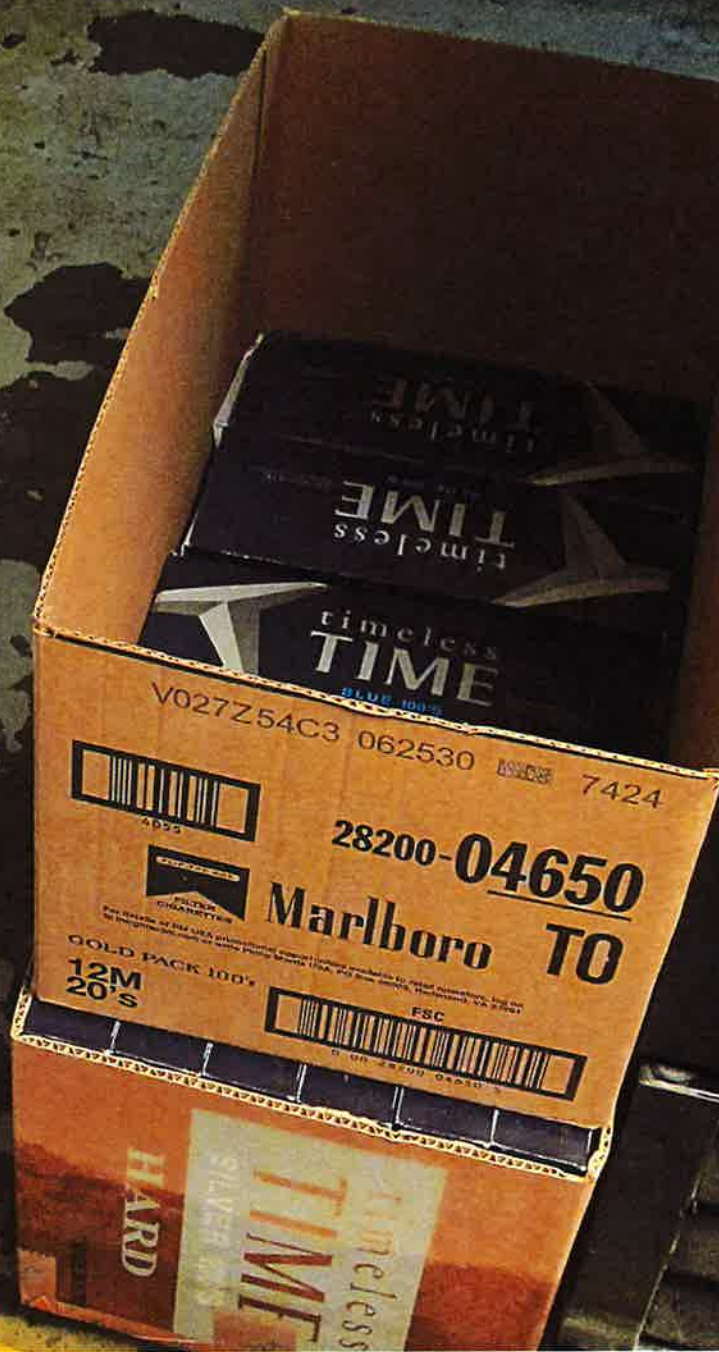
Comments: On May 9, 2015, a sewer backup occurred in the City of McAlester sewer line at the intersection of N. Main St. and E. Jackson. The UTM Dept. brought a flush truck and cleared the line. They found a fiberglass tent pole and a great number of baby diapers had blocked the line. As soon as they cleared the line the sewer subsided in the Smoke Shop. The owner claims between \$K and 6K worth of damage. He said he did not take pictures of the product that he threw away. He has pictures of the damage and Brandon Clark from UTM also took pictures showing the sewer in the building and the levels when he arrived. There was also damage to the building across the street which is explained in another report.

The pictures are attached to this report.

Doug Basinger
Safety/ Risk Management





















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: July 31, 2015

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.

Infrastructure Solutions Group, LLC	800276032
CREDITOR	TRUST NO.

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

Professional Services	Invoice: MC-14-06-09
ITEM	ITEM NO.

July 31, 2015	CIP #3	\$6,601.00
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.



July 31, 2015

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-14-06-09

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 Infrastructure Solutions Group, LLC dba Mehlburger Brawley's, McAlester office at the following address:

**Infrastructure Solutions Group, LLC
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



INVOICE SUBMITTED TO:

July 31, 2015

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

Invoice # MC-14-06-09

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
Calendar Days Added by Change Order 43 days
Percentage Complete to Date: 259/373 = 69.4%

CONSTRUCTION MANAGEMENT – \$40,000.00
69.4% of \$40,000.00 \$ 27,760.00

RESIDENT PROJECT REPRESENTATIVE - \$103,500.00
69.4% of \$103,500.00 \$ 71,829.00

TOTAL SERVICES BILLED TO DATE \$ 99,589.00

LESS PREVIOUSLY INVOICED - \$ 92,988.00

TOTAL DUE THIS INVOICE **\$ 6,601.00**

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

Infrastructure Solutions Group, LLC
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: August 3, 2015

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.

EST	800276032
CREDITOR	TRUST NO.

480 24 TH Ave NW ,Suite 244 Norman, OK 73069
MAILING ADDRESS

Construction Services	Invoice: 34989
ITEM	ITEM NO.

July 31, 2015	CIP #2	\$ 11,330.00
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: August 3, 2015

Date Approved: _____

Date Paid: _____

Authorized Officer

Submit in triplicate:

1 to Trustee Bank

1 to Authority

1 to City



615 N Hudson, Suite 300
Oklahoma City, OK 73102
Phone: (405) 815-3600
Fax: (405) 815-4080

July 31, 2015

Project No:

6005029.000

Invoice No:

34989

City of McAlester
Public Works Department - John Modzelewski
28 East Washington Avenue
McAlester, OK 74501

Project 6005029.000 CIP #2_6th Street and A Street

Professional Services from July 01, 2015 to July 31, 2015

Phase 001 A Street
Fee

Billing Phase	Fee	Percent Complete	Earned
Construction Management Services	68,250.00	100.00	68,250.00
Materials Testing	21,450.00	100.00	21,450.00
Audit	6,500.00	100.00	6,500.00
Total Fee	96,200.00		96,200.00
		Previous Fee Billing	89,700.00
		Current Fee Billing	6,500.00
Total Fee			6,500.00
		Total this Phase	\$6,500.00

Phase 002 6th Street
Fee

Billing Phase	Fee	Percent Complete	Earned
Construction Management	36,750.00	90.00	33,075.00
Materials Testing	11,550.00	90.00	10,395.00
Audit Services	4,500.00	0.00	0.00
Total Fee	52,800.00		43,470.00
		Previous Fee Billing	38,640.00
		Current Fee Billing	4,830.00
Total Fee			4,830.00
		Total this Phase	\$4,830.00
		Total this Invoice	\$11,330.00

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: August 3, 2015

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.

EST	800276032
CREDITOR	TRUST NO.

480 24TH Ave NW ,Suite 244 Norman, OK 73069

MAILING ADDRESS

Construction Services	Invoice: 34990
ITEM	ITEM NO.

July 31, 2015	CIP #4	\$ 65,578.50
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: August 3, 2015

Date Approved: _____

Date Paid: _____

Authorized Officer

Submit in triplicate:

1 to Trustee Bank

1 to Authority

1 to City



615 N Hudson, Suite 300
Oklahoma City, OK 73102
Phone: (405) 815-3600
Fax: (405) 815-4080

July 31, 2015
Project No: 6005601.000
Invoice No: 34990

City of McAlester
Public Works Department - John Modzelewski
28 East Washington Avenue
McAlester, OK 74501

Project 6005601.000 CIP #4_South Street

Professional Services from July 01, 2015 to July 31, 2015

Phase 001 South Street
Fee

Billing Phase	Fee	Percent Complete	Earned
Construction Management	172,575.00	40.00	69,030.00
Materials Testing	46,020.00	40.00	18,408.00
Audit Services	11,505.00	0.00	0.00
Total Fee	230,100.00		87,438.00
		Previous Fee Billing	21,859.50
		Current Fee Billing	65,578.50
Total Fee			65,578.50
		Total this Phase	\$65,578.50
		Total this Invoice	\$65,578.50

CLIENT AGREEMENT

This Agreement ("Agreement") is made and entered into this __1st__ day of July, 2015 (the "Effective Date"), by and between the City of McAlester (the "Client"), and McAlester Regional Health Center Authority ("MRHC"), an Oklahoma Public Trust, with reference to the following circumstances.

1. Description of Services: With this Agreement, the Client's employees will be entitled to the full use of MRHC's Wellness Center. This includes the following:
 - a. Personal Fitness Trainers, individual, 20, 30, or 60 minute monthly coaching sessions;
 - b. Certified instructors for the following classes;
 - i. Low and high impact aerobics;
 - ii. Yoga;
 - iii. Pilates;
 - iv. Tai Chi;
 - v. Zumba;
 - vi. Core Pole; and
 - vii. Ball classes.
 - c. Four (4) types of water aerobics classes;
 - d. Therapy pool access and water jet whirlpool relaxation area;
 - e. Aerobic pool;
 - f. Fitness equipment including but not limited to;
 - i. Treadmills,
 - ii. Stationary bikes;
 - iii. Stair steps;
 - iv. Elliptical cross trainers;
 - v. Weight machines;
 - vi. Free weight area; and
 - vii. Mondo indoor walking track.
 - g. Personal Facilities Include
 - i. Private showers, dressing areas, lockers, hair dryers, and bathing suit dryers; and
 - ii. Free coffee, tea, healthy foods, and snacks for purchase in gathering area.
2. Payment:
 - a. Client agrees to pay for the use of MRHC's Wellness Center facility by all City Employees for an annual fee of \$ 3000.00 paid by the Client to MRHC within 30 days of the Effective Date.
 - b. Said fee will allow all client employees to join the Wellness Center at the individual rate of \$ 15.00 per month. This applies to the Client's individual employee only. Each employee will pay their individual monthly fee directly to the Wellness Center. The Wellness Center's onetime assessment fee of \$25.00 per person will be waived. All standard additional fees will apply to accounts where the Client's employees want to add family members and additional services.
3. Term and Termination
 - a. This Agreement shall last for one (1) year from the Effective Date. This Agreement shall automatically renew unless either party notifies the other of their intent to terminate this Agreement in writing at least thirty (30) days prior to the renewal period.

- b. This Agreement may be terminated by either party without cause by providing ninety (90) day notice in writing of their intent to no longer be bound by the terms of this Agreement.
4. Governance: This Agreement shall be governed by the laws of the State of Oklahoma and the parties agree that the venue for any dispute resulting from or relating to this Agreement shall be the Pittsburg County, Oklahoma.
5. Modification: Any modification of the terms of this Agreement shall be in writing and signed by the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.


City of McAlester

McAlester Regional Health Center Authority

By: _____

Steve Harrison, Mayor

By: _____


David Keith, CEO



McAlester City Council

AGENDA REPORT

Meeting Date: August 11, 2015 Item Number: 1
Department: _____
Prepared By: David Keith, CEO MRHC Account Code: _____
Date Prepared: August 4, 2015 Budgeted Amount: _____
Exhibits: _____

Subject

Presentation and update on McAlester Regional Health Center by Mr. David Keith.

Recommendation

Presentation and update.

Discussion

Approved By

Department Head
City Manager

P. Stasiak

Initial

PJS

Date

8-6-15

Susan Hooper

From: Sonya Stone [SStone@mrhcok.com]
Sent: Tuesday, June 23, 2015 12:56 PM
To: Susan Hooper
Subject: Aug 11 agenda

Susan,

Can you please put Mr. David Keith on the agenda for the August 11 City Council to give an MRHC update to the City Council. He will bring a jump drive with him, no handouts.

Thank you,

Sonya Stone
Executive Assistant
McAlester Regional Health Center
1 Clark Bass Blvd.
McAlester, OK 74501
918 421-8001
sstone@mrhcok.com

CONFIDENTIALITY NOTICE: This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. This communication may contain material protected by federal privacy rules. If you are not the intended recipient or the person responsible for delivering this e-mail to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify MRHC's Privacy Officer by telephone at (918) 421-8658. You will be reimbursed for reasonable costs incurred in notifying us.



McAlester City Council

AGENDA REPORT

Meeting Date:	<u>August 11, 2015</u>	Item Number:	<u>2</u>
Department:	<u>Airport/Public Works</u>	Account Code:	<u></u>
Prepared By:	<u>John C. Modzelewski, P.E., CFM</u>	Budgeted Amount:	<u></u>
Date Prepared:	<u>August 5, 2015</u>	Exhibits:	<u>2</u>

Subject

Consider and act upon, authorizing the Mayor to sign "Application for Federal Assistance SF-424" to provide Federal Funding for: Project 3-40-0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement".

Recommendation

The recommendation is to authorize the Mayor to sign Application for Federal Assistance SF-424 to provide funding for: Project 3-40-0057-013-2015 "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement".

Discussion

This Application for Federal Assistance SF-424 is required by the Federal Aviation Administration for Federal Assistance of development projects.

Approved By

	<i>Initial</i>	<i>Date</i>
Department Head	JCM	08/05/15
City Manager	P. Stasiak <u>PJS</u>	<u>8-4-15</u>

Application for Federal Assistance SF-424

* 1. Type of Submission <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		* 2. Type of Application <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		* If Revision, select appropriate letter(s): - Select One - * Other (Specify)	
* 3. Date Received:		4. Application Identifier:			
5a. Federal Entity Identifier: 3-40-0057-013-2015			* 5b. Federal Award Identifier:		
State Use Only:					
6. Date Received by State:			7. State Application Identifier:		
8. APPLICANT INFORMATION:					
* a. Legal Name: City of McAlester					
* b. Employer/Taxpayer Identification Number (EIN/TIN): 73-6005314			* c. Organizational DUNS: 074263849		
d. Address:					
* Street1: 28 East Washington Street 2: P.O. Box 578 * City: McAlester County: Pittsburg * State: Oklahoma Province: Country: *Zip/ Postal Code: 74502					
e. Organizational Unit:					
Department Name:			Division Name:		
f. Name and contact information of person to be contacted on matters involving this application:					
Prefix: First Name: John Middle Name: * Last Name: Modzelewski Suffix:					
Title: City Engineer/Public Works Director					
Organizational Affiliation: City of McAlester					
* Telephone Number: (918) 423-9300			Fax Number:		
* Email: john.modzelewski@cityofmcalester.com					

Application for Federal Assistance SF-424

*9. Type of Applicant 1: Select Applicant Type:

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

- Select One -

Type of Applicant 3: Select Applicant Type:

- Select One -

* Other (specify):

* 10. Name of Federal Agency:

Federal Aviation Administration

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

*12. Funding Opportunity Number:

Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of McAlester, Pittsburg County, Oklahoma

* 15. Descriptive Title of Applicant's Project:

Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

16. Congressional Districts Of:

*a. Applicant: OK-2

*b. Program/Project: OK-2

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: 09/17/2015

*b. End Date: 11/30/2015

18. Estimated Funding (\$):

*a. Federal	254,398.00
*b. Applicant	28,767.00
*c. State	
*d. Local	
*e. Other	
*f. Program Income	
*g. TOTAL	283,165.00

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation on next page.)**

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: *First Name: Steve

Middle Name:

*Last Name: Harrison

Suffix:

*Title: Mayor

*Telephone Number: (918) 423-2500

Fax Number:

* Email: steve.harrison@cityofmcalester.com

*Signature of Authorized Representative:

*Date Signed:

Application for Federal Assistance SF-424

*Applicant Federal Debt Delinquency Explanation

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

N/A

Application for Federal Assistance (Development Projects)

PART II – PROJECT APPROVAL INFORMATION

SECTION A	
Item 1. Does this assistance request require State, local, regional, or other priority rating? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Name of Governing Body: Priority:
Item 2. Does this assistance request require State, or local advisory, educational or health clearances? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Name of Agency or Board: (Attach Documentation)
Item 3. Does this assistance request require clearinghouse review in accordance with OMB Circular A-95? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(Attach Comments)
Item 4. Does this assistance request require State, local, regional, or other planning approval? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Name of Approving Agency: Date:
Item 5. Is the proposal project covered by an approved comprehensive plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Check one: State <input type="checkbox"/> Local <input type="checkbox"/> Regional <input type="checkbox"/> Location of Plan:
Item 6. Will the assistance requested serve a Federal installation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Name of Federal Installation: Federal Population benefiting from Project:
Item 7. Will the assistance requested be on Federal land or installation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Name of Federal Installation: Location of Federal Land: Percent of Project: %
Item 8. Will the assistance requested have an impact or effect on the environment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(See instructions for additional information to be provided.)
Item 9. Will the assistance requested cause the displacement of individuals, families, businesses, or farms? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Number of: Individuals: Families: Businesses: Farms:
Item 10. Is there other related Federal assistance on this project previous, pending, or anticipated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(See instructions for additional information to be provided.)

PART II – SECTION C

The Sponsor hereby represents and certifies as follows:

1. Compatible Land Use – The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:

The City of McAlester has land use zoning and most of the land adjacent the airport is within the city limits. The airport is also protected by a Height Zoning Ordinance that protects the land use and airspace around the airport. The City encourages the County to take reasonably appropriate action to restrict the use of land adjacent and in the vicinity of the airport to activities and purposes com

2. Defaults – The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

None

3. Possible Disabilities – There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of the Grant Assurances, either by limiting its legal or financial ability or otherwise, except as follows:

None

4. Consistency with Local Plans – The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

Yes

5. Consideration of Local Interest – It has given fair consideration to the interest of communities in or near where the project may be located.

Yes

6. Consultation with Users – In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport which project is proposed.

Yes

7. Public Hearings – In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

N/A

8. Air and Water Quality Standards – In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable and air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.

N/A

PART II – SECTION C (Continued)

9. Exclusive Rights – There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

None

10. Land – (a) The sponsor holds the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

Fee simple title to Tracts 1 through 4 as shown on Exhibit A, dated 8/11/04 and Avigation Easement for Tracts 5 thru 8. Title to above Tracts was approved under previous FAA projects. Status of Title has not changed since approval. Fee Simple Title will be acquired for Tracts 9 thru 14. Avigation Easements will be acquired for Tracts 15 and 16.

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land* on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

None

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit "A"

None

*State the character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.

SECTION A - GENERAL

1. Federal Domestic Assistance Catalog No. 20.106

2. Functional or Other Breakout _____

SECTION B -CALCULATION OF FEDERAL GRANT

Land Acquisition – Runway Extension Cost Classification	Use only for revisions		Total Amount Required
	Latest Approved Amount	Adjustment + or (-)	
1. Administration expense (Advertising)	\$	\$	400
2. Preliminary expense (EPD, Env., DBE)			13,500
3. Land, structures, right-of-way (Survey)			3,200
4. Architectural engineering basic fees			29,640
5. Other Architectural engineering fees			
6. Project inspection fees			15,000
7. Land development			
8. Relocation Expenses (Construction Testing)			11,600
9. Relocation payments to Individuals and Businesses			
10. Demolition and removal			
11. Construction and project improvement			209,825
12. Equipment			
13. Miscellaneous			
14. Total (Lines 1 through 13)			283,165
15. Estimated Income (if applicable)			
16. Net Project Amount (Line 14 minus 15)			283,165
17. Less: Ineligible Exclusions (Insurance)			500
18. Add: Contingencies			
19. Total Project Amt. (Excluding Rehabilitation Grants)			282,665
20. Federal Share requested of Line 19			254,398
21. Add Rehabilitation Grants Requested (100 Percent)			
22. Total Federal grant requested (lines 20 & 21)			254,398
23. Grantee share			28,767
24. Other shares (STATE)			
25. Total Project (Lines 22, 23 & 24)	\$	\$	\$283,165

SECTION C – EXCLUSIONS		
Classification	Ineligible for Participation (1)	Excluded From Contingency Provision (2)
a.	\$	\$
b.		
c.		
d.		
e.		
f.		
g. Totals	\$	\$

SECTION D – PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE	
27. Grantee Share	
a. Securities	\$
b. Mortgages	
c. Appropriations (By Applicant)	28,767.00
d. Bonds	
e. Tax Levies	
f. Non Cash	
g. Other (Explain)	
h. TOTAL - Grantee share	28,767.00
28. Other Shares	
a. State	
b. Other	
c. Total Other Shares	0.00
29. TOTAL	\$ 28,767.00

SECTION E – REMARKS
<p>The following documents are attached hereto and incorporated herein:</p> <ol style="list-style-type: none"> 1. Property Map, Exhibit A, dated August 11, 2004. 2. Part V Assurances 3. The FAA approved plans and specifications are incorporated by reference.

PART IV – PROGRAM NARRATIVE (Attach – See Instructions)

PART IV - PROGRAM NARRATIVE

PROJECT: Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement

AIRPORT: McAlester Regional Airport, McAlester, Oklahoma

1. Objective:

The objective is to replace an existing drainage pipe that has failed and the damage to inlets, lights, signs, and taxiway pavement associated with it.

2. Benefits Anticipated:

This project will enhance the safety of aircraft operations by providing a much safer surface for taxiing. The existing drainage was not designed correctly, and damage has been done to existing pavement, inlets, lights, and signs due to the washout. Taxiway pavement has begun to crack and fail over the existing drainage pipe. The washed out areas and sink holes will be graded correctly and will provide enhanced safety to aircraft and airport employees that use the area.

3. Approach: *(See approved Scope of Work in final Application)*

The affected areas will be re-graded as required; utilities will be relocated as necessary. The pavement areas will be closed to aircraft during construction.

4. Geographic Location:

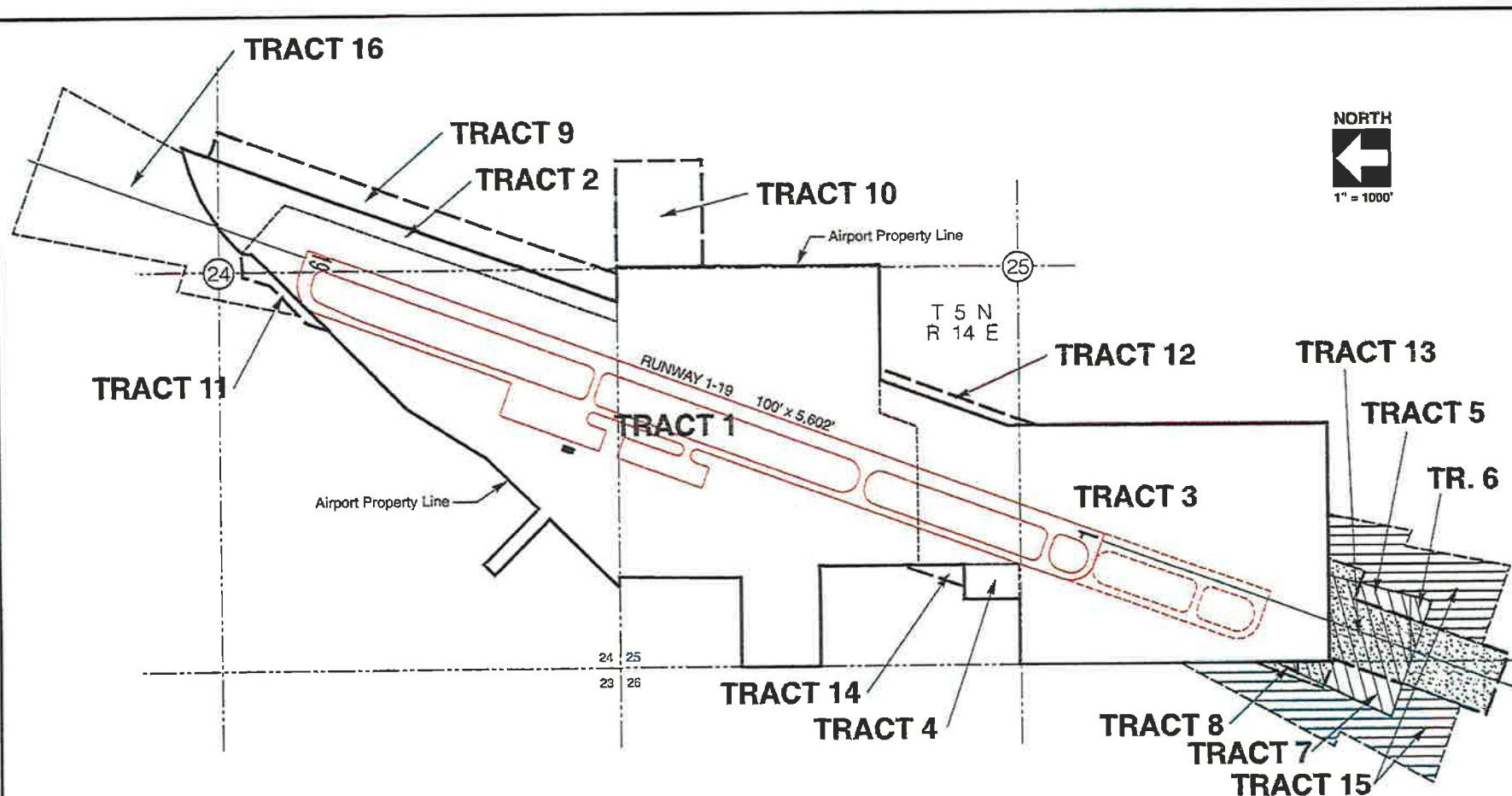
The development items discussed above are all located within existing airport property, near existing taxiway pavement south of the terminal building.

5. If Applicable, Provide Additional Information:

This project will be designed and constructed under an FY2015 grant.

6: Sponsor's Representative: *(incl. address & tel. no.)*

Butch Mellor, Airport Manager
P.O. Box 578
McAlester, OK 74502
918-429-9400



Tract No.	FAA Proj. No.	Property Interest	Acreage	Date Purchased
1	9-34-038-001	Fee Simple	155	02-27-69
2	9-34-038-C905	Fee Simple	12.87	06-20-69
3	9-34-038-C905	Fee Simple	91.10	06-20-69
4	9-34-038-C905	Fee Simple	2.48	06-20-69
5	9-34-038-C905	Easement	6.63	06-20-69
6	9-34-038-C905	Easement	0.7	06-20-69
7	9-34-038-C905	Easement	3.31	06-20-69
8	9-34-038-C905	Easement	0.05	06-20-69

Tract No.	FAA Proj. No.	Property Interest	Acreage	Date Purchased
9	--	Future Fee	11.1	To Be Acquired
10	--	Future Fee	9.2	To Be Acquired
11	--	Future Fee	1.3	To Be Acquired
12	--	Future Fee	1.6	To Be Acquired
13	--	Future Fee	13.4	To Be Acquired
14	--	Future Fee	0.7	To Be Acquired
15	--	Future Runway Prot. Zone Esmt	23.0	To Be Acquired
16	--	Future Runway Prot. Zone Esmt	26.3	To Be Acquired

PM-081104
Source: Demand Consulting Co. ALP



LBR Inc. Airport Consultants
Wiley Post Airport
Bethany, Oklahoma

McALESTER REGIONAL AIRPORT
McALESTER, OKLAHOMA

EXHIBIT A - PROPERTY MAP

SCALE
1" = 1000'

DATE
08.11.04

DRAWING NUMBER
PM-1



**FAA
Airports**

ASSURANCES

Airport Sponsors

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. Airport Planning Undertaken by a Sponsor.

Unless otherwise specified in this grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 25, 30, 32, 33, and 34 in Section C apply to planning projects. The terms, conditions, and assurances of this grant agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements.

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

Federal Legislation

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.¹
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- d. Hatch Act – 5 U.S.C. 1501, et seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.^{1 2}
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).¹
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.¹
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.¹
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 -42 U.S.C. 4151, et seq.¹
- s. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.¹
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.¹
- u. Copeland Anti-kickback Act - 18 U.S.C. 874.1
- v. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.¹
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

Executive Orders

- a. Executive Order 11246 - Equal Employment Opportunity¹
- b. Executive Order 11990 - Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 - Intergovernmental Review of Federal Programs
- e. Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 - Environmental Justice

Federal Regulations

- a. 2 CFR Part 180 - OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].^{4, 5, 6}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment
- d. 14 CFR Part 13 - Investigative and Enforcement Procedures 14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- e. 14 CFR Part 150 - Airport noise compatibility planning.
- f. 28 CFR Part 35- Discrimination on the Basis of Disability in State and Local Government Services.
- g. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- h. 29 CFR Part 1 - Procedures for predetermination of wage rates.¹
- i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹
- j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
- k. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).¹
- l. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.³
- m. 49 CFR Part 20 - New restrictions on lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.

- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.^{1 2}
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.¹
- s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- t. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)
- v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.

Specific Assurances

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

Footnotes to Assurance C.1.

- ¹ These laws do not apply to airport planning sponsors.
- ² These laws do not apply to private sponsors.
- ³ 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- ⁴ On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.

⁵ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.

⁶ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this grant agreement which it will own or control.

4. Good Title.

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and

has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans,

specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this grant agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal,

state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-

- 1) Operating the airport's aeronautical facilities whenever required;
 - 2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 - 3) Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or

to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-

- 1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 - 2) charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
 - d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
 - e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
 - f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
 - g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
 - h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
 - i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
 - 1) If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or

operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.

- 2) If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
 - 3) Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.
 - c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and

- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that –

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

- a. It will keep up to date at all times an airport layout plan of the airport showing
 - 1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 - 2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and

roads), including all proposed extensions and reductions of existing airport facilities;

- 3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon; and
 - 4) all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
- b. If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

- a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.
- b. **Applicability**
 - 1) **Programs and Activities.** If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 - 2) **Facilities.** Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.

- 3) Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

- 1) So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
 - 2) So long as the sponsor retains ownership or possession of the property.
- d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

“The **(Name of Sponsor)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

e. Required Contract Provisions.

- 1) It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
- 2) It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
- 3) It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
- 4) It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a

covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:

- a) For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b) For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.
- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another

eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.

- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated _____ (the latest approved version as of this grant offer) and included in this grant, and in accordance

with applicable state policies, standards, and specifications approved by the Secretary.

35. Relocation and Real Property Acquisition.

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its DBE and ACDBE programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-
 - 1) Describes the requests;
 - 2) Provides an explanation as to why the requests could not be accommodated; and
 - 3) Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.



McAlester City Council

AGENDA REPORT

Meeting Date:	<u>August 11, 2015</u>	Item Number:	<u>3</u>
Department:	<u>Airport/Public Works</u>	Account Code:	<u></u>
Prepared By:	<u>John C. Modzelewski, P.E., CFM</u>	Budgeted Amount:	<u></u>
Date Prepared:	<u>August 5, 2015</u>	Exhibits:	<u>3</u>

Subject

Consider and act, upon authorizing the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement". Project 3-40-0057-013-2015.


Recommendation

The recommendation is to authorize the Mayor to sign a contract between the City of McAlester and Bronze Oak, LLC, to construct the following McAlester Regional Airport improvements: "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement", Project 3-40-0057-013-2015, for an amount of \$209,825.50.

Discussion

This project is identified in the Airport Improvement Program (AIP) as Project 3-40-0057-013-2015. The project was approved by the City Council on December 23, 2014 as a project in the McAlester Regional Airport (MLC) Five Year Capital Improvement Plan. The project was advertised on June 9, 2015 and June 14, 2015. Bids were received from three contractors on Tuesday, June 30, 2015. The City's Consultant, LBR Inc. Airport Consultants reviewed all bids. LBR recommends Bronze Oak, LLC be awarded the contract "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement", subject to the successful completion of Supplemental Agreement Number 1, which increases the scope of work and establishes the construction cost to be in the amount of \$209,825.20.

Approved By

	Initial	Date
Department Head	JCM	08/05/15
City Manager	P. Stasiak 	8-6-15



LBR Inc. Airport Consultants

August 5, 2015

John Modzelewski, P.E., CFM
City Engineer / Public Works Director
City of McAlester
28 East Washington Avenue
McAlester, Oklahoma 74501

Mr. Modzelewski;

Bids for FAA AIP 3-40-0057-013-2015 to "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement" at the McAlester Regional Airport were received at 10:30 AM on Tuesday, June 30, 2015. The project was advertised on June 9 and 14 with the mandatory pre-bid conference being held on June 22, at 10:00 AM.

There were three bidders presenting proposals; Contech, Katcon, and Bronze Oak. The staff at LBR Inc. has reviewed the bids along with City and FAA staff. The bid from Bronze Oak, LLC for Base Bid A of \$186,218.00, was the lowest bid received. This contractor has proven to be responsible and qualified on past projects.

Changes required by FAA staff after the project was bid have changed the geometry of the connecting taxiway from the existing configuration to one that meets the current FAA standards. This change has actually increased the size of the taxiway, and thus increased the quantities for the project. Supplemental Agreement #1 reflects these changes.

LBR recommends that the Base Bid A be awarded to Bronze Oak, LLC in the amount of \$186,218.00, contingent upon successful execution of Supplemental Agreement #1 which increases the amount to a total contract cost of \$209,825.20.

Please request the City Council to authorize the Mayor and City Attorney to sign all required documents. All referenced documents will be forthcoming from LBR Inc.

We sincerely thank you for allowing us to assist you with your airport consulting needs. We look forward to working with you on this important project for the City of McAlester, and the McAlester Regional Airport.

Respectfully Submitted,

Jed Banks, P.E., President

Encl: Bid Tab
Supplemental Agreement #1

AIP 3-40-0057-013-2015

Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement

Bids Were Opened at City Hall-Council Chambers, Municipal Building, 28 East Washington, McAlester, Oklahoma 74501, at 10:30 A.M. on June 30th, 2015



McAlester Regional Airport, McAlester, Oklahoma

				Katcon	Contech		Bronze Oak		Engineer's Estimate LBR Inc.		
Item	Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
BASE BID A-Single Lift PCC Concrete Pavement											
1	Traffic Maintenance	1	LS	\$9,131.00	\$9,131.00	\$26,000.00	\$26,000.00	\$28,300.00	\$28,300.00	\$80,000.00	\$80,000.00
2	Mobilization, Bonds, Permits, and Temporary Erosion Control	1	LS	10,000.00	10,000.00	20,000.00	20,000.00	26,700.00	26,700.00	50,000.00	50,000.00
3	Saw Cut - Full Depth Asphalt or Concrete	55	LF	25.50	1,402.50	10.00	550.00	15.00	825.00	20.00	1,100.00
4	Break-Up, Removal, and Disposal of Existing Pavement - Material and Thickness May Vary - Waste Off Airport Property	560	SY	16.10	9,016.00	36.00	20,160.00	11.50	6,440.00	18.00	10,080.00
5	Unclassified Excavation: Strip Topsoil 6" Thick, Stockpile or Waste on Airport Property	70	CY	39.55	2,768.50	30.00	2,100.00	22.00	1,540.00	40.00	2,800.00
6	Unclassified Excavation: Normal Excavation to Required Grades	85	CY	28.75	2,443.75	40.00	3,400.00	22.00	1,870.00	40.00	3,400.00
7	Embankment in Place: Normal Embankment to Required Grades	15	CY	45.20	678.00	50.00	750.00	50.00	750.00	30.00	450.00
8	Embankment in Place: Replace Topsoil 6" Thick	85	CY	37.30	3,170.50	40.00	3,400.00	11.00	935.00	30.00	2,550.00
9	Removed Existing 24 Inch CMP Storm Sewer Pipe, Waste Off Airport Property	300	LF	35.77	10,731.00	40.00	12,000.00	13.20	3,960.00	80.00	24,000.00
10	Provide and Install 24" RCP - Type III, Storm Sewer	300	LF	308.86	92,658.00	80.00	24,000.00	165.00	49,500.00	350.00	105,000.00
11	Modify Existing Storm Sewer Inlet as Shown on the Plans	1	Each	3,505.00	3,505.00	3,000.00	3,000.00	2,800.00	2,800.00	2,500.00	2,500.00
12	Furnish and Place 6" Structural Concrete Flume Around Existing Drainage Structure	6	CY	160.00	960.00	400.00	2,400.00	640.00	3,840.00	75.00	450.00
13	Furnish and Place 12 Inch Type III Laid Up Rip-Rap	45	SY	25.42	1,143.90	50.00	2,250.00	106.00	4,770.00	75.00	3,375.00
14	Furnish and Place CLSM Around Existing Drainage Structure	5	CY	186.45	932.25	550.00	2,750.00	368.00	1,840.00	45.00	225.00
15	Construct 14" P-501 Portland Cement Concrete Surface Course, with Joints	330	SY	157.80	52,074.00	200.00	66,000.00	90.50	29,865.00	150.00	49,500.00
16	Permanent Runway and Taxiway Painting with Reflective Media (White or Yellow Paint)	80	SF	14.70	1,176.00	32.00	2,560.00	16.00	1,280.00	10.00	800.00
17	Permanent Runway and Taxiway Painting without Reflective Media (Black Paint)	160	SF	14.70	2,352.00	32.00	5,120.00	16.00	2,560.00	10.00	1,600.00
18	Paint Removal	60	SF	1.15	69.00	65.00	3,900.00	1.25	75.00	10.00	600.00
19	Solid Slab Bermuda Grass Sodding (Including Fertilizer and Watering)	600	SY	10.17	6,102.00	5.00	3,000.00	3.60	2,160.00	12.00	7,200.00
20	Seeding (Permanent or Temporary) Including Fertilizer and Watering	0	AC	1,497.00	149.70	10,000.00	1,000.00	7,360.00	736.00	15,000.00	1,500.00
21	Construct 6" x 24" Trench with Backfill For 2" PVC	250	LF	10.20	2,550.00	5.20	1,300.00	4.60	1,150.00	5.00	1,250.00
22	Furnish and Install Lighting Cable - No. 8 AWG, 5 kV, 1/C, Type C, Stranded	390	LF	4.96	1,934.40	5.20	2,028.00	1.70	663.00	3.30	1,287.00
23	Furnish and Install 2" Schedule 40 PVC Conduit, In Trench	250	LF	4.50	1,125.00	4.60	1,150.00	3.90	975.00	4.25	1,062.50
24	Remove, Store, and Re-Install Existing Taxiway Edge Lights on New PCC Pads	6	Each	282.50	1,695.00	1,900.00	11,400.00	1,350.00	8,100.00	430.00	2,580.00
25	Remove, Store, and Re-Install Existing 2 Panel Guidance Signs on New PCC Pads	2	Each	282.50	565.00	3,400.00	6,800.00	1,760.00	3,520.00	3,200.00	6,400.00
26	Remove, Store, and Re-Install Existing Duct Markers	2	Each	282.50	565.00	350.00	700.00	37.00	74.00	50.00	100.00
27	Insurance Premium to Add City & Engineer as Additional Insureds to Contractor's Liability Policy	1	LS	470.00	470.00	0.00	0.00	990.00	990.00	500.00	500.00
Total Base Bid A					\$219,367.50		\$227,718.00		\$186,218.00		\$360,309.50

Base Bid B- Multi-Lift PCC Concrete Pavement

1	Traffic Maintenance	1	LS	\$15,250.00	\$15,250.00		\$26,000.00		\$28,300.00		\$80,000.00	
2	Mobilization, Bonds, Permits, and Temporary Erosion Control	1	LS	10,000.00	10,000.00		20,000.00		26,700.00		50,000.00	
3	Saw Cut - Full Depth Asphalt or Concrete	55	LF	25.50	1,402.50	10.00	550.00	15.00	825.00	20.00	1,100.00	
4	Break-Up, Removal, and Disposal of Existing Pavement - Material and Thickness May Vary - Waste Off Airport Property	560	SY	16.10	9,016.00	36.00	20,160.00	11.50	6,440.00	18.00	10,080.00	
5	Unclassified Excavation: Strip Topsoil 6" Thick, Stockpile or Waste on Airport Property	70	CY	39.55	2,768.50	30.00	2,100.00	22.00	1,540.00	40.00	2,800.00	
6	Unclassified Excavation: Normal Excavation to Required Grades	85	CY	28.75	2,443.75	40.00	3,400.00	22.00	1,870.00	40.00	3,400.00	
7	Embankment in Place: Normal Embankment to Required Grades	15	CY	45.20	678.00	50.00	750.00	50.00	750.00	30.00	450.00	
8	Embankment in Place: Replace Topsoil 6" Thick	85	CY	37.30	3,170.50	40.00	3,400.00	11.00	935.00	30.00	2,550.00	
9	Removed Existing 24 Inch CMP Storm Sewer Pipe, Waste Off Airport Property	300	LF	35.77	10,731.00	40.00	12,000.00	13.20	3,960.00	80.00	24,000.00	
10	Provide and Install 24" RCP - Type III, Storm Sewer	300	LF	308.86	92,658.00	80.00	24,000.00	165.00	49,500.00	350.00	105,000.00	
11	Modify Existing Storm Sewer Inlet as Shown on the Plans	1	Each	3,505.00	3,505.00	3,000.00	3,000.00	2,800.00	2,800.00	2,500.00	2,500.00	
12	Furnish and Place 6" Structural Concrete Flume Around Existing Drainage Structure	6	CY	160.00	960.00	400.00	2,400.00	640.00	3,840.00	75.00	450.00	
13	Furnish and Place 12 Inch Type III Laid Up Rip-Rap	45	SY	25.42	1,143.90	50.00	2,250.00	106.00	4,770.00	75.00	3,375.00	
14	Furnish and Place CLSM Around Existing Drainage Structure	5	CY	186.45	932.25	550.00	2,750.00	368.00	1,840.00	45.00	225.00	
15	Lime Delivered to the Site, Est'd at 6% by Weight	4	Tons	214.70	\$858.80	500.00	\$2,000.00	368.00	1,472.00	220.00	\$880.00	
16	Construct 4" Lime Treated Subgrade	350	S.Y.	17.80	\$6,230.00	25.00	\$8,750.00	46.00	16,100.00	18.00	\$6,300.00	
17	Type I Portland Cement Delivered to Site, Est'd at 9% of Soil Dry Weight	10	Tons	310.75	\$3,107.50	300.00	\$3,000.00	276.00	2,760.00	250.00	\$2,500.00	
18	Construct Soil-Cement Base Course, 4 Inches Thick	350	SY	17.80	\$6,230.00	20.00	\$7,000.00	37.00	12,950.00	18.00	\$6,300.00	
19	Construct 4" Lean Concrete Base Course	330	SY	28.25	\$9,322.50	175.00	\$57,750.00	36.00	11,880.00	50.00	\$16,500.00	
20	Bituminous Prime Coat - Est'd at 0.25 Gal / SY	85	Gal	25.00	\$2,125.00	30.00	\$2,550.00	7.40	629.00	9.00	\$765.00	
21	Construct 6" P-501 Portland Cement Concrete Surface Course, with Joints	330	SY	90.35	\$29,815.50	140.00	\$46,200.00	52.00	17,160.00	100.00	\$33,000.00	
22	Permanent Runway and Taxiway Painting with Reflective Media (White or Yellow Paint)	80	SF	15.00	\$1,200.00	32.00	\$2,560.00	16.00	1,280.00	10.00	\$800.00	
23	Permanent Runway and Taxiway Painting without Reflective Media (Black Paint)	160	SF	15.00	\$2,400.00	32.00	\$5,120.00	16.00	2,560.00	10.00	\$1,600.00	
24	Paint Removal	60	SF	1.17	\$70.20	65.00	\$3,900.00	1.25	75.00	10.00	\$600.00	
25	Solid Slab Bermuda Grass Sodding (Including Fertilizer and Watering)	600	SY	10.17	\$6,102.00	5.00	\$3,000.00	3.60	2,160.00	12.00	\$7,200.00	
26	Seeding (Permanent or Temporary) Including Fertilizer and Watering	0	AC	1,497.00	\$149.70	10,000.00	\$1,000.00	7,360.00	736.00	15,000.00	\$1,500.00	
27	Construct 6" x 24" Trench with Backfill For 2" PVC	250	LF	10.20	\$2,550.00	5.20	\$1,300.00	4.60	1,150.00	5.00	\$1,250.00	
28	Furnish and Install Lighting Cable - No. 8 AWG, 5 KV, I/C, Type C, Stranded	390	LF	4.96	\$1,934.40	5.20	\$2,028.00	1.70	663.00	3.30	\$1,287.00	
29	Furnish and Install 2" Schedule 40 PVC Conduit, In Trench	250	LF	4.50	\$1,125.00	4.60	\$1,150.00	3.90	975.00	4.25	\$1,062.50	
30	Remove, Store, and Re-Install Existing Taxiway Edge Lights on New PCC Pads	6	Each	282.50	\$1,695.00	1,900.00	\$11,400.00	1,350.00	8,100.00	430.00	\$2,580.00	
31	Remove, Store, and Re-Install Existing 2 Panel Guidance Signs on New PCC Pads	2	Each	282.50	\$565.00	3,400.00	\$6,800.00	1,760.00	3,520.00	3,200.00	\$6,400.00	
32	Remove, Store, and Re-Install Existing Duct Markers	2	Each	282.50	\$565.00	350.00	\$700.00	37.00	74.00	50.00	\$100.00	
33	Insurance Premium to Add City & Engineer as Additional Insureds to Contractor's Liability Policy	1	LS	470.00	470.00	0.00	0.00	990.00	990.00	500.00	500.00	
Total Base Bid B					\$230,812.50		\$300,318.00		\$218,644.00		\$375,854.50	

SUPPLEMENTAL AGREEMENT NO. 1

1. Sponsor's (Public Agency) Name and Address City of McAlester 28 East Washington Avenue McAlester, Oklahoma 74501							
2. Name of Airport McAlester Regional Airport		3. Project Numbers FAA AIP 3-40-0057-013-2015			4. Date Prepared - Prepared by: 7/27/2015- Tyler McDonald		
5. Name and Address of Contractor Bronze Oak, LLC 8218 East 121st Bixby, Oklahoma, 74008							
6. Description of Work Included In Contract "Replace Existing Drainage Pipe, Damaged Inlets, Lights, Signs, and Connecting Taxiway Pavement"							
7. Changes Ordered and Reason Ordered (List individual changes as A, B, C, D etc.) A. Through G. - The quantities are adjusted for the new pavement geometry as required by the FAA.							
8. Contract Changes	Bid Item No.	Original Estimated Quantity	Contract Unit Price	Revised Estimated Quantity	Negotiated C.O. Unit Price	Original Estimated Cost	Revised Estimated Cost
Base Bid							
A.	5	70	\$22.00	75	\$22.00	\$1,540.00	\$1,650.00
B.	6	85	\$22.00	150	\$22.00	\$1,870.00	\$3,300.00
C.	7	15	\$50.00	45	\$50.00	\$750.00	\$2,250.00
D.	8	85	\$11.00	55	\$11.00	\$935.00	\$605.00
E.	15	330	\$90.50	545	\$90.50	\$29,865.00	\$49,322.50
F.	16	80	\$16.00	110	\$16.00	\$1,280.00	\$1,760.00
G.	17	160	\$16.00	220	\$16.00	\$2,560.00	\$3,520.00
Total:						\$38,800.00	\$62,407.50
9. Original Contract Amount Supplemental Agreement #1 New Contract Amount After SA #1					\$186,218.00 <u>\$23,607.50</u> \$209,825.50		
10. Original Contract Time:				25 workdays		New Contract Time:	
25 workdays							
This Change Order Subject to All Original Contract Provisions.							
11. ISSUED FOR REASONS INDICATED ABOVE							
 Signature				Consultant Title		Date 7/27/2015	
12. ACCEPTED BY SPONSOR							
Signature				Title		Date	
13. ACCEPTED BY CONTRACTOR							
 Signature				Title Eng.		Date 8/4/2015	



McAlester City Council

AGENDA REPORT

Meeting Date: August 11, 2015
Department: Community & Economic Development
Prepared By: Jayme Clifton, Planning Tech.
Date Prepared: July 27, 2015

Item Number: 4
Account Code: N/A
Budgeted Amount: N/A
Exhibits: (9) Nine

Subject

Consider and act upon, 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 The Westerly 85 feet of Lot 3, in Block 600, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma from R1-B (Single-Family Residential District) to R-2 (Two-family Dwelling [Duplex] District).

Recommendation

Motion to act upon and approve the above Ordinance changing the classification of the zoning district for the property identified in the Ordinance from R1-B (Single-Family Residential District) to R-2 (Two-family Dwelling [Duplex] District) and authorizing the Mayor to sign the ordinance.

Discussion

The applicant is requesting a zoning change for the subject property from R1-B (Single-Family Residential District) to R-2 (Two-family Dwelling [Duplex] District). The McAlester Planning and Zoning Commission met on July 21, 2015 and voted unanimously to recommend that the applicant's rezoning request be approved as presented. The R-2 two-family dwelling (duplex) district zoning is not markedly or substantially different in intensity or use from the existing R-1B single-family residential district zoning in the surrounding area and the infill development of this property with a single-family or two-family (duplex) residential dwelling would be a public benefit, in lieu of the property remaining a vacant lot in the future. To encourage the growth of the community's population base, the city needs additional rooftops. Appropriate infill development on vacant lots in existing subdivisions is in harmony with today's development concepts and good for the community.

The following documents are attached for your reference:

1. Draft Minutes of the July 21, 2015 Planning Commission Meeting
2. Planning and Zoning Staff Report
3. Rezoning Request Application
4. Sample Duplex Plan from Applicant
5. Area Zoning & Site Location Map
6. Notice to Property Owners within 300 feet
7. Proof of Publication of Notice in Newspaper
8. Picture of Sign Posted on Property
9. Ordinance

Approved By

Department Head

L. Alsup

Initial

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

Date

07/27/2015

City Manager

P. Stasiak

PJS

8-6-15

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATIONS OF THE ZONING DISTRICT FOR THE WESTERLY 85 FEET OF LOT 3, IN BLOCK 600, CITY OF MCALESTER, FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM R1-B (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO R-2 (TWO-FAMILY [DUPLEX] DWELLING DISTRICT).

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

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

The Westerly 85 feet of Lot 3, in Block 600, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma from R1-B (single-family residential district) to R-2 (two-family dwelling district).

SECTION 2. PUBLICATION AND EFFECTIVE DATE

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

APPROVED this _____ day of _____, 2015.

CITY OF MCALESTER, OKLAHOMA
A Municipal Corporation

ATTEST:

By _____
Steve Harrison, Mayor

Cora Middleton, City Clerk

Approved as to form and legality this _____ day of _____, 2015.

By _____
William J. Ervin, City Attorney

McAlester Planning Commission Minutes
Tuesday, July 21, 2015 Meeting
City Council Chambers
6:30 PM

DRAFT

Item 1

Call to Order and Roll Call

Chairman Mark Emmons called the meeting to order at 6:30 PM. in the City Council Chambers and announced the meeting would recess and move to the Second Floor Conference Room due to the Special City Council Meeting. The continued Planning Commission meeting was called to order at 6:34 P.M. in the Second Floor Conference Room. Roll was called, and a quorum was present.

Commissioners Present: 7

Harvey Bollinger	Mark Emmons	Justin Few	
Carl Gullick	Susan Kanard	Primus Moore	Karen Stobaugh

Commissioners Absent: 4

Ross Eaton	Denise Lewis	Karl Scifres	Chris Taylor
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Item 2

Approval of Minutes

A motion made by Commissioner Gullick was seconded by Commissioner Kanard to approve the April 21, 2015 Regular Meeting Minutes.

The vote was 7-0

AYE: Bollinger, Few, Gullick, Kanard, Stobaugh, Moore, Emmons

NAY: None

The motion carried.

A motion made by Commissioner Bollinger was seconded by Commissioner Stobaugh to approve the May 28, 2015 Special Meeting Minutes. There was no objection. The motion carried.

The vote was 7-0

AYE: Bollinger, Few, Gullick, Kanard, Stobaugh, Moore, Emmons

NAY: None

The motion carried.

Commissioner Ross Eaton arrived for the meeting at 6:36 P.M.

GENERAL BUSINESS:

Item 3

Public Hearing: Discussion and action on P. C. #403, a request to rezone the Westerly 85 feet of Lot 3, in Block 600, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma from R1-B Single-family Residential District to R-2 Two-Family Dwelling (Duplex) District.

Chairman Emmons opened the item for discussion at 6:36 P.M. Jayme Clifton, Planning Technician for the Community and Economic Development Department,

The vote was 8-0

AYE: Few, Gullick, Kanard, Stobaugh, Bollinger, Eaton, Moore, Emmons

NAY: None

The motion carried.

Item 5 New Business

No New Business.

Item 6 Staff Report

1. Staff pointed out that the Annual McAlester Chamber of Commerce Banquet was scheduled for Tuesday, August 18th and would conflict with the next regularly scheduled Planning Commission Meeting. After discussion, it was determined that due to the foreseeable lack of quorum the Regular Planning Commission Meeting on Tuesday, August 18th would be changed to a Special Planning Commission Meeting on Thursday, August 27th at 6:30 p.m.
2. Staff informed the Planning Commission that in the near future staff would be preparing a Request for Proposals (RFP) to solicit firms to update the 1996 Comprehensive Plan. The RFP would be done cafeteria style, requesting proposals on updating the Comprehensive Plan but also ask for alternate proposals to include updating the Zoning Ordinance and Subdivision Regulations depending on funding available.
3. Staff stated that they are exploring as a pilot project, installing community information signs at up to six locations to promote some of the small retailers in the community. Each community sign would be designed to accommodate 9-12 signs boards on a first come first served basis.

Item 7 Commission Report

There was no Commission Report.

Item 8 Adjournment

A motion made by Commissioner Scifres was seconded by Commissioner Eaton to adjourn the meeting at 7:01 PM.

The vote was 8-0

AYE: Few, Gullick, Kanard, Stobaugh, Bollinger, Eaton, Moore, Emmons

NAY: None

The motion carried.

Approved: _____
Date

By: _____
Planning Commission Chairman

presented the staff report to the Commission and it is hereby incorporated in the minutes by reference. The R-2 two-family dwelling (duplex) district zoning is not markedly or substantially different in intensity or use from the existing R-1B single-family residential district zoning in the surrounding area. Approval of the applicant's request to rezone the property at 1107 E South Avenue to the R-2 two-family dwelling (duplex) zoning district would not be detrimental to the surrounding area. The infill development of this property with a single-family or a two-family (duplex) residential dwelling would be a public benefit in lieu of the property remaining a vacant lot in the future. The city's comprehensive plan is quite dated and probably out of sync to some degree with today's development concepts for the community. To encourage the growth of the community's population base, the city needs additional rooftops. Appropriate infill development on vacant lots in existing subdivisions is in harmony with today's development concepts and good for the community. The City Community and Economic Development Staff recommend the approval of the applicant's request to rezone the property described herein from R-1B single-family residential district to R-2 Two-Family Dwelling (Duplex) District.

James Stevens, the applicant, spoke on his planned small duplex with one-bedroom units on the property to meet the need for middle-income market-rate housing in the area. Mr. Stevens referenced the duplex floor plans he submitted and indicated the demand seen in his profession for such housing by couples or young professionals moving into the area for employment with the hospital, ammunition plant, etc.

Chairman Emmons closed discussion on the matter at 6:45 P.M. and called for a motion. Commissioner Bollinger motioned to approve the applicant's request to rezone the property from R-1B Single-Family Residential District to R-2 Two-Family Dwelling District was seconded by Commissioner Moore. Chairman Emmons asked if there were any comments from the Commission. There were none, and roll was called.

The vote was 8-0

AYE: Few, Gullick, Kanard, Stobaugh, Bollinger, Eaton, Moore, Emmons

NAY: None

The motion carried.

Item 4 Discussion and action on an ordinance to amend the McAlester City Code, Division 3. Zoning Districts and District Regulations; Subdivision II. Specific Districts by deleting the existing Sections 62-612 Wyandotte Avenue Corridor Development and 62-213 Wade Watts Corridor Development and replace them with a new Section 62-212 Wyandotte/Wade Watts Avenue Corridor Development.

Chairman Gullick motioned to table the item to the next meeting, Commissioner Kanard seconded.



City of McAlester

Community & Economic Development

1st & Washington & P.O. Box 578 & McAlester, OK 74502 & (918) 423-9300

PLANNING COMMISSION STAFF REPORT- PC Case #403 July 21, 2015

To: McAlester Planning Commission

From: Leroy D. Alsup, Community and Economic Development Director *LA*

Date: July 16, 2015

Case: PC #403 Request to Rezone

Applicant: James Cully Stevens

Zoning District: R1-B Single-family Residential District

Location: 1107 E South Avenue

Legal Description: The Westerly 85 feet of Lot 3, in Block 600, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma.

General Description:

Applicant is requesting change in zoning from R-1B Single-Family Residential District to R-2 Two-Family Dwelling [Duplex] District.

General Notifications:

Publication in McAlester News Capital	June 28, 2015
Posting of Sign on Property	July 7, 2015

Notification to Property Owners within 300 Feet:

Property Owners within 300 feet	20 (<i>Mailed on July 1, 2015</i>)
Notification receipts received	17
Notification Returned Unclaimed	1
Notifications Still Out	2

Leroy Alsup- Director
(918) 423-9300 ext 4951

Kirk Ridenour- Economic Development Manager
(918) 423-9300 ext.4982

Executive Asst./Planning Technician
(918) 423-9300 ext. 4984

Jayne Clifton- Code Enforcement Inspector
(918) 423-9300 ext. 4986

George Estrada- Building Inspector
(918) 423-9300 ext. 4985

Charley Gilbertson- Plumbing/Electrical Inspector
(918) 423-9300 ext. 4987

Attachments:

Application	Attached
Sample Duplex Plan from Applicant	Attached
Site Location Map	Attached
Area of Request Map with Area Zoning Shown	Attached
Abstractor's Certificate	Attached
Copy of Letter to Property Owners within 300 feet	Attached
Proof of Publication of Notice in Newspaper	Attached
Picture of Sign Posted on Property	Attached

Background Information:

Sec. 62-197. R-1B single-family residential district.

- (a) *General description.* The R-1B single-family residential district is established as a district in which the use of land is for single-family dwellings, yet providing for a somewhat higher density with basic restrictions similar to the R-1A single family residential district. The development and continued use of this land for residential dwellings is encouraged and the encroachment of commercial and industrial use or any other use which would substantially interfere with the development of or continuation of this district as residential is prohibited. Any use which would generate traffic or create congestion on neighborhood streets other than normal traffic which serves the residences on the street is discouraged. Encouraged are those uses, which, because of character or size would not create additional requirements and costs for public services, which are in excess of such requirements and costs if the district were developed solely for residential dwellings.
- (b) *Uses permitted.*
- (1) Single-family dwellings.
 - (2) Public parks or playgrounds.
 - (3) Accessory buildings, including private garages, and uses customarily incidental to the primary use.
 - (4) Elementary, junior or senior high school; or other schools, provided they have major street frontage as shown on the major street plan.
 - (5) Home occupations, as defined and regulated by this article.
 - (6) Church, provided it has major street frontage as shown on the major street plan, and meets the minimum lot a

Sec. 62-199. R-2 two-family dwelling (duplex) district.

- (a) *General description.* This is a residential district to provide for a slightly higher population density, but with basic restrictions similar to the R-1A and R-1B districts. The principal use of land is for single-family and two family dwellings and related recreational, religious and educational facilities normally required to provide a balanced

and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through the consideration of the proper functional relationship and arrangement of each element.

(b) *Uses permitted.*

- (1) Single-family dwellings.
- (2) Two-family (duplex) residential dwellings.
- (3) Public parks or playgrounds.
- (4) Accessory buildings, including private garages, and uses customarily incidental to the primary use.
- (5) Elementary, junior or senior high school; or other schools offering general education courses as generally offered in public schools, provided they have major street frontage as shown on the major street plan.
- (6) Home occupations, as defined and regulated by this article.
- (7) Church, provided it has major street frontage as shown on the major street plan, and meets the minimum lot area

(d) *Area regulations.*

- (1) *Minimum lot area and use intensity:* The following requirements shall apply:
 - a. For each single-family dwelling and accessory building, there shall be a lot area of no less than 6,000 square feet.
 - b. For each two-family dwelling (duplex) and accessory building, there shall be a lot area of no less than 8,000 square feet.

FOOTNOTE: The Zoning Ordinance does not designate a minimum lot area for rezoning to a R-2 two-family dwelling (duplex) district.

SPOT ZONING

Spot Zoning involves several factors, it is not simply defined as rezoning a small parcel of land. Sometimes there is a reasonable basis for rezoning a relatively small parcel of land.

Spot Zoning is better defined as arbitrary zoning or rezoning a small tract of land: (1) for a land use that is markedly or substantially different in intensity or use from the zoned land use in the surrounding area; (2) which provides the property owner seeking the rezoning with a private benefit not off-set by a public benefit, or even a private benefit that is detrimental to the surrounding area; and (3) is inconsistent or out of harmony with the community's comprehensive plan.

Staff Analysis:

1. The R-2 two-family dwelling (duplex) district zoning is not markedly or substantially different in intensity or use from the existing R-1B single-family residential district zoning in the surrounding area.

The R-2 Zoning District is a residential district to provide for a slightly higher population density, but with basic restrictions similar to the R-1A and R-1B districts. The principal use of land is for single-family and two family dwellings and related recreational, religious and educational facilities normally required to provide a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment.

2. Approval of the applicant's request to rezone the property at 1107 E South Avenue to the R-2 two-family dwelling (duplex) zoning district would not be detrimental to the surrounding area. The infill development of this property with a single-family or a two-family (duplex) residential dwelling would be a public benefit in lieu of the property remaining a vacant lot in the future.
3. The city's comprehensive plan is quite dated and probably out of sync to some degree with today's development concepts for the community. To encourage the growth of the community's population base, the city needs additional rooftops. Appropriate infill development on vacant lots in existing subdivisions is in harmony with today's development concepts and good for the community

Staff Recommendation:

The City Community and Economic Development Staff recommend the approval of the applicants request to rezone the property described herein from R-1B single-family residential district to R-2 Two-Family Dwelling (Duplex) District.

Appeal Language if Rezoning Request Not Approved by Planning Commission

Sec. 62-129 (g) If the planning commission fails to set up a petition for amendment for public hearing within 30 days after its proper filing with the planning commission at a regular scheduled meeting; or if after public hearing, the planning commission fails to recommend that this article be amended in accordance with such petition for amendment, such failure shall be deemed the final determination and decision of the planning commission. The final determination of the planning commission may be appealed to the city council provided a written request for a hearing before the city council is served on the chairman of the planning commission within 15 days after the final determination of the planning commission.

FOR OFFICE USE ONLY	
<p>- CITY OF McALESTER, OKLAHOMA -</p> <p>APPLICATION FOR ZONING, REDISTRICTING AND PERMISSIVE USE</p>	
DATE <u>6-3-15</u>	APPLICATION NUMBER _____
A filing fee of _____ has been paid.	

PROCEDURE

1. I, (we), the undersigned, being owners of the following described property, do hereby respectfully make application to the McAlester Planning Commission and the City Council to rezone the property as described below:

LEGAL DESCRIPTION: W 85' Lot 3 Bk 600 So McAlester

LOCATION OR ADDRESS OF PROPERTY: 1107 E. South Ave

THE PROPERTY REQUESTED TO BE REZONED IS OWNED BY:

<u>NAME</u>	<u>ADDRESS</u>
A. <u>James C. Stevens</u>	<u>P.O. Box 1836 McAlester, OK 74502</u>
B. _____	_____
C. _____	_____
D. _____	_____

2. IT IS REQUESTED THAT THE DESCRIBED PROPERTY BE REZONED:

FROM: R 1 TO: R 2

FRONTAGE IN FEET:

DEPTH IN FEET:

TOTAL SQUARE FEET:

85'

159'

13,515

(Commercial rezoning request requires a minimum of 50,000 square feet.)

3. The applicant must attach the names and addresses of the owners of record within 300 feet of the exterior boundaries of the property obtained from an abstractor or other qualified persons.

Signature of Applicant(s)

Address (include zip code)

Telephone #

P.O. Box 1836 McAlester 74502 918-424-1391

4. The following information is required for permit on review, otherwise this additional information is requested but not required.

PROPOSED USE TO BE: _____

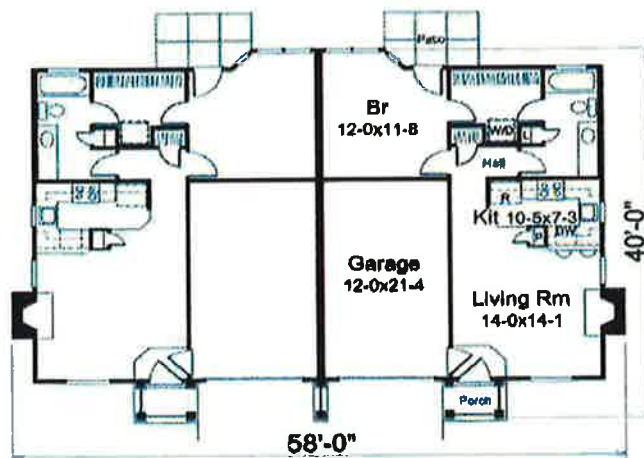
ATTACH A PLOT PLAN FOR ALL BUILDINGS PROPOSED TO BE CONSTRUCTED.

	Existing Structures	Proposed Structures
a. Front Yard Set-Back	_____ ft.	_____ ft.
b. Side Yard Set-Back	_____ ft.	_____ ft.
c. Rear Yard Set-Back	_____ ft.	_____ ft.
d. Building Height	_____ ft.	_____ ft.
e. Number Off-Street Parking Spaces	_____	_____
f. Type of Parking Surface	_____	_____
g. Percent of Lot area Covered	_____	_____

5. PUBLIC UTILITIES WHICH SERVE THE PROPERTY ARE:
(Approval of City Engineer)

a. Street Name _____	Easement Width _____
Surface Width _____	Surface Type _____
b. Storm Sewer Size _____	c. Sanitary Sewer Size _____
d. Water Main Size _____	e. Septic System _____

1104 South Avenue Duplex Plan



- One Bedroom/One Bath/One car garage
- Carpet, tile, and granite finishes
- 653 square feet a side

Cully Stevens
918 424 1391



SITE LOCATION



SCALE: 1" = 100'



Prepared By:
**City of McAlester
Engineering Department**



City of McAlester

Community & Economic Development

1st & Washington & P.O. Box 578 & McAlester, OK 74502 & (918) 423-9300

July 1, 2015

RE: P.C. Case #403

Dear Property Owner:

An application requesting the rezoning of the following described properties has been filed with the Community and Economic Development Department of the City of McAlester from R1-B (Single-Family Residential District) to R-2 Two-family Dwelling (Duplex) District for the following described property:

LOCATION: 1107 E South Avenue

LEGAL: The Westerly 85 feet of Lot 3, in Block 600, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma.

A Public Hearing will be held by the McAlester Planning Commission on Tuesday, July 21, 2015 at 6:30 p.m. in the City Council Chambers, Municipal Building, located at 28 E. Washington Avenue. At that time, you may submit your views on the matter in person or by representative. You may also write to the Community and Economic Development Department prior to the Public Hearing. Written responses should be received by Tuesday, July 14, 2015.

Please be advised that if the Tuesday, July 21, 2015 Planning Commission is canceled due to any reason such as but not limited to adverse weather conditions, lack of a quorum, etc. the above Public Hearing will automatically be rescheduled and placed on the agenda for the Tuesday, August 18, 2015 McAlester Planning Commission at 6:30 p.m.

If you know of any interested property owner who, for any reason, has not received a copy of this letter, it would be appreciated if you would inform them of the time and place of the Public Hearing.

Sincerely,

Jayme Clifton
Planning Technician

Attachment(s): Area of Request and Site Location Maps

cc: Steve Harrison, Mayor
Jason Barnett, Sixth Ward Councilman
Mark Emmons, Planning Commission Chairman

PROOF OF PUBLICATION

McAlester News-Capital
500 S. Second, McAlester, OK 74501 • 918-423-1700

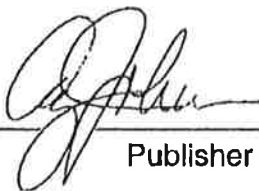
I, Amy Johns, am of lawful age, being duly sworn upon oath, deposes and says:

That I am publisher of McAlester News-Capital, a daily newspaper printed and published in the City of McAlester, County of Pittsburg, and State of Oklahoma, and that the advertisement referred to, a true and printed copy is hereunto attached, was published in said McAlester News-Capital & in consecutive issues on the following dates to wit:

1st insertion.....June 28th.....2015
2nd Insertion.....2015
3rd Insertion.....2015
4th Insertion.....2015
5th Insertion.....2015

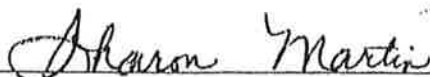
That said newspaper has been published continuously and uninterruptedly in said county during a period one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as publications (second-class) mail matter, that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the State of Oklahoma governing legal publications.

Publication Fee.....\$ 34.10


Publisher

SUBSCRIBED and sworn to before me this

29th day of June, 2015.


Notary Public



#00002414

My Commission expires: 03/23/18

<p>(Published in the McAlester News-Capital on June 28th, 2015.)</p> <p>CITY OF McALESTER NOTICE OF HEARING ON REZONING</p> <p>NOTICE IS HEREBY GIVEN to all property owners of the City of McAlester, that a Public Hearing will be held before the McAlester Planning Commission on Tuesday, July 21, 2015 at 6:30 p.m. concerning a rezoning application filed for the following described property:</p> <p>LOCATION: 1107 E South Avenue</p> <p>LEGAL: The West-</p>	<p>erly 85 feet of Lot 3, in Block 600, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma.</p> <p>PROPOSED CHANGE: From: R1-B Single-family Residential District</p> <p>To: R-2 Two-family Dwelling (Duplex) District;</p> <p>Any person wishing to appear in support or opposition to the proposed rezoning may do so in the Council Chambers, Municipal Building, located at 28 E. Washington Avenue, McAlester, Oklahoma, at the above date and time.</p>	<p>FURTHER NOTICE IS HEREBY GIVEN to all property owners and residents of the City of McAlester, that if the Tuesday, July 21, 2015 Planning Commission is canceled due to any reason such as but not limited to adverse weather conditions, lack of a quorum, etc. the above Public Hearing will automatically be rescheduled and placed on the agenda for the Tuesday, August 18, 2015 McAlester Planning Commission at 6:30 p.m. s/Cora Middleton, City Clerk 8/26/15 Date</p>
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07/07/2015



McAlester City Council

AGENDA REPORT

Meeting Date: August 11, 2015 Item Number: 5
Department: Community Services
Prepared By: Sheila Norman Account Code: _____
Date Prepared: July 30, 2015 Budgeted Amount: \$38,000.00
Exhibits: _____

Subject

Consider and act upon, awarding a bid in the amount of \$31,000.00 to Oklahoma Contract Flooring, LLC.

Recommendation

Motion to approve the award of the bid to Oklahoma Contract Flooring, LLC.

Discussion

On July 21, 2015 sealed bids were opened in the Council Chambers at City Hall, see bid tabulation sheet attached. After reviewing all the bids, Staff recommends that Oklahoma Contract Flooring, LLC being the low bidder be awarded the bid.

Approved By

Department Head
City Manager

P. Stasiak

Initial
MP

PJS

Date
July 30, 2015

8-6-15

BID TABULATION SHEET

New Carpet for SE Expo Center

Bid Opening

July 21, 2015 at 10:00 A.M

Bidder

Amount

Miller Bro. Enterprises
405 E. Chickasaw
McAlester, OK 74501

34,800.00

OK Contract Flooring LLC
P.O. Box 764
Krebs, OK 74554

31,000.00

Susan Hooper

From: Sheila Norman
Sent: Friday, July 31, 2015 7:44 AM
To: Susan Hooper
Cc: Peter Stasiak; Toni Ervin; Mel Priddy; Jerry Lynn Wilson
Subject: FW: Attached Image
Attachments: 2081_001.pdf; AGENDA REPORT-CARPET.doc

Susan

attached is the agenda report and bid tabulation for the Expo carpet, could you please put it on the August 11th Council Agenda

Thank You

Sheila N

From: First Floor Copier
Sent: Friday, July 31, 2015 7:41 AM
To: Sheila Norman
Subject: Attached Image



McAlester City Council

AGENDA REPORT

Meeting Date:	August 11, 2015	Item Number:	6
Department:	McAlester Police Department		
Prepared By:	Gary Wansick, Police Chief	Account Code:	
Date Prepared:	August 4, 2015	Budgeted Amount:	
		Exhibits:	3

Subject

Consider and act upon, approval of the revised Canine Operations Policy for the McAlester Police Department and acceptance of the check awarded by Life Church in the amount of \$9,400 for purchase of a Drug Dog.

Recommendation

Staff recommends approval of the revised Policy for Canine Operations and acceptance of the funds provided by Life Church to go towards the purchase of a Drug Dog.

Discussion

McAlester Police Department has been awarded funding in the amount of \$9,400 for the purchase of a Drug Dog as support. A revised policy was requested addressing certain issues. This policy is inclusive of those requests, as well as, certain revisions deemed necessary by the department.

Approved By

		Initial	Date
Department Head	GW		
City Manager	P. Stasiak	<i>PJS</i>	8-6-15

8/4/2015

Mr. Pete Stasiak
City Manager
City of McAlester

Re: K9 Drug Detection Dog Proposal

Mr. Stasiak,

As you are aware, our acceptance of the COPS grant that allowed us to field three new police officers this year was partially based on the promise that officers would be utilized for Narcotics Enforcement. Narcotics use and abuse is a critical area of concern in our community and one in which public support for enforcement is high. In addition to local use, McAlester is located on U.S. 69 which is a major conduit for illegal drugs traveling from south of the border into the central United States.

My proposal will be to begin interdiction efforts on the highway in an effort to stem the drug flow. I have volunteers which include a captain with interdiction experience to oversee the program, as well as, highly motivated officers that have received training in this area.

One tool which we do not possess that would assist us in our endeavor would be to obtain a Narcotics Dog. This dog would be invaluable in the interdiction effort, as well as, assisting patrol officers and in warrant service.

I have prepared a Police Canine Operations Policy to be utilized by the Police Department when we initiate the Canine Program. In revising the existing policy, I received input and suggestions from officers that have been involved in canine, drug interdiction, and narcotics investigations. I also reviewed literature and case law involving employment issues involved with canine handlers.

An issue was brought up in the McAlester City Council meeting of July 28, 2015. The Police Department previously had a situation in which the canine handler was not compensated for routine care and maintenance of the police dog. A suit was filed and a judgement was rendered against the City for monetary damages.

In my research of 29 USC 207 (FLSA), case law, and the Collective Bargaining Agreement between the City of McAlester and the Fraternal Order of Police Lodge #97, it became apparent that a set amount of time allotted for care is the norm when compensating officers for routine canine care. In only one case, *Levering v. District of Columbia*, was the appropriate time for such activity documented. This case states "30 minutes per day", seven days a week. My plan will be to have the canine officer work 7 hours per day, 5 days per week, which frees up time for the handler to care for the dog without incurring additional compensation.

I have addressed this issue with the FOP Lodge #97 Executive Board, as well as, the Lodge during a meeting. I have received support from the Lodge for the program, as well as, acknowledgement that the proposed method of compensating the dog handler would be acceptable.

I appreciated your consideration in this proposal.

Respectfully,

Gary Wansick
Chief of Police

McAlester Police Department

Canine Operations Policy

I. Purpose:

The purpose of this policy is to provide guidelines for officers, supervisors, and Canine Handlers for the utilization and operations of the McAlester Police Department Canine Officer(s). The mission of the Canine Unit will be to supplement and support the Department in such actions as may require a canine.

II. When to request Canine Officer:

A. During the execution of search warrants:

1. The Chief of Police, Deputy Chief, or the Canine Unit designated supervisor will make the determination if a Canine Officer should be called to the scene where a search warrant is being executed.
2. The Canine Officer will be apprised of the situation at the scene to determine how and where the canine will be deployed and utilized.
3. Request for utilization of a Canine Officer by another agency will be referred to the Chief of Police, Deputy Chief or the Canine Unit designated supervisor for approval.

B. Vehicle Searches:

1. When on duty, the Canine Officer may be requested by officers to search at the scene of a traffic stop.
2. When the Canine Officer is off duty, the on shift supervisor may contact the Chief of Police, Deputy Chief or the designated Canine Supervisor to request the Canine Officer.
3. Once the Canine Officer has arrived at the scene, it is the duty of the officer initiating the stop, or the on scene supervisor to confer with the Canine Officer and apprise him/her of the situation.

C. Searches (General Instructions)

1. When a Canine Unit is to be used for a building or residence search, if at all possible, all parties should be contained in an area other than that to be searched. The canine should be the first to enter the area to be searched in order to avoid confusing the scent.
2. When a canine is to be used for searching an open field, all persons not authorized by the Canine Officer will be cleared from the area to be searched. Whenever possible, officers will avoid walking in the area to be searched prior to the arrival of the Canine Officer.
3. When the canine is used in public places:
 - a. Canines will not be taken into crowded public places (i.e. bars, theaters, restaurants, etc.) without prior approval of a supervisor at the scene.
 - b. When a canine is used in a public place, the Canine Officer will make every effort to clear the scene.
 - c. The canine will be kept on a leash when in crowded public places.
 - d. The canine will be kept on a leash in areas where the public has access unless being actually used for specific police purposes for which it has been trained off leash.

- e. The canine shall not be left unattended in a manner in which it may have contact with the public.
- D. Legality of Use: The Canine Officer (Handler) shall be responsible for ensuring the legality of the use of a canine in Police Operations, and should be ever mindful of the legalities involved in working a canine in a Police function.

III. The Canine Handler:

- A. The position of Canine Handler is considered a special assignment and is appointed at the discretion of the Chief of Police.
- B. The Canine Officer's work schedule will be at the discretion of the Chief of Police and maintained by the Canine Handler's assigned supervisor.
- C. The Canine Officer shall make himself/herself and his canine available when reasonably requested by duly authorized authority.
- D. The Police Canine is a law enforcement tool, and is to be used with the same restraint and professional conduct which may be properly required of any other method designed for law enforcement.
- E. It shall be the duty and responsibility of the handler to keep the canine in such physical condition that it is able to perform the duties expected of Police Service dogs.
- F. Any indication that the canine is not in good condition shall be immediately reported to the Chief of Police, Deputy Chief or the designated supervisor for Canine Operations.
- G. The canine shall be groomed as needed.
- H. The canine is to be examined by the handler daily.
- I. The Canine Handler shall be compensated for upkeep and grooming as required by labor laws.
- J. All veterinary attention not of an immediate nature shall be coordinated by the Canine Handler.
- K. In the event that emergency veterinary services are required for the canine, the handler will submit a report to the Chief of Police or the Deputy Chief at the earliest opportunity following the emergency.
- L. The canine will be kept at the home of the handler, in quarters which have been approved by the Chief of Police.
 - 1. The canine's quarters or kennel area shall be kept in a clean, sanitary condition.
 - 2. The canine shall be kept securely, or under the direct control of the handler while off duty.
- M. The Canine Handler shall not involve himself/herself in any off duty activities with the canine, without prior approval from the Chief of Police or Deputy Chief.
- N. The handler shall keep a log of responses with the canine, whether an arrest was made or not, and shall submit proper reports as required by the Department.
- O. Equipment shall be maintained in good working order. Faulty equipment is to be reported to the Chief of Police Deputy Chief of designated canine supervisor for repair or replacement.
- P. The Canine Police Vehicle is to be kept in good working order. It is to be kept clean, vacuumed, and disinfected.
- Q. The Canine Handler will wear a uniform approved by the Chief of Police while working the canine.
- R. The Canine Handler shall train with his assigned canine on a regular basis and shall document said training indicating the time and type of training.

IV. Hours of work

- A. Officers assigned duties as Canine Handlers will accrue 30 minutes per day for the following duties: Bathing, brushing, exercising, feeding, grooming, cleaning of the dog's kennel or transport vehicle, administering drugs or medicine for illness and or transporting the dog to and from an animal hospital or veterinarian and other similar activities.
- B. All activities mentioned in section IV-A apply to work days as well as days off duty or during vacation periods unless the officer kennels the dog.
- C. The Canine Handler will normally be compensated by receiving time off from duties during his regular work week, although he may be compensated with compensatory or overtime at the discretion of the Chief of Police.

V. Public Relations:

The use of a Department Canine for public relations programs and demonstrations for not-law enforcement groups (schools, churches, civic organizations, etc.) may be approved under the following conditions:

- A. All requests for programs or demonstrations must be screened and approved by the Chief of Police or the Deputy Chief.
- B. All statistics relating to use of the canine in Police functions will be approved by the Chief of Police or Deputy Chief prior to use and dissemination to the public.
- C. Public relations programs will not be allowed to interfere or conflict with the function of the canine and Canine Officer's duties in other legitimate law enforcement functions, and may be cancelled at any time when official police business requires it.
- D. When using the canine for public relations purposes, the handler shall prepare himself/herself, required equipment, literature, and the canine in such a manner as to present a professional and favorable image to the audience.

VI. Harm to Suspects/Individuals:

- A. In the event a suspect or other individual is harmed by the canine, whether on or off duty, the handler shall report the incident immediately to the on duty Patrol Supervisor.
- B. The supervisor will make a complete report of the incident, including statement from the handler, witness, and injured party.
- C. The supervisor will record all details of injury, including hospital or medical care.
- D. The supervisor will see that photographs are taken of the scene, and of the injuries.
- E. All necessary reports will be completed and forwarded to the Chief of Police as soon as possible.

VII. Retirement of Canines

- A. The Police Canine shall be permanently retired from service at such time as the animal is found by a veterinarian to be permanently incapable of performing its duties based on performance standards due to the following:
 - 1. Age
 - 2. Illness
 - 3. Injury

4. Any other incapacitating occurrences
- B. At the time the canine is found to be permanently incapable of performing its duties, and retirement is required, the Canine Handler shall have the first option of ownership of the dog.

This Policy is effective immediately and remains in effect until further notice.

Gary Wansick (Date)
Chief of Police



FRATERNAL ORDER OF POLICE

McAlester Lodge No. 97
foplodge97@yahoo.com

P.O. Box 1989, McAlester OK, 74502

President
Charles Rogers

To: Pete Stasiak , City Manager
City of McAlester
Date: 08-05-2015

The F.O.P. Lodge # 97 has looked at the McAlester Police Department Canine Operations Policy and has confirmed with our legal that it meets the requirements for appropriate compensation.

Sincerely,

Charles Rogers
President, FOP # 97

Vice President - Brian Greer • Treasurer - Bobby Coggin • Secretary - Max Clark



McAlester City Council

AGENDA REPORT

Meeting Date: August 11, 2015
Department: Public Works / Engineering
Prepared By: John C. Modzelewski, P.E., CFM
Date Prepared: August 4, 2015

Item Number: 7
Account Code: _____
Budgeted Amount: _____
Exhibits: 1

Subject

Consider and act upon, Change Order No. 2 to the contract with Carstensen Contracting, Inc for the construction of CIP#2 Improvements and authorize the Mayor to sign Change Order No. 2.

Recommendation

Motion to approve Change Order No. 2 to the contract with Carstensen Contracting, Inc and authorizing the Mayor to sign Change Order No. 2. The requested fourteen days changes the Contract Substantial Completion to April 18, 2015, and the cost decrease of \$2,572.17 changes the Contract amount to \$2,880,077.08 The cost of this change order, \$15,117.00, is offset by the Prime Coat line item that is not utilized with this project.

Discussion

This Change Order includes raising a drainage inlet on the NE corner of A Street and Miami Avenue and raising one inlet on the SW corner of A Street and Miami Avenue per the attached design. Raising these inlets improves the drainage and reduces maintenance required in the future. The cost of this change order, \$15,117.00, is offset by the Prime Coat line item that is not utilized with this project.

- 1) Reduces Line Item 16 (Prime Coat) by 775.85 gallons resulting in a cost savings of \$15,117.00.
- 2) Adds Item for inlets at NE Corner and SE Corner of A Street and Miami Avenue resulting in a cost of \$15,117.00.

Approved By

		<i>Initial</i>	<i>Date</i>
Department Head		JCM	08/04/15
City Manager	P. Stasiak	<u>PJS</u>	<u>8-6-15</u>

CITY OF McALESTER, OKLAHOMA

CHANGE ORDER NO. 2

OWNER: CITY OF McALESTER

DATE OF AGREEMENT: October 7, 2014

CONTRACTOR: Carstensen Contracting, Inc.

DATE OF CHANGE ORDER: June 11, 2015

PROJECT: CIP#2 A Street

The following changes are made to the CONTRACT Documents: includes raising a drainage inlet on the NE corner of A Street and Miami Avenue and raising one inlet on the SW corner of A Street and Miami Avenue per the attached design. Raising these inlets improves the drainage and reduces maintenance required in the future. The cost of this change order, \$15,117.00, is offset by the Prime Coat line item that is not utilized with this project.

JUSTIFICATION:

Original CONTRACT Price:	\$ 2,882,649.25
Present CONTRACT Price:	\$2,880,077.08
The CONTRACT price due to this Change Order No <u>2</u> will be (Increased) (Decreased) by:	\$ 0.00
The new CONTRACT price including this Change Order will be:	\$2,880,077.08

THE DAYS NEEDED FOR COMPLETION OF THIS WORK WILL BE: 10 days

CONTRACTOR:
Carstensen Contracting,, Inc.

OWNER:
City of McAlester

By: 


Steve Harrison, Mayor

ENGINEER:
Poe & Associates, Inc.
Consulting Engineers

By: 



CARSTENSEN

C O N T R A C T I N G , I N C .

CARSTENSEN CONTRACTING EXTRA COST DETAIL

Cost for all extras combined together

Item	Description	Quantity	Units	Price	Total
1	Inlets NE Corner and SE Corner A and Miami	1	LS	\$15,117.00	\$15,117.00

Changer Order Totals \$ 15,117.00

Notes - This price is for one Inlet on the NE Corner of A and Miami and one inlet and the SW corner of A and Miami. This is to raise the inlets per Poe & Associates design which I have attached.

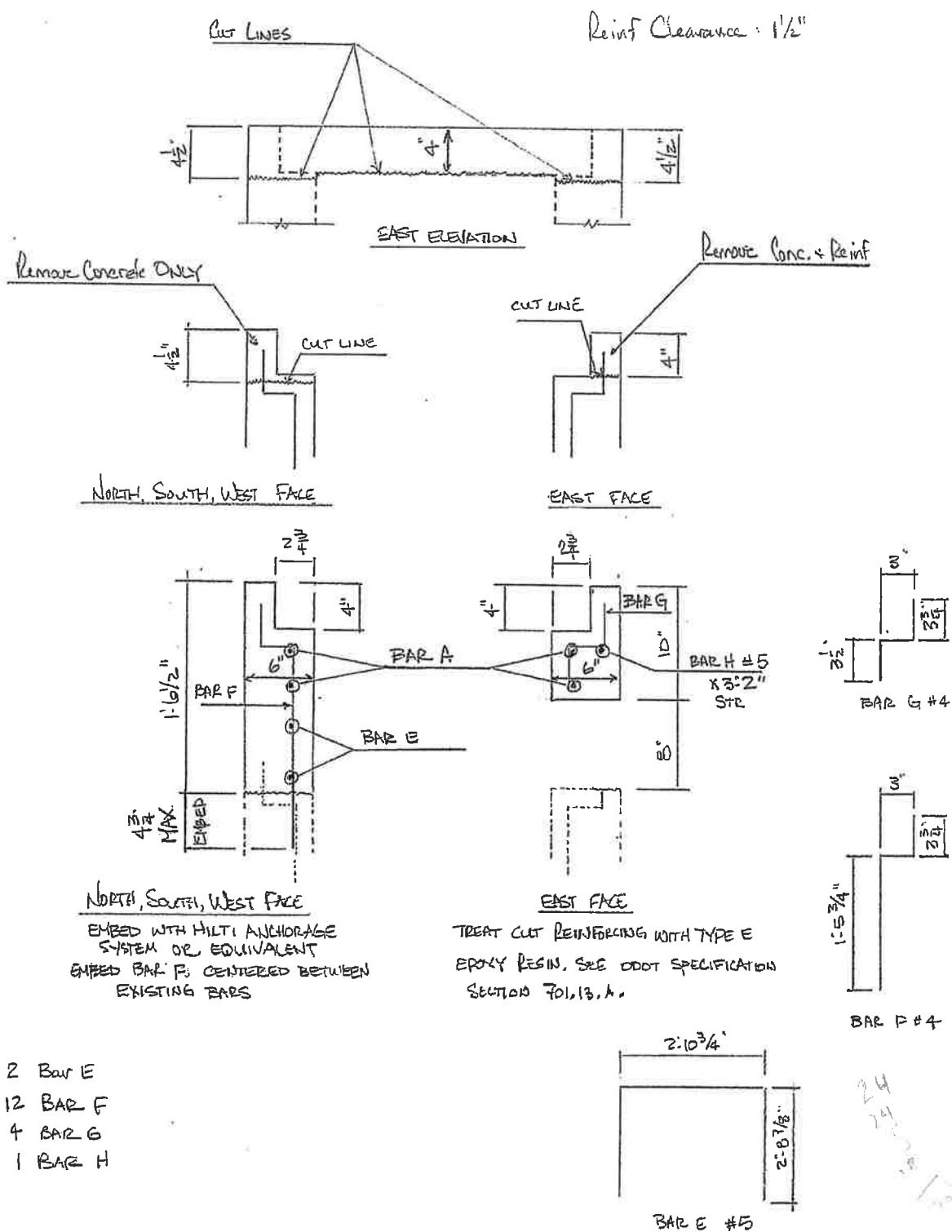
PROJECT McKlesher Street Light Project #2 @ A Street

NO. 203031 SHEET 1 OF 1

SUBJECT SND TYPE I ALTERATION

CALCULATED BY DATE

CHECKED BY _____ DATE _____





POE & ASSOCIATES, INC.

Consulting Engineers

525 Central Park Dr, Ste. 250 • Oklahoma City, OK 73105-1703 • (405) 949-1962

PROJECT McAlester Street Precast Project #1221 Street

NO. 203036 SHEET 1 OF 2

SUBJECT CDI ALTERATIONS

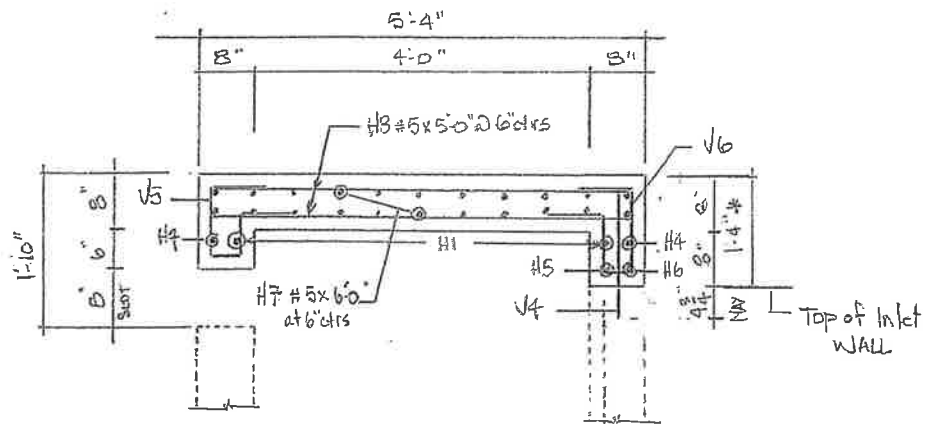
CALCULATED BY ES DATE _____

CHECKED BY _____ DATE _____

All Reinf 2" clear

1-H4 #4 24
1-H5 #4 15
1-H6 #4 16
22-H7 #5 110
26-H8 #5 130
31 V4 #5 72
13 V5 #5 39
31 V6 #5 104

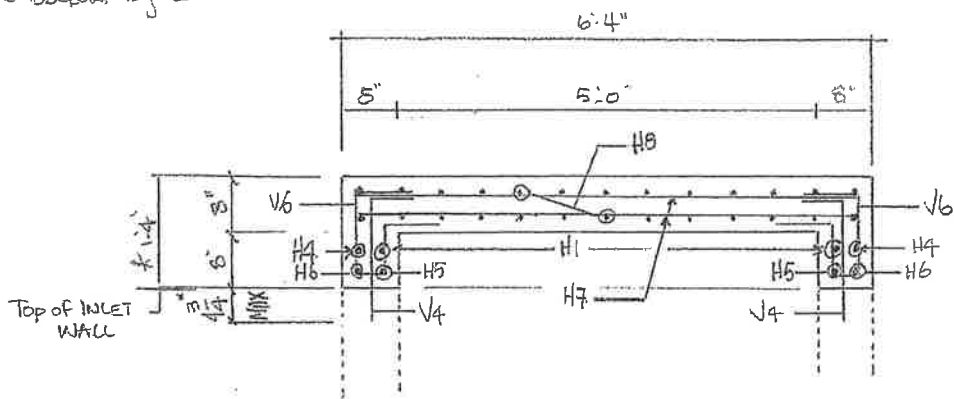
5/2



West Face

East Face

Cut H7 + H8 Bars to Clear
Main-Node Blockout by 2"



North Face

South Face

* Dimension to top of Inlet Wall. If wall has chamfer, remove portion of wall from the top of Inlet Wall to the bottom of chamfer. Dimension will adjust by depth of chamfer.

NORTH, SOUTH, EAST Face - Embed with Hilti Anchorage System or Equivalent. Embed V4 Bars Centered Between Existing.



POE & ASSOCIATES, INC.

Consulting Engineers

525 Central Park Dr, Ste. 250 • Oklahoma City, OK 73105-1703 • (405) 949-1962

PROJECT McAlester Street Reconstruction Proj 2 A Street

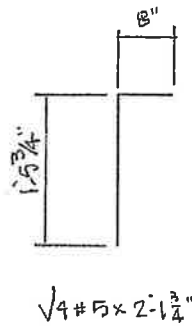
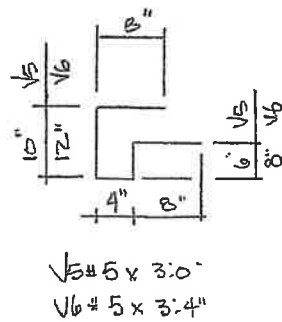
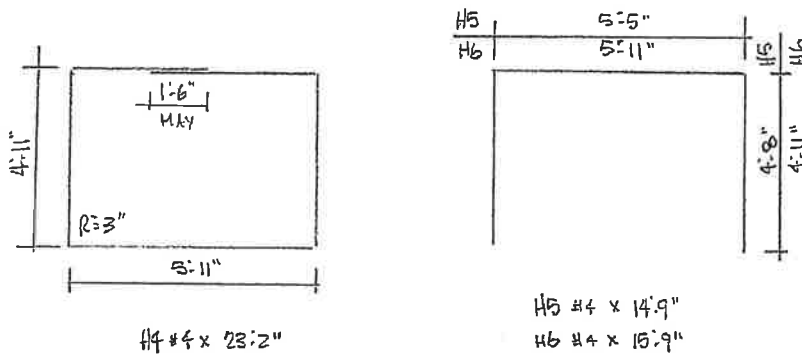
NO. 203031 SHEET 2 OF 2

SUBJECT CD 1 Autoclave Unit

CALCULATED BY SD DATE _____

CHECKED BY _____ DATE _____

Bar Details





McAlester City Council

AGENDA REPORT

Meeting Date: August 11, 2015 **Item Number:** 8
Department: Public Works / Engineering
Prepared By: John C. Modzelewski, P.E., CFM **Account Code:** _____
Date Prepared: August 4, 2015 **Budgeted Amount:** _____
Exhibits: 1

Subject

Consider and act upon, Change Order No. 3 to the contract with Carstensen Contracting, Inc for the construction of CIP#4 Improvements and authorize the Mayor to sign Change Order No. 3.

Recommendation

Motion to approve Change Order No. 3 to the contract with Carstensen Contracting, Inc and authorizing the Mayor to sign Change Order No. 3 which includes the replace 175 linear feet of 8" sewer main from manhole B1 north to a new manhole near Seneca Avenue due to the existing clay pipe leaking. This includes replacing the asphalt removed for this sewer trench. The cost of this change order, \$22,487.10, is offset by the lime stabilization line item that is not utilized with this project.

Discussion

This Change Order identifies the following changes:

- 1) Decreases Lime Line Item by 117.733 tons resulting in a decrease of \$22,487.10
- 2) Adds Line Items related to the replacement of 175 linear feet of 8" sewer main from manhole B1 north to a new manhole near Seneca Avenue due to the existing clay pipe leaking. This includes replacing the asphalt removed for this sewer trench. for core drilling of two holes resulting in a cost of \$22,487.10

Approved By

Department Head
City Manager

P. Stasiak

Initial
JCM

PJS

Date
08/05/15

8-6-15

CITY OF McALESTER, OKLAHOMA

CHANGE ORDER NO. 3

OWNER: CITY OF McALESTER

DATE OF AGREEMENT: April 20, 2015

CONTRACTOR: Carstensen Contracting, Inc.

DATE OF CHANGE ORDER: August 3, 2015

PROJECT: CIP#4 South Avenue

The following change is made to the **CONTRACT** Documents: replace 175 linear feet of 8" sewer main from manhole B1 north to a new manhole near Seneca Avenue due to the existing clay pipe leaking. This includes replacing the asphalt removed for this sewer trench. The cost of this change order, \$22,487.10, is offset by the lime stabilization line item that is not utilized with this project.

JUSTIFICATION:

Original CONTRACT Price:	\$ 2,942,565.20
Present CONTRACT Price:	\$ 2,942,565.20
The CONTRACT price due to this Change Order No. <u>3</u> will be (Increased) (Decreased) by:	\$ 0.00
The new CONTRACT price including this Change Order will be:	\$ 2,942,565.20

THE DATE FOR COMPLETION OF ALL WORK WILL BE: unchanged; February 13, 2016

CONTRACTOR:
Carstensen Contracting, Inc.

OWNER:
City of McAlester

By: 

Steve Harrison, Mayor

ENGINEER:
Poe & Associates, Inc.
Consulting Engineers

By: 



CARSTENSEN

C O N T R A C T I N G , I N C .

CARSTENSEN CONTRACTING EXTRA COST DETAIL

Note: The price below reflect 175' of sanitary sewer from Manhole B1 North 175' to next manhole. This is due to existing clay pipe broke and leaking. We have priced out removing and replacing 6' wide of asphalt, this may be more if asphalt road breaks out more during removal and excavation. This is also figured for 4" of asphalt paving.

Cost for all extras combined together

Item	Description	Quantity	Units	Price	Total
11	Aggregate Base Type A	25	CY	\$67.00	\$1,675.00
12A	Stabilized Subgrade	120	SY	\$3.50	\$420.00
13A	Subgrade Method B	120	SY	\$5.50	\$660.00
14	Separator Fabric	132	SY	\$1.50	\$198.00
15	Tack Coat	10	GAL	\$8.40	\$84.00
16	Prime Coat	100	GAL	\$8.40	\$840.00
17	Superpave Type S4	25	TON	\$245.00	\$6,125.00
111	Unclassified Excavation	90	CY	\$9.74	\$876.60
114	8" PVC Pipe Sewer Main	175	LF	\$39.00	\$6,825.00
115	Manhole 4' Standard	1	EA	\$3,241.00	\$3,241.00
116	Additional Depth Manhole	1.5	VF	\$225.00	\$337.50
121	Video Inspection Post	175	LF	\$3.00	\$525.00
122	Leakage Test Manhole	1	EA	\$155.00	\$155.00
123	Deflection Leakage Test	175	LF	\$3.00	\$525.00
	Total				\$22,487.10

Juan P. Dela
Pdc, Associates, Inc.
4 August 2015

Council Chambers
Municipal Building
July 28, 2015

The McAlester Airport Authority met in Regular session on Tuesday, July 28, 2015 at 6:00 P.M. after proper notice and agenda was posted July 24, 2015.

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

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

- Approval of the Minutes from the July 14, 2015, Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, regarding claims ending July 21, 2015. (*Toni Ervin, Chief Financial Officer*) in the amount of \$1,173.

Airport Grant - \$232,308.95.

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

AYE: Trustees Karr, Smith, Read, Titsworth, Barnett, Garvin & 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 Karr, Smith, Read, Titsworth, Barnett, Garvin & Chairman Harrison
NAY: None

Chairman Steve Harrison declared the motion carried.

Steve Harrison, Chairman

ATTEST:

Cora Middleton, Secretary

Council Chambers
Municipal Building
July 21, 2015

The McAlester Public Works Authority met in Special session on Tuesday, July 21, 2015 at 5:30 P.M. after proper notice and agenda was posted July 20, 2015.

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

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

- Confirm action taken on City Council Agenda Item 1, an ordinance of the City of McAlester relating to the imposition of a city excise tax (sales tax) of one half percent (.5%) in addition to any and all other excise taxes now in force, for the purpose of funding street construction, repairs, maintenance, and improvements, as well as related infrastructure improvements within the project areas. (*William J. Ervin, Jr., City Attorney*)
- Confirm action taken on City Council Agenda Item 2, an ordinance of the City of McAlester, amending prior ordinance 2159, relating to the imposition of a city excise tax (sales tax) of one half percent (.5%) in addition to any and all other excise taxes now in force; extending said excise tax, and from the date of said extension, repurposing the one half percent (.5%) excise tax presently being levied pursuant to said ordinance no. 2159 for the purpose of funding street construction, repairs, maintenance, and improvements, as well as related infrastructure improvements within the project areas. (*William J. Ervin, Jr., City Attorney*)
- Confirm action taken on City Council Agenda Item 3, resolution authorizing the calling and holding of an election in the City of McAlester, State of Oklahoma, for the purpose of submitting to the registered qualified electors of said city the question of approval or rejection of the ordinances contained in items 1 and 2 above. (*William J. Ervin, Jr., City Attorney*)

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

AYE: Trustees Smith, Read, Karr & Chairman Harrison
NAY: Trustee Titsworth

Chairman Harrison declared the motion carried.

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

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

NAY: None

Chairman Harrison declared the motion carried.

ATTEST:

Steve Harrison, Chairman

Cora Middleton, Secretary

Council Chambers
Municipal Building
July 28, 2015

The McAlester Public Works Authority met in Regular session on Tuesday, July 28, 2015 at 6:00 P.M. after proper notice and agenda was posted July 24, 2015.

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

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

- Approval of the Minutes from the July 14, 2015, Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, regarding claims ending July 21, 2015. (*Toni Ervin, Chief Financial Officer*) in the amount of \$ 311,182.07.
- Confirm action taken on City Council Agenda Item G, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #1", in the amount of \$108,602.96, for the construction of road and infrastructure improvements related to CIP#1 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item H, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #7", in the amount of \$213,619.28, for the construction of road and infrastructure improvements related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item I, authorization of payment to Carstensen Contracting, Inc. "Contractor's Application for Payment #2", in the amount of \$369,583.28, for the construction of road and infrastructure improvements related to CIP#4 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item J, to concur with the Oklahoma Municipal Assurance Group recommendation to deny Claim No. 200705-KW. (*Cora Middleton, City Clerk*)

- Confirm action taken on City Council Agenda Item K, to concur with the Oklahoma Municipal Assurance Group recommendation to deny Claim No. 200554-ME. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item L, to concur with the Oklahoma Municipal Assurance Group recommendation to deny Claim No. 200538-ME. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 5, authorizing the Mayor to sign a Professional Services Agreement with EST, Inc., for Construction Management Services related to CIP#4 Amendment, which includes a segment of Sixth Street from Chadick Park to Wyandotte Avenue. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 6, Change Order No. 5 to the contract with T. McDonald Construction, Inc. for the construction of Second Street Improvements and authorize the Mayor to sign Change Order No. 5 resulting in the addition of seven (7) days and adding \$2,930.00 to the Contract Price. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 7, Final and Contractor's Pay Estimate No. 4 for contract with Garrow Construction, LLC. to construct the 30-inch Water Plant Pump Header Replacement, and necessary appurtenances, at the Water Treatment Plant, and accept the project as completed. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 8, Change Order No. 1 to the contract with Carstensen Contracting, Inc for the construction of CIP#4 Improvements and authorize the Mayor to sign Change Order No. 1. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item "New Business", to approve Change Order No. 2 for CIP #4.

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

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

NAY: None

Chairman Harrison declared the motion carried.

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

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

NAY: None

Chairman Harrison declared the motion carried.

ATTEST:

Steve Harrison, Chairman

Cora Middleton, Secretary