



McAlester City Council

NOTICE OF MEETING

Regular Meeting Agenda

Tuesday, November 10, 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

CITIZENS COMMENTS ON NON-AGENDA ITEMS

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

CONSENT AGENDA

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

- A. Approval of the Minutes from the October 27, 2015, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the November 2, 2015, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for October 21, 2015 through November 3, 2015. *(Toni Ervin, Chief Financial Officer)*
- D. Concur with the Mayor's reappointment of Dr. Michael Boyer to serve on the Airport Advisory Board for a term ending October 31, 2016. *(Steve Harrison, Mayor)*
- E. Concur with the Mayor's reappointment of Mr. Stephen Otis to serve on the Airport Advisory Board for a term ending October 31, 2016. *(Steve Harrison, Mayor)*
- F. Concur with the Mayor's reappointment of Mr. Mike Hogan to serve on the Airport Advisory Board for a term ending October 31, 2016. *(Steve Harrison, Mayor)*
- G. Concur with the Mayor's reappointment of Mr. Cecil Craig to serve on the Airport Advisory Board for a term ending October 31, 2016. *(Steve Harrison, Mayor)*
- H. Concur with the Mayor's reappointment of Mr. Carlton Bass to serve on the Airport Advisory Board for a term ending October 31, 2017. *(Steve Harrison, Mayor)*
- I. Concur with the Mayor's reappointment of Mr. David Verner to serve on the Airport Advisory Board for a term ending October 31, 2017. *(Steve Harrison, Mayor)*
- J. Concur with the Mayor's reappointment of Mr. Randy Walters to serve on the Airport Advisory Board for a term ending October 31, 2017. *(Steve Harrison, Mayor)*
- K. Concur with the Mayor's appointment of Mr. Brandon John to serve on the Airport Advisory Board for a term ending October 31, 2017. *(Steve Harrison, Mayor)*
- L. Accept and place on file the McAlester Main Street 1st Quarter Performance Report. *(Lacey Sudderth, Executive Director)*
- M. Consider and act upon, authorizing the Mayor to sign the "Evidence of Tax Exempt Status" and "Sales Tax Exemption Certificate" for the Illinois Avenue Drainage Improvements project. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*

- N. Consider and act upon, authorizing the Mayor to sign the Smart Phone meter reading system agreement. This is the current company that does our meter reader's Handhelds contract. This is an upgrade in services and a savings in cost. *(Toni Ervin, Chief Financial Officer)*
- O. Consider and act upon, authorization of payment to Carsentsen Construction, Inc., Contractor's Application for Payment #1, in the amount of \$97,137.70, for the construction of road and infrastructure improvements related to CIP#4A and funded through the McAlester Public Works Authority Construction fund Series **2014** Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
Note: Previous request was for payment to be drafted from 2013 funding. Those funds have been depleted.
- P. Consider and act upon, authorization of payment to Carsentsen Construction, Inc., Contractor's Application for Payment #5, in the amount of \$557,360.70, for the construction of road and infrastructure improvements related to CIP#4 and funded through the McAlester Public Works Authority Construction fund Series **2014** Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
Note: Previous request was for payment to be drafted from 2013 funding. Those funds have been depleted.
- Q. Consider and act upon, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #12, in the amount of \$364,325.68, for the construction of road and infrastructure improvements related to CIP#3 and funded through the McAlester Public Works Authority Construction fund Series 2014 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- R. Consider and act upon, authorization of payment to Infrastructure Solutions Group, LLC; dba Mehlburger Brawley, Invoice # MC-14-06-12, in the amount of \$ 9,040.50, for Construction Management and Resident Project Representative Services related to CIP#3 and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- S. Consider and act upon, authorizing the Mayor to sign the Sales and Use Tax Administration Agreement recently agreed upon between the Oklahoma Tax Commission and Oklahoma Municipal League Liaison Board. This agreement replaces the current separate Sales and Use Tax Agreements. *(Toni Ervin, Chief Financial Officer)*

ITEMS REMOVED FROM CONSENT AGENDA

PUBLIC HEARING

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

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICT FOR LOT 5, IN BLOCK 416, CITY OF MCALESTER, FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-2 NEIGHBORHOOD CONVENIENCE DISTRICT.

AN ORDINANCE, AMENDING ARTICLE II DISCRIMINATION, SECTION 58-26 THROUGH 58-97 OF MCALESTER CITY CODES TO BRING ARTICLE II DISCRIMINATION INTO COMPLIANCE WITH APPLICABLE STATE AND FEDERAL LAW, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

SCHEDULED BUSINESS

1. Presentation of the McAlester Regional Health Center Audit for Fiscal Year 2015. *(Darryl Linnington, CFO)*

Executive Summary
Presentation.

2. Presentation and discussion of a Stormwater Utility Fee. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

Executive Summary
Presentation and discussion of the development of a Stormwater Utility Fee.

3. 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 classification of the zoning district for Lot 5, in Block 416, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma from R1-B (Single-Family Residential District) to C-2 (Neighborhood Convenience District). *(Leroy Alsup, Community and Economic Development Director)*

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 C-2 (Neighborhood Convenience District) and authorizing the Mayor to sign the ordinance.

4. Consider and act upon, a "Use Permit After Review" in the "Wade Watts Corridor" for the use of the property at 1401 Wade Watts Avenue as a "barbershop and beauty shop". *(Leroy Alsup, Community and Economic Development Director) Reference Note: If the*

rezoning ordinance proposed for this property at 1401 Wade Watts Avenue is approved by the City Council, it is recommended that this agenda item should be pulled.

Executive Summary

Motion to approve a "Use Permit After Review" in "Wade Watts Corridor" for the use of the property at 1401 Wade Watts Avenue as a "barbershop and beauty shop" and to authorize the Mayor to sign the "Use Permit after Review" approval form.

5. Consider and act upon, an ordinance amending Article II Discrimination, Section 58-26 through Section 58-97 of McAlester City Codes to bring Article II Discrimination into compliance with applicable state and federal law; repealing all conflicting ordinances, and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*

Executive Summary

Staff recommends a motion to approve updates in McAlester City Code Article II. Discrimination.

6. **TABLED FROM OCTOBER 27, 2015 MEETING:** Consider and act upon, to provide written notice of termination of the Professional Services Agreements with EST, Inc. for Construction Management Services related to CIP #2, CIP#4, and CIP #4A. *(Peter Stasiak, City Manager)*

Executive Summary

Consider and act upon sending written notice of termination to EST, Inc.

7. Consider and act upon, to authorize the Mayor to sign a Resolution allowing the City Manager limited authority to approve certain construction contract change orders for purposes of efficiency, flexibility and economy. *(Joe Ervin, City Attorney)*

Executive Summary

Staff recommends authorization for the City Manager to approve certain construction contract change orders subject to specific restrictions and conditions.

8. Discussion and possible action to accept recommended goals and objectives for the City manager for FY2015-2016. *(Weldon Smith, Councilman Ward One)*

Executive Summary

Discussion.

9. Consider and act upon, a Resolution establishing a Ward Commission for the City of McAlester. *(Steve Harrison, Mayor)*

Executive Summary

A motion to approve the establishment of a Ward Commission for the City of McAlester per the City Charter. The Charter provides that said Ward Commission shall consist of seven members, with each City Council person appointing one member and those six members, with the affirmative vote of at least four, choosing the seventh member who shall be chairman.

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 October 27, 2015, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending November 3, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item D, concur with the Mayor's reappointment of Dr. Michael Boyer to serve on the Airport Advisory Board for a term ending October 31, 2016. *(Steve Harrison, Mayor)*
- Confirm action taken on City Council Agenda Item E, concur with the Mayor's reappointment of Mr. Stephen Otis to serve on the Airport Advisory Board for a term ending October 31, 2016. *(Steve Harrison, Mayor)*
- Confirm action taken on City Council Agenda Item F, concur with the Mayor's reappointment of Mr. Mike Hogan to serve on the Airport Advisory Board for a term ending October 31, 2016. *(Steve Harrison, Mayor)*
- Confirm action taken on City Council Agenda Item G, concur with the Mayor's reappointment of Mr. Cecil Craig to serve on the Airport Advisory Board for a term ending October 31, 2016. *(Steve Harrison, Mayor)*
- Confirm action taken on City Council Agenda Item H, concur with the Mayor's reappointment of Mr. Carlton Bass to serve on the Airport Advisory Board for a term ending October 31, 2017. *(Steve Harrison, Mayor)*
- Confirm action taken on City Council Agenda Item I, concur with the Mayor's reappointment of Mr. David Verner to serve on the Airport Advisory Board for a term ending October 31, 2017. *(Steve Harrison, Mayor)*

- Confirm action taken on City Council Agenda Item J, concur with the Mayor's reappointment of Mr. Randy Walters to serve on the Airport Advisory Board for a term ending October 31, 2017. *(Steve Harrison, Mayor)*
- Confirm action taken on City Council Agenda Item K, concur with the Mayor's appointment of Mr. Brandon John to serve on the Airport Advisory Board for a term ending October 31, 2017. *(Steve Harrison, Mayor)*
- Confirm action taken on City Council Agenda Item 5, an ordinance amending Article II Discrimination, Section 58-26 through Section 58-97 of McAlester City Codes to bring Article II Discrimination into compliance with applicable state and federal law; repealing all conflicting ordinances, and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 9, a Resolution establishing a Ward Commission for the City of McAlester. *(Steve Harrison, Mayor)*

ADJOURN MAA

CONVENE AS McALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

- Approval of the Minutes from the October 27, 2015, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Approval of the Minutes from the November 2, 2015, Special Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending November 3, 2015. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item M, authorizing the Mayor to sign the "Evidence of Tax Exempt Status" and "Sales Tax Exemption Certificate" for the Illinois Avenue Drainage Improvements project. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item N, authorizing the Mayor to sign the Smart Phone meter reading system agreement. This is the current company that does our meter reader's Handhelds contract. This is an upgrade in services and a savings in cost. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item O, authorization of payment to Carsentsen Construction, Inc., Contractor's Application for Payment #1, in the amount of \$97,137.70, for the construction of road and infrastructure improvements related to CIP#4A and funded through the McAlester Public Works Authority Construction fund

Series **2014** Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)Note: Previous request was for payment to be drafted from 2013 funding. Those funds have been depleted.*

- Confirm action taken on City Council Agenda Item P, authorization of payment to Carsentsen Construction, Inc., Contractor's Application for Payment #5, in the amount of \$557,360.70, for the construction of road and infrastructure improvements related to CIP#4 and funded through the McAlester Public Works Authority Construction fund Series **2014** Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)Note: Previous request was for payment to be drafted from 2013 funding. Those funds have been depleted.*
- Confirm action taken on City Council Agenda Item Q, authorization of payment to T. McDonald Construction, Inc., Contractor's Application for Payment #12, in the amount of \$364,325.68, for the construction of road and infrastructure improvements related to CIP#3 and funded through the McAlester Public Works Authority Construction fund Series 2014 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item R, authorization of payment to Infrastructure Solutions Group, LLC; dba Mehlburger Brawley, Invoice # MC-14-06-12, in the amount of \$ 9,040.50, for Construction Management and Resident Project Representative Services related to CIP#3 and funded through the McAlester Public Works Authority Construction Fund Series 2014 Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 2, presentation and discussion of a Stormwater Utility Fee. *(John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 5, an ordinance amending Article II Discrimination, Section 58-26 through Section 58-97 of McAlester City Codes to bring Article II Discrimination into compliance with applicable state and federal law; repealing all conflicting ordinances, and declaring an emergency. *(Toni Ervin, Chief Financial Officer)*
- **TABLED FROM OCTOBER 27, 2015 MEETING:** Confirm action taken on City Council Agenda Item 6, to provide written notice of termination of the Professional Services Agreements with EST, Inc. for Construction Management Services related to CIP #2, CIP#4, and CIP #4A. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 7, to authorize the Mayor to sign a Resolution allowing the City Manager limited authority to approve certain construction contract change orders for purposes of efficiency, flexibility and economy. *(Joe Ervin, City Attorney)*

- Confirm action taken on City Council Agenda Item 8, the discussion and possible action to accept recommended goals and objectives for the City manager for FY2015-2016. *(Weldon Smith, Councilman Ward One)*
- Confirm action taken on City Council Agenda Item 9, a Resolution establishing a Ward Commission for the City of McAlester. *(Steve Harrison, Mayor)*

ADJOURN MPWA

RECONVENE COUNCIL MEETING

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 a Regular session on Tuesday, October 27, 2015, at 6:00 P.M. after proper notice and agenda was posted, October 22, 2015 at 4:30 P.M.

Call to Order

Mayor Harrison called the meeting to order.

Councilman Buddy Garvin 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; Toni Ervin, CFO; John Modzelewski, City Engineer/Public Works Director; William J. Ervin, City Attorney and Cora Middleton, City Clerk

Citizens Comments on Non-Agenda Items

There were no Citizen's comments.

Consent Agenda

- A. Approval of the Minutes from the October 6, 2015, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the October 12, 2015, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of the Minutes from the October 13, 2015, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- D. Approval of Claims for October 7, 2015 through October 20, 2015. *(Toni Ervin, Chief Financial Officer)* In the following amounts: General Fund - \$125,518.56; Parking Authority - \$136.71; Nutrition - \$1,250.49; Landfill Res./Sub-Title D - \$3,778.00; Tourism Fund - \$3,270.49; SE Expo Center - \$2,288.54; E-911 - \$9,916.34; Economic

Development - \$19,462.78; Grants & Contributions - \$50.24; Fleet Maintenance - \$12,714.83; Worker's Compensation - \$941.68; CIP Fund - \$246,929.00 and Technology Fund - \$327.93.

- E. Consider and act upon, authorization of payment to Carstensen Construction, Inc., Contractor's Application for Payment #1, in the amount of \$97,137.70, for the construction of road and infrastructure improvements related to CIP#4A 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)*
- F. Consider and act upon, authorization of payment to Carstensen Construction, Inc., Contractor's Application for Payment #5, in the amount of \$579,276.80, 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)*
- G. Consider and act upon, authorization of payment to Collins Waterworks, LLC., Invoice No. 1028, in the amount of \$11,350.00, for the construction of water improvements related to Economic Development and funded through the McAlester Public Works Authority Construction Fund Series Note Indenture, dated as of December 1, 2011, Project Account. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- H. Consider and act upon, authorizing the Mayor to sign a "Planned Maintenance (PM) Agreement" between the City of McAlester and Clifford Power System, Inc. (CPS) to perform periodic Planned Maintenance on eight generators located in various City-owned facilities. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- I. Consider and act upon, authorizing the Mayor to sign a five (5) year lease agreement with Med-Trans Corporation for hangar and land lease at McAlester Regional Airport. *(Peter Stasiak, City Manager)*
- J. Concur with the Mayor's reappointment of Mr. David Cantrell to serve on the Community Tree Board for a term ending September, 2017. *(Steve Harrison, Mayor)*
- K. Concur with the Mayor's reappointment of Ms. Tedi Graham to serve on the Community Tree Board for a term ending September, 2017. *(Steve Harrison, Mayor)*
- L. Concur with the Mayor's reappointment of Ms. Sabra Tate to serve on the Community Tree Board for a term ending September, 2017. *(Steve Harrison, Mayor)*
- M. Concur with the Mayor's appointment of Ms. Stephanie Giacomo to serve on the Community Tree Board for a term ending September, 2017. *(Steve Harrison, Mayor)*
- N. Consider and act upon, to authorize the Mayor to cast his vote on the proposed Oklahoma Municipal League By-Laws Amendments dated September 24, 2015. *(Cora Middleton, City Clerk)*

Mayor Harrison requested that item “D” be removed for individual consideration.

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

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

NAY: None

Mayor Harrison declared the motion carried.

Items Removed from Consent Agenda

- D. Approval of Claims for October 7, 2015 through October 20, 2015. (*Toni Ervin, Chief Financial Officer*) In the following amounts: General Fund - \$125,518.56; Parking Authority - \$136.71; Nutrition - \$1,250.49; Landfill Res./Sub-Title D - \$3,778.00; Tourism Fund - \$3,270.49; SE Expo Center - \$2,288.54; E-911 - \$9,916.34; Economic Development - \$19,462.78; Grants & Contributions - \$50.24; Fleet Maintenance - \$12,714.83; Worker’s Compensation - \$941.68; CIP Fund - \$246,929.00 and Technology Fund - \$327.93.

A motion was made by Councilman Karr and seconded by Vice-Mayor Read to approve Claims for October 7, 2015 through October 20, 2015.

Before the vote, Mayor Harrison explained that he had pulled this item because there was a payment to him and he would abstain. There was no further discussion, and the vote was taken as follows:

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

NAY: None

ABSTAIN: Mayor Harrison (counted as no)

Mayor Harrison declared the motion carried.

Scheduled Business

1. Discussion and update on Financials. (*Toni Ervin, Chief Financial Officer*)
Executive Summary
Discussion.

CFO Ervin addressed the Council reviewing the City’s current financial status. She explained the City and MPWA were not quite making the budget with expenditures but they were watching their expenses, which were under budget at this time. She also explained that the revenues and expenses for the MPWA were skewed because of the recent refinancing of the bonds. She then

reviewed the City's sales tax receipts, the three (3) year pattern that she had seen, the increase in the use tax receipts, police fines and water sales.

Mayor Harrison asked if there was any indication of what was causing the use tax to increase.

CFO Ervin commented that information could be tracked and be presented by code to the Council.

There was no vote on this item.

2. Consider and act upon, authorizing the Mayor to sign the McAlester Regional Airport (MLC) Five Year Capital Improvement Plan. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

Executive Summary

Motion to authorize the Mayor to sign the McAlester Regional Airport (MLC) Five Year Capital Improvement Plan.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to authorize the Mayor to sign the McAlester Regional Airport (MLC) Five Year Capital Improvement Plan.

Before the vote, Director Modzelewski addressed the Council explaining that the FAA's Airport Development Office was in the process of confirming projects for FY 2016. He stated that Manager Stasiak and Airport Manager Mellor had met with the FAA officials and discussed the need to fix the Airport's rotating beacon. Director Modzelewski added that there was \$46,043 in funds that would expire next year if the City did not do a project and LBR, the City's airport consultant recommended doing this project.

Councilman Smith asked if the \$46,000 would cover the beacon and Director Modzelewski stated that the estimate was close to that amount.

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.

3. Consider and act upon, a Professional Services Agreement with Infrastructure Solutions Group, LLC dba Mehlburger Brawley for engineering services required for the design of the 2015 Community Development Block Grant (CDBG) Small Cities Water Improvements. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

Executive Summary

Motion to approve and authorize the Mayor to sign the Professional Services Agreement with, Infrastructure Solutions Group, LLC dba Mehlburger Brawley for Professional Engineering Services to complete work required for the 2015 Community Development Block Grant (CDBG) Small Cities Water

Improvements. The Lump Sum fee for Engineering design is \$23,500 and Resident Project Representative during construction is \$8,900.00.

A motion was made by Councilman Karr and seconded by Councilman Smith to approve and authorize the Mayor to sign the Professional Services Agreement with, Infrastructure Solutions Group, LLC dba Mehlburger Brawley for Professional Engineering Services to complete work required for the 2015 Community Development Block Grant (CDBG) Small Cities Water Improvements.

Before the vote, Director Modzelewski addressed the Council explaining that this years' grant was more than in the past. He stated that with the City's match the total amount would be \$258,012.00 and two (2) project areas had been identified in the northwestern part of McAlester. He added that the proposed projects would be to replace the old water mains with new mains adequate in size and material to serve the areas for the next thirty (30) to forty (40) years. He added that the fee for the Engineering design was \$23,500 and the Resident Project Representative fee would be \$8,900.00.

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

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

NAY: None

Mayor Harrison declared the motion carried.

4. Consider and act upon, Change Order No. 7 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Improvements and authorize the Mayor to sign Change Order No. 7. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

Executive Summary

Motion to approve Change Order No. 7 to the contract with Carstensen Contracting, Inc. and authorizing the Mayor to sign Change Order No. 7 which increases the Contract Price from \$3,030,346.23 to \$3,041,288.49.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to approve Change Order No. 7 to the contract with Carstensen Contracting, Inc. and authorizing the Mayor to sign Change Order No. 7 which increases the Contract Price from \$3,030,346.23 to \$3,041,288.49.

Before the vote, Director Modzelewski addressed the Council explaining that this Change Order included the addition of a two (2) foot six (6) inch retaining wall and would add an additional four (4) days to the project.

After a brief discussion among the Council including Director Modzelewski and Richard Petricek, with Poe & Associates concerning the retaining wall and if it had been missed by the engineers, the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

5. Discussion of the possible redrawing of the current ward boundaries. (*Steve Harrison, Mayor*)

Executive Summary

Discussion.

Mayor Harrison explained that he had asked for this to be included in the agenda. He commented on documents that had been furnished to the Council related to the election that changed the City's Charter. He then reviewed the section that addressed redrawing the City's Wards, explaining that the change allowed the City of McAlester to exclude the prison population from the number of citizens. He stated that Councilman Smith had contacted the professor in Ada that had helped with the previous Ward redrawing and he had taken a look at the preliminary numbers. Mayor Harrison commented that the professor had indicated that with the preliminary information the Wards would be within the allowances to set the Wards boundaries back to where they had previously been.

There was a brief discussion among the Council regarding the procedure that needed to be followed. Mayor Harrison stated that he would like to get started and asked the Councilmen to have their nominees for the Ward Commission to the City Manager by next Thursday. Councilman Smith asked if the City Clerk could send out a reminder at the first of next week.

There was no action taken on this item.

6. Consider and act to provide written notice of termination of the Professional Services Agreements with EST, Inc. for Construction Management Services related to CIP #2, CIP#4, and CIP #4A. (*Peter Stasiak, City Manager*)

Executive Summary

Staff recommends written notice of termination be forwarded to EST, Inc.

A motion was made by Councilman Smith and seconded by Vice-Mayor Read to provide written notice of termination of the Professional Services Agreements with EST, Inc. for Construction Management Services related to CIP #2, CIP#4, and CIP #4A.

Before the vote, Manager Stasiak addressed the Council explaining that this was about EST's oversight contracts with the City of McAlester. He stated that during all of the pre-construction meetings, City staff discussed Change Order procedures and expressed that Change Orders had to be approved by the City Council prior to the work being performed. He reviewed articles from Carstensen's Contracts and commented that Poe & Associates had been asked to review numbers in the contracts. He further commented on the comments that had been made by Mr. Hunter with EST at the October 2nd meeting and informed the Council of a meeting with representatives from EST that had occurred on Monday and he had spoken with Director Modzelewski. Manager Stasiak added that he had requested meeting notes from EST but had not received them at this time.

There was a lengthy discussion among the Council, Shane Long, Vice-President EST, Manager Stasiak and Attorney Ervin concerning language in the contract, inconsistencies with direction, who had authority to approve changes to the contracted work, how contractors would hope to balance a project, the process that produces Change Orders for the Council's consideration, the contract being identical with a contract with another engineering firm and what would need to be done if the Council chose not to terminate tonight.

Councilman Smith moved to table this item until the next meeting. The motion was seconded by Councilman Garvin.

Before the vote, Manager Stasiak commented that he hoped to have the requested meeting notes before the next meeting. There was no further discussion, and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried.

New Business

There was no New Business.

City Manager's Report

- Report on activities for the past two weeks.

Manager Stasiak thanked Councilman Garvin for his kind words about Pam Kirby. He informed the Council that Sandy Creek Canal Wall repair was complete, the City had received the FEMA reimbursement for the damage at the Softball Complex, the ODOT meeting would be posted, the Notice to Proceed on the 9th and Illinois project had been given to the contractor, Finley & Cook, the City's auditors would be in the City next week and this Thursday, October 29th was the OML Dinner at Pete's in Krebs. He added that if any of the Council wished to attend they could still get tickets.

Remarks and Inquiries by City Council

Councilman Karr expressed condolences to Pam Kirby's family.

Councilman Garvin asked that all of the children that would be Trick-or-Treating Saturday evening to be careful.

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

Mayor's Comments and Committee Appointments

Mayor Harrison expressed condolences for Pam Kirby. He then stated that there was one (1) vacancy on the Expo Board and if any of the Council had recommendations to give him the names.

Recess Council Meeting

Mayor Harrison asked for a motion to recess the Regular Meeting to convene the Authorities. Councilman Smith moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilman Karr. There was no discussion, and the vote was taken as follows:

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

Mayor Harrison declared the motion carried and the meeting was recessed at 7:33 P.M.

Reconvene Council Meeting

The meeting was reconvened at 7:35 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 Councilman Garvin.

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, and the meeting was adjourned at 7:35 P.M.

ATTEST:

Steve Harrison, Mayor

Cora Middleton, City Clerk

The McAlester City Council met in Special session on Monday, November 2, 2015, at 5:30 P.M. after proper notice and agenda was posted, October 30, 2015, at 2:41 P.M.

Call to Order

Mayor Harrison called the meeting to order.

Roll Call

Council Roll Call was as follows:

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

Absent: None

Presiding: Steve Harrison, Mayor

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

Scheduled Business

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

Executive Summary

Motion to approve Change Order No. 8 to the contract with Carstensen Contracting, Inc. and authorize the Mayor to sign Change Order No. 8 which increases the Contract Price from \$3,041,288.49 to \$3,046,933.38.

A motion was made by Councilman Smith and seconded by Councilman Titsworth to approve Change Order No. 8 to the contract with Carstensen Contracting, Inc. and authorize the Mayor to sign Change Order No. 8 which increases the Contract Price from \$3,041,288.49 to \$3,046,933.38.

Before the vote, Director Modzelewski addressed the Council explaining that this Change Order included modifying the trench box constructed across 14th Street to support the original frame and grate. He stated that it would also add four (4) days.

After a brief discussion among the Council and Manager Stasiak regarding which side of 14th Street this affected, the drain collapsing, what the email included in the agenda packet indicated, the available options to address this matter and if the additional cost was all concrete work, the vote was taken as follows:

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

Mayor Harrison declared the motion carried.

2. Consider and act upon, Change Order No. 9 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Amendment Improvements and authorize the Mayor to sign Change Order No. 9. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

Executive Summary

Motion to approve Change Order No. 9 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Amendment Improvements and authorizing the Mayor to sign Change Order No. 9 which will not increase the Contract Price of \$3,046,933.38.

A motion was made by Councilman Karr and seconded by Councilman Smith to approve Change Order No. 9 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Amendment Improvements and authorize the Mayor to sign Change Order No. 9 which will not increase the Contract Price of \$3,046,933.38.

Before the vote, Director Modzelewski addressed the Council explaining that approximately one hundred ten feet (110') of the east section of South Avenue in the project area contained unsuitable material to reach required compaction and this Change Order would address that problem. He stated that there would be no additional cost to the project but it would add four (4) days to the project.

Mayor Harrison commented that the two (2) Change Orders combined added eight (8) days to the project making the projected completion date April 18, 2016. There was no further discussion, and the vote was taken as follows:

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

Mayor Harrison declared the motion carried.

Recess Council Meeting

Councilman Smith moved to recess the Special meeting and convene the McAlester Public Works Authority. The motion was seconded by Vice-Mayor Read 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 and the Special meeting was recessed at 5:40 P.M.

Reconvene Council Meeting

The Special meeting was reconvened at 5:40 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 and the vote was taken as follows:

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

NAY: None

Mayor Harrison declared the motion carried and the meeting was adjourned at 5:41 P.M.

ATTEST:

Steve Harrison, Mayor

Cora Middleton, City Clerk

CLAIMS FROM

**October 21, 2015
Thru
November 3, 2015**

PACKET : 13414 13420 13423 13438 13445 13453
 VENDOR SET: Mult
 FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1	MISC VENDOR					
	CORA MIDDLETON	I-201510287989	01 -5212331	EMPLOYEE TRAV OMCTFOA FALL CONFERENCE	076052	184.90
	TONI ERVIN	I-201511027999	01 -5211331	EMPLOYEE TRAV TRAVEL EXP- CLERKS/TREAS CONF	076053	197.48
01-A00028	"A" PLUS LAWN SERVICE					
		I-471867	01 -5542308	CONTRACTED SE CONTRACT MOWING	076055	1,250.00
01-A00267	AIRGAS, INC					
		I-9044723715	01 -5432202	OPERATING SUP EMS SUPPLIES	076057	182.38
01-A00345	ALL ABOUT U PLUMBING					
		I-15-00919	01 -5548316	REPAIRS & MAI REPAIR TO URINAL @ LIBRAR	076059	650.00
01-A00362	VYVE BROADBAND					
		I-201510217971	01 -5431328	INTERNET SERV INTERNET SVS-SOUTH FIRE ST	075998	62.95
		I-201510217971	01 -5431328	INTERNET SERV INTERNET SVS-NORTH FIRE ST	075998	62.95
		I-201510287987	01 -5547328	INTERNET SERV INTERNET SVS- OAK HILL CEM	076028	62.95
		I-201510287987	01 -5865328	INTERNET SERV INTERNET SVS- CENTRAL GARAGE	076028	83.85
01-A00500	AMERICAN MUNICIPAL SERV					
		I-26650	01 -2105	COLLECTION AG COURT COLLECTION FEES-09/2015	076060	7,801.51
01-A00525	AMERICAN PLANNING ASSOC					
		I-298335-15104	01 -5652330	DUES & SUBSCR MEMBERSHIP DUES-2016	076061	485.00
		I-A07	01 -5652331	EMPLOYEE TRAV WEBINAR FEES	076063	195.00
		I-A08	01 -5652331	EMPLOYEE TRAV WEBINAR FEES	076064	195.00
01-A00730	ASHLEY FOSTER					
		I-1	01 -5653215	AWARDS/NUC PR CAKES FOR AWARDS DINNER	076066	150.00
01-B00180	UNION IRON WORKS, INC.					
		I-S1883162.001	01 -5543203	REPAIRS & MAI MISC MAINT & REPAIR ITEMS	076068	2.93
01-B00503	BROKEN ARROW ELECTRIC S					
		I-S1962516.001	01 -5548203	REPAIRS & MAI MISC REPAIR ITEMS	076069	260.65
		I-S1965132.001	01 -5548203	REPAIRS & MAI MISC REPAIR ITEMS	076069	185.72
		I-S1965982.001	01 -5548203	REPAIRS & MAI MISC REPAIR ITEMS	076069	75.97
		I-S1966369.001	01 -5548203	REPAIRS & MAI MISC REPAIR ITEMS	076069	179.78
01-C00149	CANON FINANCIAL SERVICE					
		I-15412235	01 -5215312	EQUIPMENT REN MONTHLY COPIER LEASE	076030	873.50
01-C00276	CEDAR VALLEY NURSERIES					
		I-SI-16981	01 -5542358	TREE BOARD/TR TREE FOR CHADICK PK	076070	187.99
01-C00320	CENTERPOINT ENERGY ARKL					
		I-201510287985	01 -5215314	GAS UTILITY GAS EXP-315 E KREBS	076031	23.24
		I-201510287985	01 -5215314	GAS UTILITY GAS EXP-FIRE EMER RESP COMPLEX	076031	82.61

PACKET : 13414 13420 13423 13438 13445 13453
 VENDOR SET: Mult
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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00676	COOPER L. BROWN					
		I-15-00721	01 -5210480	CONTINGENCY ELECT WORK-COURT REMODEL	076072	915.00
		I-15-00721	01 -5210480	CONTINGENCY ELECT WORK-COURT REMODEL	076072	950.00
01-C00840	CRAWFORD & ASSOCIATES P					
		I-9375	01 -5215302	CONSULTANTS CONSULTANT FEES	076073	11,654.87
01-D00097	DASH MEDICAL GLOVES, IN					
		I-INV0956504	01 -5653213	SAFETY EXPENS SAFETY SUPPLIES/GLOVES	076074	283.60
01-D00402	DIAMOND TROPHY & ENGRAV					
		I-F20151002	01 -5653215	AWARDS/NUC PR SERVICE AWARD PLAQUES	076078	1,539.65
01-D00684	DR. JASON MCELYEA					
		I-001	01 -5432308	CONTRACTED SE CONTRACTED MEDICAL SVS	076080	1,071.00
01-E00266	ERVIN & ERVIN ATTORNEYS					
		I-10-28-2015	01 -5214302	CONSULTANTS LEGAL FEES	076035	840.00
		I-10-28-2015	01 -5214302	CONSULTANTS LEGAL FEES	076035	1,650.00
		I-201511027996	01 -5214302	CONSULTANTS CONTRACT LEGAL FEE-NOV 2015	076042	3,125.00
01-F00020	FAITH MARKETING SOLUTIO					
		I-0D14007954	01 -5321332	COMMUNITY SER COMM RELATIONS SUPPLIES	076081	133.72
		I-0D14007955	01 -5321332	COMMUNITY SER KID BADGES/COMM RELATIONS	076081	315.79
01-F00130	FIRE PROTECTION PUBLICA					
		I-45623	01 -5431331	EMPLOYEE TRAV TRAINING BOOKS - FIRE	076083	441.00
01-F00141	FIRE STORE					
		I-E1362582	01 -5431202	OPERATING SUP HELMET & BADGE	076084	153.49
		I-E1362582.001	01 -5431202	OPERATING SUP HELMET & BADGE	076084	272.99
		I-E1382172	01 -5431202	OPERATING SUP HELMET & BADGE	076084	30.96
01-G00060	G-NEIL COMPANIES					
		I-INV3302221	01 -5653202	OPERATING SUP 2106 ATTENDANCE SHEETS	076087	180.50
01-G00490	GRISSOM IMPLEMENT INC					
		I-522175	01 -5547203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	076089	197.98
01-H00020	H L'S PAWN SHOP					
		I-3962-7	01 -5653215	AWARDS/NUC PR SERVICE AWARDS	076092	125.00
		I-3962-8	01 -5653215	AWARDS/NUC PR SERVICE AWARDS	076092	50.00
		I-3962-9	01 -5653215	AWARDS/NUC PR SERVICE AWARDS	076092	29.99
01-I00000	IAFC					
		I-94689-1501	01 -5431330	DUES & SUBSCR IAFC MEMBERSHIP DUES	076093	239.00
01-I00049	IDEAL CLEANING					
		I-201511038012	01 -5548308	CONTRACTED SE MONTHLY CLEANING SVS	076094	1,515.00

PACKET : 13414 13420 13423 13438 13445 13453
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VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-I00061	RICOH USA, INC.					
	I-5038735221	01 -5321308	CONTRACTED SE	POLICE COPIER MAINT. FEE	076095	366.90
01-I00101	IMA					
	I-2016 DUES	01 -5211330	DUES & SUBSCR	YRLY MEMBERSHIP DUES	076096	220.00
01-I00110	IMPRESS OFFICE SUPPLY					
	I-038000	01 -5215202	OPERATING SUP	OFFICE SUPPLIES	076097	23.89
	I-038018	01 -5215202	OPERATING SUP	OFFICE SUPPLIES	076097	3.00
01-I00115	INTERMEDIIX TECHNOLOGIES					
	I-INVTECH6098	01 -5432308	CONTRACTED SE	EMS BILLING SVS-SEPT 2015	076098	4,834.18
01-I00120	TYLER TECHNOLOGIES					
	I-025-138483	01 -5213336	FEES	MONTHLY SUPPORT FEES-COURT	076099	200.00
	I-025-138483	01 -5225349	SOFTWARE MAIN	MONTHLY SUPPORT FEES-IT	076099	220.50
01-J00204	JEMASCO, INC					
	I-146392	01 -5542358	TREE BOARD/TR	MULCH FOR TREES	076100	1,605.00
01-K00159	BSN SPORTS					
	I-97305422	01 -5544203	REPAIRS & MAI	BALLFIELD STRIPING M	076104	147.14
01-K00205	KIAMICHI AUTOMOTIVE WHO					
	I-010886	01 -5431203	REPAIRS & MAI	MISC AUTO PARTS FOR REPAI	076105	11.98
01-K00226	CROWNOVER VETERINARY db					
	I-142667	01 -5321208	CANINE UNIT S	DRUG DOG VET FEES	076106	68.00
01-L00170	LAW ENFORCEMENT SYS., I					
	I-191484	01 -5321202	OPERATING SUP	OKLA CITATIONS	076109	930.00
01-L00380	LOCKE SUPPLY CO.					
	I-27035882-00	01 -5548203	REPAIRS & MAI	MISC MAINT & REPAIR ITEMS	076111	38.99
	I-27057808-00	01 -5548203	REPAIRS & MAI	MISC MAINT & REPAIR ITEMS	076111	85.44
	I-27057931-00	01 -5548203	REPAIRS & MAI	MISC MAINT & REPAIR ITEMS	076111	131.52
	I-27069019-00	01 -5548203	REPAIRS & MAI	MISC MAINT & REPAIR ITEMS	076111	10.65
	I-27081066-0	01 -5548203	REPAIRS & MAI	MISC MAINT & REPAIR ITEMS	076111	17.92
01-L00428	LOWE'S CREDIT SERVICES					
	C-12567 CR	01 -5653215	AWARDS/NUC PR	SERVICE AWARDS	076112	37.30-
	C-12862CR	01 -5431203	REPAIRS & MAI	MISC REPAIR ITEMS	076112	9.96-
	I-901001	01 -5653215	AWARDS/NUC PR	SERVICE AWARDS	076112	476.08
	I-901413	01 -5548203	REPAIRS & MAI	MISC REPAIR & MAINT ITEMS	076112	12.20
	I-901896	01 -5865218	STREET REPAIR	MISC REPAIR & MAINT ITEMS	076112	46.67
	I-904952	01 -5431203	REPAIRS & MAI	MISC REPAIR ITEMS	076112	58.98
	I-905776	01 -5431203	REPAIRS & MAI	MISC REPAIR ITEMS	076112	9.09
	I-907308	01 -5548203	REPAIRS & MAI	MISC REPAIR & MAINT ITEMS	076112	21.15
	I-907641	01 -5431203	REPAIRS & MAI	MISC REPAIR ITEMS	076113	48.38

PACKET : 13414 13420 13423 13438 13445 13453
 VENDOR SET: Mult
 FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-M00487	MILLER OFFICE EQUIPMENT	I-MCA374391	01 -5215312	EQUIPMENT REN MONTHLY COPIER SVS-UB&C	076114	874.35
01-MC0095	RICK MCFADDEN					
		I-0026389	01 -5215323	DAMAGES REPAIR FENCE @ ARMY RESV.	076119	850.00
		I-002642	01 -5542203	REPAIRS & MAI FENCE REPAIRS @ MULLENS	076119	200.00
01-MC0098	MCAFFEE & TAFT					
		I-467853	01 -5210302	CONSULTANTS/L LEGAL FEES-IAFF	076120	1,824.00
		I-467854	01 -5210302	CONSULTANTS/L LEGAL FEES-IAFF	076120	96.00
		I-467855	01 -5210302	CONSULTANTS/L LEGAL FEES-IAFF	076120	192.00
		I-467856	01 -5210302	CONSULTANTS/L LEGAL FEES-IAFF	076120	72.00
		I-467857	01 -5210302	CONSULTANTS/L LEGAL FEES-IAFF	076120	144.00
		I-467858	01 -5210302	CONSULTANTS/L LEGAL FEES-IAFF	076120	1,560.00
		I-467859	01 -5210302	CONSULTANTS/L LEGAL FEES-IAFF	076120	48.00
		I-467860	01 -5210302	CONSULTANTS/L LEGAL FEES-IAFF	076120	48.00
		I-467861	01 -5210302	CONSULTANTS/L LEGAL FEES-IAFF	076120	48.00
01-MC0140	MCALESTER PAINT & SUPPL					
		I-00110491	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	076122	14.54
		I-00110706	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	076122	40.68
		I-00111045	01 -5542203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	076122	244.79
01-MC0146	PITTSBURG COUNTY EMERGE					
		I-201511038013	01 -5101353	PITTSBURG EME EMER MGMT SVS-NOV 2015	076123	4,166.66
01-N00250	MCALESTER NEWS CAPITAL					
		I-300004082	01 -5212317	ADVERTISING & COUNCIL PUBLICATIONS	076124	16.90
		I-300004083	01 -5212317	ADVERTISING & COUNCIL PUBLICATIONS	076124	16.60
		I-YRLY FEES-ECO DEV	01 -5652317	ADVERTISING & PUBLICATION FEE	076124	167.88
01-N00343	NORTHERN SAFETY CO INC					
		I-901660235	01 -5653213	SAFETY EXPENS SAFETY SUPPLIES	076126	420.41
01-000075	O'REILLY AUTO PARTS					
		I-0230-328271	01 -5431203	REPAIRS & MAI MISC REP PARTS	076127	131.94
		I-0230-329659	01 -5431203	REPAIRS & MAI MISC REP PARTS	076128	2.49
01-000119	OK BOUNCE LLC					
		I-424	01 -5210480	CONTINGENCY SUPPLIES FOR CHADICK	076129	1,080.00
01-000141	OKLAHOMA SHERIFF'S ASSO					
		I-5168	01 -5321202	OPERATING SUP TEMPORARY TAGS	076131	120.90
01-000160	OKLA ASSOC. CHIEF/POLIC					
		I-15-00943	01 -5321202	OPERATING SUP 2016 MEMBERSHIP RENEWAL	076132	75.00
01-000410	OKLA STATE UNIVERSITY					
		I-15-00809	01 -5211331	EMPLOYEE TRAV REGISTR FEE-OMCTFOA CONF	076135	229.00

PACKET : 13414 13420 13423 13438 13445 13453
 VENDOR SET: Mult
 FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-000520	OIL-OK INDEPENDENT LIVI	I-102015-2015-2016	01 -5101355	OIL-OK FOR IN CONTRACT-OK FOR INDEPENDENT LI	076136	2,000.00
01-000556	OMAG-OK MUNICIPAL ASSUR	I-200244-SER	01 -5215323	DAMAGES INSURANCE DEDUCTIBLE	076137	1,000.00
01-000610	OTA PIKEPASS CENTER	I-20150900583	01 -5432202	OPERATING SUP REPLENISH PIKE PASS ACCT	076138	100.00
01-P00310	PITNEY BOWES INC	I-7215429-OT15	01 -5215312	EQUIPMENT REN LEASE ON POSTAGE MACH.	076140	2,114.97
01-P00340	PITTS. COUNTY ELEC. BOA	I-10/13/15 ELECTION	01 -5101350	ELECTIONS ELECTION FEE/ SALES TAX	076141	4,011.03
01-P00510	PRO-KIL, INC	I-159000	01 -5548203	REPAIRS & MAI PEST CONTROL-LIBARAY	076143	196.00
01-P00560	PUBLIC SERVICE/AEP	I-201510287986	01 -5215313	ELECTRIC UTIL ELEC EXP- 1699 CARL ALBERT	076032	24.16
01-Q00035	QUILL OFFICE SUPPLIES	I-8941643	01 -5215202	OPERATING SUP OFFICE SUPPLIES	076145	332.34
01-S00726	STAPLES ADVANTAGE	C-3281309009CR	01 -5215202	OPERATING SUP OFFICE SUPPLIES	076151	10.75-
	I-12167		01 -5865203	REPAIR & MAIN OFFICE SUPPLIES	076151	123.99
	I-3281309012		01 -5215202	OPERATING SUP OFFICE SUPPLIES	076151	10.75
	I-3281309013		01 -5215202	OPERATING SUP OFFICE SUPPLIES	076151	255.96
01-T00010	T. H. ROGERS LUMBER CO.	C-510871	01 -5548203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	076152	3.86-
	I-510582		01 -5865218	STREET REPAIR FORMING MATERIALS	076152	175.20
	I-510841		01 -5547202	OPERATING SUP MISC SUPPLIES/CEMETERY	076152	198.16
	I-510858		01 -5548203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	076152	61.65
	I-510859		01 -5548203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	076152	3.86
	I-510920		01 -5548203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	076152	15.40
01-T00058	BIZTEL COMMUNICATIONS	I-6442	01 -5212202	OPERATING SUP HEADSET REPLACEMENT	076153	30.00
01-T00131	TESCORP	I-927790	01 -5431316	REPAIRS & MAI SVS/MAINT CASCADE SYSTEM	076154	603.00
01-T00190	MONUMENT PLACE	I-1500751	01 -5542203	REPAIRS & MAI CHADDICK PK ANNIV. PLAQUE	076155	300.00
01-T00630	TWIN CITIES READY MIX,	I-117422	01 -5865218	STREET REPAIR CONCRETE/STREET REPAIRS	076159	297.00

PACKET : 13414 13420 13423 13438 13445 13453
 VENDOR SET: Mult
 FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-T00630	TWIN CITIES READY MIX,	continued				
	I-117682	01 -5865218	STREET REPAIR	CONCRETE/STREET REPAIRS	076159	594.00
01-V00144	VOSS ELECTRIC CO dba VO					
	I-35039402-00	01 -5548203	REPAIRS & MAI	MISC REPAIR ITEMS	076162	518.28
01-V00150	VULCAN SIGN					
	I-280322	01 -5865203	REPAIR & MAIN	TRAFFIC CONTROL SUPPLIES	076163	3,890.80
01-W00040	WALMART COMMUNITY BRC					
	I-000228	01 -5653215	AWARDS/NUC PR	SERVICE AWARD PRIZES	076164	418.98
	I-003762	01 -5321202	OPERATING SUP	MISC SUPPLIES	076164	35.94
	I-005431	01 -5432202	OPERATING SUP	MISC SUPPLIES	076164	29.94
	I-006984	01 -5653215	AWARDS/NUC PR	SERVICE AWARDS	076164	75.00
	I-02132	01 -5653215	AWARDS/NUC PR	SERVICE AWARDS	076164	91.82
	I-02335	01 -5653215	AWARDS/NUC PR	SERVICE AWARDS	076164	75.86
	I-03006	01 -5653213	SAFETY EXPENS	SAFETY SUPPLIES	076164	8.97
	I-03007	01 -5653215	AWARDS/NUC PR	SERVICE AWARD PRIZES	076164	89.00
	I-03146	01 -5653213	SAFETY EXPENS	SAFETY SUPPLIES	076164	5.76
	I-03747	01 -5431202	OPERATING SUP	MISC OPERATING SUPPLIES	076164	307.21
	I-07971	01 -5212202	OPERATING SUP	CANDY FOR TRICK.TREAT	076164	116.54
	I-08293	01 -5321332	COMMUNITY SER	SUPPLIES/ COMM. SERV.	076164	176.04
	I-08319	01 -5653215	AWARDS/NUC PR	SERVICE AWARD PRIZES	076164	320.21
	I-08382	01 -5653215	AWARDS/NUC PR	SERVICE AWARDS	076164	277.38
01-W00195	WELDON PARTS INC.					
	I-1565925	01 -5431203	REPAIRS & MAI	PARTS FOR ENGINE-1	076168	171.30
	I-1568270	01 -5431203	REPAIRS & MAI	PARTS FOR ENGINE-1	076168	27.12
01-W00270	WHITE ELECTRICAL SUPPLY					
	I-S1951426.001	01 -5542203	REPAIRS & MAI	MISC REPAIR & MAINT ITEMS	076169	113.71
	I-S1959996.001	01 -5542203	REPAIRS & MAI	MISC REPAIR & MAINT ITEMS	076169	13.72
	I-S1960937.001	01 -5542203	REPAIRS & MAI	MISC REPAIR & MAINT ITEMS	076169	26.29
	I-S1961605.001	01 -5542203	REPAIRS & MAI	MISC REPAIR & MAINT ITEMS	076169	68.84
	I-S1962012.001	01 -5542203	REPAIRS & MAI	MISC REPAIR & MAINT ITEMS	076169	45.89
FUND 01 GENERAL FUND				TOTAL:	80,712.90	

PACKET : 13414 13420 13423 13438 13445 13453
 VENDOR SET: Mult
 FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1	MISC VENDOR					
	JENNIFER SANTINO	I-201511028000	02 -5871331	EMPLOYEE TRAV TRAVEL EXP- FLOODPLAIN MTG	076054	125.45
01-A00582	AT&T					
		I-201510287984	02 -5267315	TELEPHONE UTI PHONE EXP-INTERNET SVS	076029	1,414.50
01-C00320	CENTERPOINT ENERGY ARKL					
		I-201510287985	02 -5267314	GAS UTILITY GAS EXP-CENTRAL GARAGE	076031	50.04
01-C00840	CRAWFORD & ASSOCIATES P					
		I-9375	02 -5267302	CONSULTANTS CONSULTANT FEES	076073	13,380.43
01-D00322	DEPT. OF ENVIR. QUALITY					
		I-OE4530822	02 -5973329	DEQ FEES WTR TEST FEE-ROSENBAUM	076077	62.00
01-D00540	DOLESE BROTHERS					
		I-RM15065804	02 -5975218	STREET REPAIR CONCRETE FOR WATER BREAKS	076079	375.00
01-F00037	FASTENAL					
		I-OKMCA137847	02 -5973203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	076082	19.22
		I-OKMCA140187	02 -5973203	REPAIRS & MAI MISC REPAIR & MAINT ITEMS	076082	221.16
01-H00016	HD SUPPLY WATERWORKS, L					
		I-E561063	02 -5975209	UTILITY MAINT WATER BREAK REP ITEMS	076090	1,386.04
		I-E573381	02 -5975209	UTILITY MAINT WATER BREAK REP ITEMS	076090	1,550.00
		I-E615361	02 -5975209	UTILITY MAINT WATER BREAK REP ITEMS	076090	1,487.00
		I-E615391	02 -5975209	UTILITY MAINT WATER LINE REPAIR ITEMSQ	076090	330.00
		I-E619797	02 -5975211	WATER METERS WATER METERS	076090	1,171.91
		I-E629861	02 -5975211	WATER METERS WATER METERS	076090	970.00
		I-E642951	02 -5975209	UTILITY MAINT WATER LINE REPAIR ITEMSQ	076090	219.00
01-I00120	TYLER TECHNOLOGIES					
		I-025-138483	02 -5216336	FEES MONTHLY SUPPORT FEES-UB&C	076099	293.16
01-J00338	JOB CONSTRUCTION CO INC					
		I-032846	02 -5975218	STREET REPAIR ASPHALT FOR WATER BRKS	076101	1,762.80
		I-032847	02 -5975218	STREET REPAIR ASPHALT FOR WATER BRKS	076101	1,064.46
01-L00428	LOWE'S CREDIT SERVICES					
		C-1193CR	02 -5975209	UTILITY MAINT MISC REPAIR ITEMS	076112	1.61-
		I-9001193	02 -5975209	UTILITY MAINT MISC REPAIR ITEMS	076112	20.57
		I-901102	02 -5975209	UTILITY MAINT MISC REPAIR ITEMS	076112	44.88
		I-901556	02 -5975209	UTILITY MAINT MISC REPAIR ITEMS	076112	17.53
01-O00075	O'REILLY AUTO PARTS					
		I-0230-327777	02 -5973203	REPAIRS & MAI MISC REPAIR PARTS	076127	15.46
		I-0230-327781	02 -5973203	REPAIRS & MAI MISC REPAIR PARTS	076127	91.13
01-O00275	OKLA DEPT OF COMMERCE					

PACKET : 13414 13420 13423 13438 13445 13453
VENDOR SET: Mult
FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-000275	OKLA DEPT OF COMMERCE	continued				
	I-112015-#8908	02	-5267521	CDBG LOAN #89 CDBG - EDIF #8908	076134	1,145.83
01-U00051	UTILITY SUPPLY CO., INC					
	I-088675	02	-5975209	UTILITY MAINT WATER METER SUPPLIES	076160	143.09
	I-088678	02	-5975209	UTILITY MAINT WATER METER SUPPLIES	076160	170.34
	I-088679	02	-5975209	UTILITY MAINT WATER METER SUPPLIES	076160	36.80
	I-088681	02	-5975209	UTILITY MAINT WATER METER SUPPLIES	076160	195.00
				FUND 02 MPWA	TOTAL:	27,761.19

PACKET : 13414 13420 13423 13438 13445 13453
VENDOR SET: Mult
FUND : 03 AIRPORT AUTHORITY

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00320	CENTERPOINT ENERGY ARKL	I-201510287985	03 -5876314	GAS UTILITY GAS EXP-AIRPORT	076031	29.58
01-F00170	FIRST NATIONAL BANK	I-112015-#119817	03 -5876511	FNB LOAN #119 LOAN #119817 - AIRPORT AUTH	076085	5,020.00
			FUND 03	AIRPORT AUTHORITY	TOTAL:	5,049.58

PACKET : 13414 13420 13423 13438 13445 13453
VENDOR SET: Mult
FUND : 08 NUTRITION

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00324	ALISHA RAE HOWELL					
		I-201511028006	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	076058	180.00
		I-201511028007	08 -5549308	CONTRACT SERV REIMB FOR MEAL DELIVERY	076058	139.15
01-G00288	GERALDINE E MALKOWSKI					
		I-201511028009	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	076088	165.00
		I-201511028010	08 -5549308	CONTRACT SERV REIMB FOR MEAL DELIVERY	076088	97.75
01-K00067	KAREN MARIE WHITE					
		I-201511028001	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	076103	45.00
		I-201511028003	08 -5549308	CONTRACT SERV REIMB MILEAGE FOR MEAL DELIV	076103	18.98
01-L00348	LINDSEY MICHELLE SHIEW					
		I-201511028004	08 -5549308	CONTRACT SERV CONTRACT MEAL DELIVERY	076110	15.00
		I-201511028005	08 -5549308	CONTRACT SERV REIMB FOR MEAL DELIVERY	076110	10.93
01-R00304	RICHELLE CHEYENNE					
		I-201511028008	08 -5549308	CONTRACT SERV REIMB FOR MEAL DELIVERY	076147	75.90
01-S00580	AT & T					
		I-201510287983	08 -5549315	TELEPHONE UTI PHONE EXP- NUTRITION	076033	272.34
			FUND	08 NUTRITION	TOTAL:	1,020.05

PACKET : 13414 13420 13423 13438 13445 13453
VENDOR SET: Mult
FUND : 09 LANDFILL RES./SUB-TITLE D

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-T00342	THE CAREL CORPORATION	I-9950	09 -5864327	SUB TITLE D E GROUNDWATER MONITORING	076156	3,845.00
				FUND 09 LANDFILL RES./SUB-TITLE DTOTAL:		3,845.00

PACKET : 13414 13420 13423 13438 13445 13453
VENDOR SET: Mult
FUND : 27 TOURISM FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00149	CANON FINANCIAL SERVICE	I-15379075	27 -5655318	PRINTING MONTHLY COPIER LEASE	076030	81.00
01-C00469	CITY OF MCALESTER SPECI	I-15-00911	27 -5655214	TOURISM EXPEN EXPO RENTAL-HOME & RANCH	076071	1,000.00
01-MC0134	MCALESTER MAIN STREET	I-102015-2015-2016	27 -5655353	MAIN STREET P CONTRACT- MCALESTER MAIN ST	076121	1,250.00
01-P00450	PRIDE IN MCALESTER	I-102015-2015-2016	27 -5655352	MISC PRIDE IN CONTRACT-PRIDE IN MCALESTER	076142	2,500.00
01-T00500	PARROTT COMPANY, LLC	I-201510297991	27 -5655340	OFFICE RENT TOURISM OFFICE RENT-NOV 2015	000000	558.20
01-U00128	UNITED PACKAGING & SHIP	I-137489	27 -5655202	OPERATING SUP SHIPPING FEES-BROUCHERS	076161	49.84
			FUND 27	TOURISM FUND	TOTAL:	5,439.04

FUND : 28 SE EXPO CENTER

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK#	AMOUNT
01-H00017	H & P MECHANICAL, LLC	I-S-4064	28	-5654316	REPAIRS & MAI ROOF/COS SENSOR REPAIRS	076091	3,999.00
01-L00428	LOWE'S CREDIT SERVICES	I-05017	28	-5654203	REPAIR & MAIN MISC REPAIR & MAINT ITEMS	076112	29.00
		I-07823	28	-5654203	REPAIR & MAIN MISC REPAIR & MAINT ITEMS	076112	39.78
01-P00210	PEPSI COLA	I-1771184	28	-5654210	CONCESSION SU CONCESSION SUPPLIES	076139	219.00
01-P00560	PUBLIC SERVICE/AEP	I-201510287986	28	-5654313	ELECTRIC UTIL ELEC EXP- EXPO RV PARK	076032	53.44
01-Q00007	QFS, LLC	I-7408	28	-5654316	REPAIRS & MAI EMER SIGN REPAIR & BATTER	076144	729.00
01-S00009	SADLER PAPER CO	I-30719	28	-5654203	REPAIR & MAIN JANITORIAL SUPPLIES	076148	255.50
01-W00040	WALMART COMMUNITY BRC	I-08448	28	-5654210	CONCESSION SU CONCESSION SUPPLIES	076165	32.32
		I-08453	28	-5654210	CONCESSION SU CONCESSION SUPPLIES	076165	4.14
			FUND	28	SE EXPO CENTER	TOTAL:	5,361.18

PACKET : 13414 13420 13423 13438 13445 13453
VENDOR SET: Mult
FUND : 29 E-911

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
Q1-W00392	WINDSTREAM CORPORATION					
	I-201510287988		29 -5324315	TELEPHONE UTI PHONE EXP-911 CTY TRUNK LN	076034	450.07
				FUND 29 E-911	TOTAL:	450.07

PACKET : 13414 13420 13423 13438 13445 13453
VENDOR SET: Mult
FUND : 30 ECONOMIC DEVELOPMENT

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00525	AMERICAN PLANNING ASSOC	I-A05	30 -5652331	EMPLOYEE TRAV WEBINAR FEES	076062	195.00
01-MC0134	MCALESTER MAIN STREET	I-102015-2015-2016	30 -5211353	MAIN STREET P CONTRACT- MCALESTER MAIN ST	076121	1,250.00
01-000275	OKLA DEPT OF COMMERCE	I-112015-#12248	30 -5211510	CDBG / EDIF D CDBG - EDIF CONT #12248	076133	282.50
01-P00450	PRIDE IN MCALESTER	I-102015-2015-2016	30 -5211352	MISC PRIDE IN CONTRACT-PRIDE IN MCALESTER	076142	2,500.00
01-R00260	RETAIL ATTRACTIONS LLC	I-1117	30 -5652302	CONSULTANTS ECON DEV CONSULTING SVS	076146	2,500.00
			FUND 30 ECONOMIC DEVELOPMENT	TOTAL:		6,727.50

PACKET : 13414 13420 13423 13438 13445 13453
VENDOR SET: Mult
FUND : 32 GRANTS & CONTRIBUTIONS

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-M00489	MILLIGAN LAND SURVEYING	I-3190	32 -5215224	ARCHERY PARK SURVEYING OF ARCHERY PK	076116	600.00
			FUND	32 GRANTS & CONTRIBUTIONS	TOTAL:	600.00

PACKET : 13414 13420 13423 13438 13445 13453
VENDOR SET: Mult
FUND : 33 CDBG GRANTS FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-M00488	MILLIE VANCE INC					
	I-2014	15-00907	33 -5971516	2014 CDBG PRO 2014 CDBG	076115	7,797.00
			FUND	33 CDBG GRANTS FUND	TOTAL:	7,797.00

PACKET : 13414 13420 13423 13438 13445 13453
 VENDOR SET: Mult
 FUND : 35 FLEET MAINTENANCE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00215	ADVANCE AUTO PARTS					
	I-811752957723	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	076056	9.78
	I-8117529588985	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	076056	28.24
	I-8117530077895	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	076056	162.95
	I-8117530089051	35	-5862203	REPAIRS & MAI SMALL AUTO PARTS	076056	3.89
01-B00150	BEALES GOODYEAR TIRES					
	I-1-GS21755	35	-5862203	REPAIRS & MAI TIRES FOR AC-1	076067	516.12
	I-1-GS21922	35	-5862203	REPAIRS & MAI TIRES FOR WW-7	076067	854.40
01-D00152	DAVID'S TRADING YARD					
	I-362492	35	-5862203	REPAIRS & MAI PARTS FOR REPAIR WW-12	076075	599.00
01-F00037	FASTENAL					
	I-OKMCA138599	35	-5862203	REPAIRS & MAI MISC REPAIR ITEMS	076082	3.00
01-G00010	G & C RENTAL CENTER, IN					
	I-37024	35	-5862203	REPAIRS & MAI REPAIR PARTS FOR S-25	076086	740.00
	I-37083	35	-5862203	REPAIRS & MAI REPAIR PARTS/S-34	076086	715.98
01-G00490	GRISSOM IMPLEMENT INC					
	I-521042	35	-5862203	REPAIRS & MAI MISC REPAIR ITEMS	076089	83.76
	I-521367	35	-5862203	REPAIRS & MAI MISC REPAIR ITEMS	076089	34.72
	I-523080	35	-5862203	REPAIRS & MAI MISC REPAIR ITEMS	076089	376.68
01-K00205	KIAMICHI AUTOMOTIVE WHO					
	I-010501	35	-5862203	REPAIRS & MAI MISC AUTO PARS FOR REP.	076105	55.99
	I-010711	35	-5862203	REPAIRS & MAI MISC AUTO PARS FOR REP.	076105	49.05
	I-010847	35	-5862203	REPAIRS & MAI MISC AUTO PARS FOR REP.	076105	28.80
	I-011284	35	-5862203	REPAIRS & MAI MISC AUTO PARS FOR REP.	076105	4.99
	I-011389	35	-5862203	REPAIRS & MAI MISC AUTO PARS FOR REP.	076105	5.49
01-L00087	LANTZ HARDWARE					
	I-3349	35	-5862203	REPAIRS & MAI CARBURETOR FOR PK-36	076108	315.00
01-M00769	MYDER FIRE SUPPORT SERV					
	I-ML02297	35	-5862317	EMERGENCY VEH FIRE TRUCK INSP & RE	076117	310.60
	I-ML02298	35	-5862317	EMERGENCY VEH FIRE TRUCK INSP & RE	076117	587.80
	I-ML02299	35	-5862317	EMERGENCY VEH FIRE TRUCK INSP & RE	076117	638.27
	I-ML02300	35	-5862317	EMERGENCY VEH FIRE TRUCK INSP & RE	076117	1,664.00
01-MC0045	MCCRAYS MANUFACTURING					
	I-7470	35	-5862203	REPAIRS & MAI MISC TRAILER PARTS	076118	10.25
01-N00271	FREEDOM FORD INC					
	I-166831	35	-5862203	REPAIRS & MAI MISC MAINT ITEMS	076125	42.95
	I-86157	35	-5862203	REPAIRS & MAI MISC MAINT ITEMS	076125	68.61
	I-86202	35	-5862203	REPAIRS & MAI MISC MAINT ITEMS	076125	37.84
	I-86221	35	-5862203	REPAIRS & MAI MISC MAINT ITEMS	076125	74.14

PACKET : 13414 13420 13423 13438 13445 13453
 VENDOR SET: Mult
 FUND : 35 FLEET MAINTENANCE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-N00271	FREEDOM FORD INC		continued			
	I-86245	35	-5862203	REPAIRS & MAI MISC MAINT ITEMS	076125	82.75
01-000075	O'REILLY AUTO PARTS					
	C-0230-328138	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	43.10-
	C-0230-328393	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	4.42-
	C-0230-329513CR	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	7.64-
	I-0230-326822	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	25.05
	I-0230-327503	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	23.40
	I-0230-327554	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	60.13
	I-0230-327648	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	43.10
	I-0230-327683	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	79.42
	I-0230-328101	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	36.54
	I-0230-328141	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	11.98
	I-0230-328328	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076127	73.09
	I-0230-328369	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076128	8.84
	I-0230-329230	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076128	520.04
	I-0230-329252	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076128	7.64
01-000122	OK TIRE					
	I-21645	35	-5862316	REPAIRS & MAI REPAIR HEATER CORE C-3	076130	484.35
01-S00384	SMITH DISTRIBUTING					
	I-829622	35	-5862203	REPAIRS & MAI MISC REPAIR PARTS	076149	59.66
	I-829743	35	-5862203	REPAIRS & MAI MISC REPAIR PARTS	076149	55.38
01-S00710	STANDARD MACHINE LLC					
	I-243867	35	-5862203	REPAIRS & MAI MISC REPAIR PARTS	076150	210.00
01-T00612	ATC FREIGHTLINER GROUP,					
	I-125148760	35	-5862203	REPAIRS & MAI MISC AUTO REPARTS	076158	80.03
	I-125148996	35	-5862203	REPAIRS & MAI MISC AUTO REPARTS	076158	95.28
01-W00195	WELDON PARTS INC.					
	C-1566148-00 CR	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076168	40.26-
	I-1564565-00	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076168	116.83
	I-1570274-00	35	-5862203	REPAIRS & MAI MISC AUTO PARTS	076168	91.38
				FUND 35 FLEET MAINTENANCE	TOTAL:	10,091.77

FUND : 41 CIP FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00712	ARVEST BANK dba ARVEST					
	I-112015-002	41	-5862401	CAPITAL OUTLA VEHICLE LEASE 800-1503001-002	076065	2,485.55
	I-112015-800150300	41	-5862401	CAPITAL OUTLA VEHICLE LEASE 800-1503001-001	076065	3,210.15
01-C00676	COOPER L. BROWN					
	I-15-00307	41	-5210480	CONTINGENCY COURT OFFICE REMODEL	076072	6,550.00
01-D00217	DEERE CREDIT, INC.					
	I-112015-#0063527	41	-5865510	LEASE PAYMENT LEASE PMT #0063527-EXCAVATOR	076076	1,140.15
	I-112015-0063527-0	41	-5865510	LEASE PAYMENT LEASE PMT-JD 624K LOADER	076076	1,821.57
01-L00079	LANDPLAN CONSULTANTS, I					
	I-537.00-13	41	-5652402	TRAILS GRANT CONSULTANT FEE-BELMONT TR	076107	3,900.00
	I-537.00-13	41	-5652402	TRAILS GRANT CD REVISION PROPOSAL	076107	3,507.50
01-T00451	TOMMY R. WALKER					
	I-307838	41	-5210480	CONTINGENCY UB&C OFFICE REMODEL	076157	4,500.00
	I-307839	41	-5548401	CAPITAL IMPRO REPAIRS-GENEALOGY BL	076157	2,000.00
01-W00193	HTW ENTERPRISES INC dba					
	I-67728	41	-5321401	CAPITAL OUTLA LETTERING/POLICE UNITS	076166	430.80
01-W00194	WELCH STATE BANK					
	I-112015-55766	41	-5865510	LEASE PAYMENT LEASE PMT-2015 DUMP TRUCK	076167	1,517.90
	I-112015-55820	41	-5865510	LEASE PAYMENT LEASE PMT-2015 DUMP TRUCK	076167	2,555.73
				FUND 41 CIP FUND	TOTAL:	33,619.35

PACKET : 13414 13420 13423 13438 13445 13453
VENDOR SET: Mult
FUND : 44 TECHNOLOGY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-J00492	JUST MOUNTS/GPSZONE					
		I-564	44 -5225402	SOFTWARE & TE LAPTOP MOUNT FOR UNIT 81	076102	94.29
				FUND 44 TECHNOLOGY FUND	TOTAL:	94.29
					REPORT GRAND TOTAL:	188,568.92

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====		=====GROUP BUDGET=====	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
2015-2016	01 -2105	COLLECTION AGENCY 25% (COU	7,801.51				
	01 -5101350	ELECTIONS	4,011.03	12,500	2,483.78		
	01 -5101353	PITTSBURG EMERGENCY MGMT	4,166.66	50,000	29,166.70		
	01 -5101355	OIL-OK FOR INDEPENDENT LIV	2,000.00	24,000	16,000.00		
	01 -5210302	CONSULTANTS/LABOR RELATION	4,032.00	45,000	36,334.00		
	01 -5210480	CONTINGENCY	2,945.00	25,000	15,095.00		
	01 -5211330	DUES & SUBSCRIPTIONS	220.00	1,000	595.00		
	01 -5211331	EMPLOYEE TRAVEL & TRAININ	426.48	5,500	3,849.97		
	01 -5212202	OPERATING SUPPLIES	146.54	850	271.00		
	01 -5212317	ADVERTISING & PRINTING	33.50	2,500	2,000.00		
	01 -5212331	EMPLOYEE TRAVEL & TRAININ	184.90	3,070	2,392.14		
	01 -5213336	FEES	200.00	2,400	1,400.00		
	01 -5214302	CONSULTANTS	5,615.00	115,000	76,025.00		
	01 -5215202	OPERATING SUPPLIES	615.19	30,000	3,731.53		
	01 -5215302	CONSULTANTS	11,654.87	35,000	10,000.00		
	01 -5215312	EQUIPMENT RENTALS	3,862.82	30,836	10,370.89		
	01 -5215313	ELECTRIC UTILITY	24.16	301,500	189,750.21		
	01 -5215314	GAS UTILITY	105.85	33,800	31,966.88		
	01 -5215323	DAMAGES	1,850.00	30,000	28,150.00		
	01 -5225349	SOFTWARE MAINTENANCE	220.50	70,000	15,757.42		
	01 -5321202	OPERATING SUPPLIES	1,161.84	12,500	10,354.55		
	01 -5321208	CANINE UNIT SUPPLIES	68.00	5,000	4,082.00		
	01 -5321308	CONTRACTED SERVICES	366.90	10,000	6,713.69		
	01 -5321332	COMMUNITY SERVICES PROGRAM	625.55	7,500	5,115.56		
	01 -5431202	OPERATING SUPPLIES	764.65	18,000	13,176.07		
	01 -5431203	REPAIRS & MAINT SUPPLIES	451.32	8,500	5,429.67		
	01 -5431316	REPAIRS & MAINTENANCE	603.00	3,500	230.50		
	01 -5431328	INTERNET SERVICE	125.90	4,200	3,444.60		
	01 -5431330	DUES & SUBSCRIPTIONS	239.00	8,000	6,391.42		
	01 -5431331	EMPLOYEE TRAVEL & TRAININ	441.00	10,000	1,313.03		
	01 -5432202	OPERATING SUPPLIES	312.32	28,000	17,742.13		
	01 -5432308	CONTRACTED SERVICES	5,905.18	54,500	41,727.48		
	01 -5542203	REPAIRS & MAINT SUPPLIES	1,068.46	48,000	23,448.90		
	01 -5542308	CONTRACTED SERVICES	1,250.00	15,000	8,444.72		
	01 -5542358	TREE BOARD/TREES	1,792.99	5,000	3,207.01		
	01 -5543203	REPAIRS & MAINT SUPPLIES	2.93	12,000	9,171.14		
	01 -5544203	REPAIRS & MAINTENANCE SUPP	147.14	16,000	8,550.91		
	01 -5547202	OPERATING SUPPLIES	198.16	600	401.84		
	01 -5547203	REPAIRS & MAINT SUPPLIES	197.98	11,000	5,727.11		
	01 -5547328	INTERNET SERVICE	62.95	750	441.06		
	01 -5548203	REPAIRS & MAINTENANCE SUPP	1,811.32	53,270	30,040.84		
	01 -5548308	CONTRACTED SERVICES-CLEANI	1,515.00	22,000	15,820.00		
	01 -5548316	REPAIRS & MAINTENANCE	650.00	22,000	9,602.77		
	01 -5652317	ADVERTISING & PRINTING	167.88	2,300	1,499.70		
	01 -5652330	DUES & SUBSCRIPTIONS	485.00	3,500	2,880.00		

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====		=====GROUP BUDGET=====	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
01	-5652331	EMPLOYEE TRAVEL & TRAININ	390.00	3,600	2,882.75		
01	-5653202	OPERATING SUPPLIES	180.50	1,000	536.88		
01	-5653213	SAFETY EXPENSE	718.74	25,500	11,956.99		
01	-5653215	AWARDS/NUC PROGRAM	3,681.67	9,500	1,085.16		
01	-5865203	REPAIR & MAINT-TRAFFIC CON	4,014.79	49,500	39,812.57		
01	-5865218	STREET REPAIRS & MAINTENAN	1,112.87	235,000	38,567.43		
01	-5865328	INTERNET SERVICE	83.85	1,920	1,196.95		
02	-5216336	FEES	293.16	4,100	2,634.20		
02	-5267302	CONSULTANTS	13,380.43	27,521	1,771.00		
02	-5267314	GAS UTILITY	50.04	8,000	7,453.92		
02	-5267315	TELEPHONE UTILITY	1,414.50	85,000	51,977.12		
02	-5267521	CDBG LOAN #8908	1,145.83	13,750	8,020.85		
02	-5871331	EMPLOYEE TRAVEL & TRAININ	125.45	3,000	1,377.75		
02	-5973203	REPAIRS & MAINT SUPPLIES	346.97	37,500	1,483.86		
02	-5973329	DEQ FEES	62.00	18,000	17,064.58		
02	-5975209	UTILITY MAINTENANCE SUPP.	5,598.64	60,000	11,884.48		
02	-5975211	WATER METERS	2,141.91	5,000	224.09		
02	-5975218	STREET REPAIRS & MAINTENAN	3,202.26	95,000	54,793.60		
03	-5876314	GAS UTILITY	29.58	450	334.77		
03	-5876511	FNB LOAN #119817 PAYMENTS	5,020.00	60,240	35,140.00		
08	-5549308	CONTRACT SERVICES	747.71	15,500	9,648.64		
08	-5549315	TELEPHONE UTILITY	272.34	3,800	2,399.37		
09	-5864327	SUB TITLE D EXPENSE	3,845.00	80,000	3,985.47		
27	-5655202	OPERATING SUPPLIES	49.84	2,500	1,659.34		
27	-5655214	TOURISM EXPENSE	1,000.00	34,500	19,096.94		
27	-5655318	PRINTING	81.00	18,000	10,856.50		
27	-5655340	OFFICE RENT	558.20	6,700	3,909.00		
27	-5655352	MISC PRIDE IN MCALESTER	2,500.00	30,000	20,000.00		
27	-5655353	MAIN STREET PROGRAM	1,250.00	15,000	10,000.00		
28	-5654203	REPAIR & MAINT SUPPLIES	324.28	17,000	10,989.97		
28	-5654210	CONCESSION SUPPLIES	255.46	17,000	11,874.20		
28	-5654313	ELECTRIC UTILITY	53.44	60,000	37,941.62		
28	-5654316	REPAIRS & MAINTENANCE	4,728.00	0	13,869.83-	Y	
29	-5324315	TELEPHONE UTILITY	450.07	66,500	33,736.77		
30	-5211352	MISC PRIDE IN MCALESTER	2,500.00	30,000	20,000.00		
30	-5211353	MAIN STREET PROGRAM	1,250.00	15,000	10,000.00		
30	-5211510	CDBG / EDIF DURALINE LOAN	282.50	3,390	1,977.50		
30	-5652302	CONSULTANTS	2,500.00	120,000	79,000.00		
30	-5652331	EMPLOYEE TRAVEL & TRAINING	195.00	22,500	19,019.52		
32	-5215224	ARCHERY PARK GRANT EXPENSE	600.00	50,689	42,448.50		
33	-5971516	2014 CDBG PROJECT	7,797.00	180,226	10,986.07		
35	-5862203	REPAIRS & MAINTENANCE SUPP	6,406.75	240,000	133,287.43		
35	-5862316	REPAIRS & MAINTENANCE	484.35	30,000	12,845.12		
35	-5862317	EMERGENCY VEHICLES	3,200.67	50,000	20,878.29		
41	-5210480	CONTINGENCY	11,050.00	79,129	48,292.61		

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====		
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
	41 -5321401	CAPITAL OUTLAY	430.80	160,448	13,578.11	- Y			
	41 -5548401	CAPITAL IMPROVEMENTS	2,000.00	50,000	26,710.00				
	41 -5652402	TRAILS GRANT PROJECT	7,407.50	197,375	173,386.25				
	41 -5862401	CAPITAL OUTLAY	5,695.70	66,983	40,990.05				
	41 -5865510	LEASE PAYMENTS	7,035.35	87,804	49,248.41				
	44 -5225402	SOFTWARE & TECHNOLOGY UPDA	94.29	20,000	15,265.09				
	** 2015-2016 YEAR TOTALS **		188,568.92						

NO ERRORS

** END OF REPORT **

FUND	PERIOD	AMOUNT
01	11/2015	80,712.90
02	11/2015	27,761.19
03	11/2015	5,049.58
05	11/2015	0.00
08	11/2015	1,020.05
09	11/2015	3,845.00
16	11/2015	0.00
24	11/2015	0.00
27	11/2015	5,439.04
28	11/2015	5,361.18
29	11/2015	450.07
30	11/2015	6,727.50
32	11/2015	600.00
33	11/2015	7,797.00
35	11/2015	10,091.77
36	11/2015	0.00
38	11/2015	0.00
41	11/2015	33,619.35
44	11/2015	94.29
		188,568.92
		188,568.92

Cora Middleton

From: Steve or Patty Harrison <stevepattyharrison@sbcglobal.net>
Sent: Tuesday, October 27, 2015 2:55 PM
To: Cora Middleton
Cc: Peter Stasiak
Subject: Airport board

Cora,

We need to include the following appointments to the Airport Advisory Board for consideration at the November 10, 2015 regular city council meeting:

Appointment:

~~John Brandon~~ for a term to end 10/31/17

Brandon John

Reappointments:

Dr. Michael Boyer for a term to end 10/31/16 ✓

Stephen Otis for a term to end 10/31/16 ✓

Mike Hogan for a term to end 10/31/16 ✓

Cecil Craig for a term to end 10/31/16 ✓

Carlton Bass for a term to end 10/31/17 ✓

David Verner for a term to end 10/31/17 ✓

Randy Walters for a term to end 10/31/17 ✓

Thanks,
Steve

Brandon John P.O. Box 918 (918) 426-0211

AIRPORT ADVISORY BOARD

<u>NAME</u>	<u>EXP. DATE</u>	<u>ADDRESS</u>	<u>PHONE #</u>
Carlton Bass–V.C. Brandon John (Proxy)	05/01/10	1st National Bank P.O. Box 948	426-0211 wk.
Dr. Michael Boyer	05/01/10	12 MacArthur Ln.	423-1399
Stephen Otis - C	01/22/12	911 Summit Ridge	423-7439 689-6564
David Verner	01/22/12	P.O. Box 486	426-1167
Vacant	01/22/10		
Mike Hogan	01/22/12	P.O. Box 130	423-3131
Randy Walters	03/13/11	BancFirst P.O. Box 1107	426-0200
Cecil Craig	03/13/11	P.O. Box 1355	423-1768
City Manager – Peter Stasiak		P.O. Box 578	423-9300
Airport Manager – Butch Mellor		P.O. Box 578	429-9400

Meeting Date: The Airport Advisory Board meets upon call of its Chairman.

The Airport Advisory Board consists of nine (9) taxpayers of which the City Manager is one, and the other members are appointed by the Mayor and with the consent of the City Council. Five (5) members shall be residents of the City of McAlester, and three (3) members may be nonresidents but must own a business/es or be property owners in the City of McAlester. The Board has the responsibility for selecting airport sites, the development of plans and specifications for buildings and facilities, the supervision and construction of buildings and facilities, and the operation of the McAlester Airport.

Members are appointed for two (2) year terms.

McAlester Main Street

First Quarter Report

FY 2015-2016

Oklahoma
Historical
Society®

Choctaw Avenue, McAlester, Okla.



Board of Directors:

Carl Gullick, President

Nicole Stufflebean, Vice President

Chris Good, Treasurer

Amber Young, Secretary

Chris Taylor

Kathy Crowl

Billy Ray Holt

Brenda Baxter

Lee Anderson

Twilia Sheryl

Reynada Wall

Staff:

Lacey Sudderth, Executive Director

Membership:

3 Individual Members

2 Non-Profit Members

20 Business Members

Main Street Board Meetings

McAlester Main Street Board of Director Meetings are held on the second Tuesday of every month at 8:30 am at the Meeting Place 104 E Choctaw Ave.

Main Street Annual Membership Meetings

McAlester Main Street has an Annual Membership Meeting held every January to inform our members of the activities our organization does to help revitalize our Downtown and Old Town.

Volunteerism

McAlester Main Street has several volunteers who help us with all of our events. We had a total of 93 hours this quarter.



McAlester Main Street 2015-2016 Budget	First Quarter	Yearly Budget
Revenue		
In-Kind (accounting,)	\$ 1,776.00	\$ 5,575.00
Fundraiser	\$ 603.25	\$ 9,000.00
Interest Income	\$ 5.18	\$ 0
McAlester City Contract	\$ 7,285.17	\$ 30,000.00
Membership	\$ 3,855.01	\$ 14,000.00
Total Revenue	\$ 13,522.61	\$ 58,575.00
Operating Expenses		
Advertising	\$ 1,517.80	\$ 7,450.92
Insurance	\$ 350.00	\$ 2,131.00
In Kind (accounting,)	\$ 1,776.00	\$ 5,575.00
Office Supplies	\$ 139.04	\$ 500.00
Payroll and Expenses	\$ 7,430.02	\$ 29,720.08
Travel Expenses	\$ 492.54	\$ 3,500.00
Website	\$ 62.75	\$ 1,800.00
Rent for New Office 119 E Choctaw Ave	\$ 534.24	\$ \$2,198.00
Committee Expenses	\$ 483.99	\$ 5,450.00
Contingency	\$ 0	\$ 250.00
Fundraising Downtown	\$ 0	\$ 0
Total Expenses	\$ 12,786.38	\$ 58,575.00
Net Revenue	\$ +736.23	\$ 0

Social Media

McAlester Main Street continues to manage the Main Street Facebook page for social media outreach. Number of “Likes” as of June 30, 2015 equaled 2,500.

The Facebook logo, consisting of the word "facebook" in white lowercase letters on a blue rectangular background.

Print Media

Regular advertising, articles, and press releases were sent to local newspapers, including the *McAlester News-Capital* and the *Oklahoma Bargain Journal*. From June to August 2015, approximately six articles in the *McAlester News-Capital* contained information concerning Main Street.

McAlester Radio



Executive Director Lacey Sudderth continued radio shows as the guest of Megan Waters on KNED AM 1150 every month.

Websites

Online web pages were maintained and updated for McAlester Main Street

www.mainstreetmcalester.com

Oklahoma's Largest Water Balloon Fight & Cruise Night

Main Street hosted the 1st Annual Oklahoma's Largest Water Balloon Fight in May. The Balloon fight was part of the effort to bring consumers downtown. With the help of Pam Kirby, the summer Cruise Night was that evening. Estimating around 1,000 attendees, this event brought awareness to the downtown area as well as fun for all ages! A big thank you to the McAlester Tourism Department, McAlester Parks Department and McAlester Fire Department for all their help putting this event together. McAlester Main Street raised a total of \$360.00 in balloon sales that day.



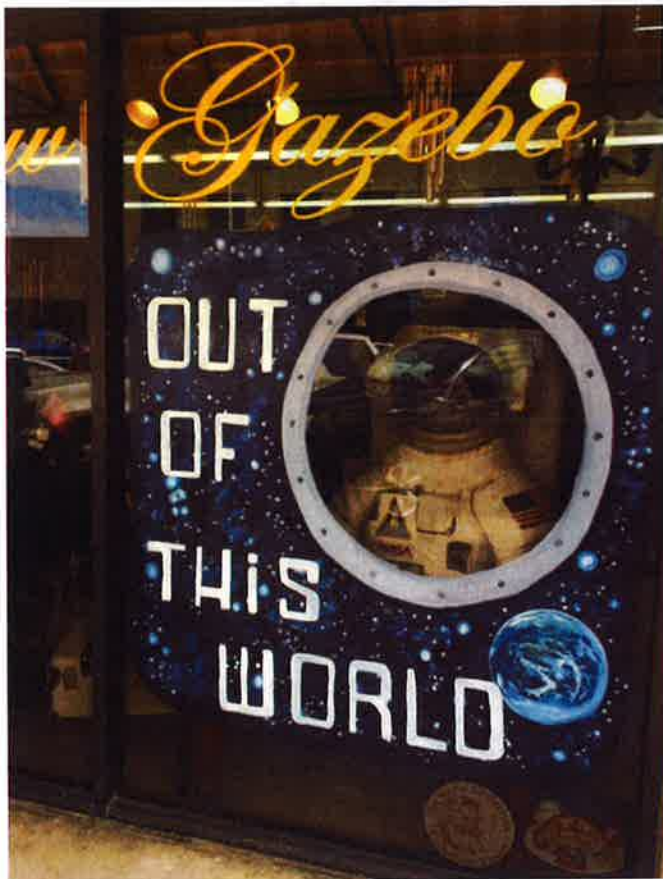
Red, White, and Blue Bake Sale

McAlester Main Street partnered with Old Town Association for the annual holiday bake sale in July. The Bake Sale was hosted at the Whistle-Stop Bistro in Old Town and with advertising and promotion this event brought a lot of business to Old Town for the 3 day long bake sale that brought in \$50.00 for Main Street.



Krazy Day Sales

In August, McAlester Main Street hosted the annual Krazy Day Sales to promote Downtown during the No-Tax Holiday weekend. Downtown merchants dressed in out of this world costumes and decorated their windows to help display the theme that "Sales are Outta This World!" Merchants reported this year being the best in sales they have seen so far from this event.



CultureFest

During the 4th Annual CultureFest in August, McAlester Main Street hosted the Children's Passport activity, which helped to promote the Downtown Main Street businesses by having a cultural scavenger hunt, where the children were given Passports, that were donated by Staples, to travel to each Main Street Member and receive a stamp of the country their store represented and also a trinket that represented that countries culture. The event was not only educational for the children, but also helped promote the Main Street businesses.

McAlester Main Street's



Passport Activity

Fun and Educational for the kids!!

Downtown during 4th Annual

culturefest

August 15th

12pm - 8pm

Fall Cruise Night



In September , Downtown hosted the Annual Fall Cruise Night . With an estimated 2,000 attendees, this Cruise Night was the most successful yet. With the tremendous efforts of Pam Kirby, this event had attractions for all ages. Southern Breeze band played on 2nd and Choctaw , food vendors lined the streets, McAlester Main Street sold Cotton Candy making a total of \$72.50 in sales. The Fire Fighters hosted the Burn Out at the Ice House parking lot along with Ignite McAlester. This community event helped promote the Downtown district greatly and we look forward to this event getting bigger and better every year.

Lunch Bunch & Cash Mob


McAlester Main Street began the Shop Local campaign last January initiating programs such as the "Lunch Bunch" and the "Cash Mob" to help in that effort. These events are held monthly to help small business in the Downtown and Old Town Historic Districts. The "Lunch Bunch" travels to the four Main Street Member restaurants once per month and has averaged around 15 people attending each time. The "Cash Mob" which is co-hosted by McAlester Tourism is to help promote small business in the Downtown and Old Town districts by inviting people to shop in one location and spend an average of \$20.00 per store to help support that business economically on that day. These efforts continue each month and we are hoping that after some time they will gain the momentum to make a huge impact on our small businesses.

McAlester Main Street
presents


The Monthly

**Lunch
Bunch**

#dinelocal



918.423.8888
mcalestermainst@att.net



McAlester Main Street
&
City of McAlester Tourism
present



CASH M.O.B

#SHOPLOCAL

12:00 noon

Friday August 21 @ Sandford & Sisters
Friday September 4th @ Stella Raes
Friday September 18th @ Plum Sugar
Friday October 2nd @ Common Roots
Friday October 16th @ Creative Design Works
Friday November 6th @ JJ McAlester Antiques
Friday November 20th @ Shelly's Antiques
Friday December 4th @ the Galleria downtown
Friday December 18th @ Whispering Meadows

contact 918.423.8888 for more info



Upcoming Events

McAlester Main Street works hard to revitalize our Downtown and Old Town. We continue to come up with new creative ways to improve our historic districts and bring our community together.

Wild West Festival in Old Town	October 2,3
Downtown Trick or Treat Party in the Streets	October 31
1st Annual Veterans Day Parade	November 11
EyeCatcher International Film Festival	November 12-15
Small Business Saturday	November 28
Christmas Parade	December 3

EVIDENCE OF TAX EXEMPT STATUS

To Vendor: _____

Amount of Purchase: _____ Date _____

Project Name: Illinois Avenue Drainage Improvements

The City of McAlester, Oklahoma, hereby appoints:

Karcon, Inc.

as its agent for the sole purpose of purchasing property described herein.

All materials acquired on the above project are for the City of McAlester, Oklahoma. Upon passage of Title, all of such property will be included in the above-referenced project owned by the City of McAlester. Title to all such property shall pass to said City from the Vendor, f.o.b., McAlester, Oklahoma.

This project is owned by the City and accordingly, all of such property is exempt from Oklahoma Sales and Use Taxes and City Sales Tax. Notwithstanding this appointment, the City is not responsible to the Vendor for the payment of the purchase price specified herein. Title to the property described is deemed to pass directly from the Vendor to the City of McAlester, Oklahoma.

DATED this _____ day of _____ 20 _____

CITY OF McALESTER, OKLAHOMA

Mayor

Signature of Contractor/Purchaser

SALES TAX EXEMPTION CERTIFICATE

Project Name: Illinois Avenue Drainage Improvements

has been appointed agent for the City of McAlester, Oklahoma, for the purchase of property or services for the above-referenced project to be owned by the City of McAlester. Payment of the purchase price of such property or services shall be made by the Company and not the City, and the supplier shall have no recourse whatever against the City on account of the failure of the Company or any of its subcontractors or agents to pay the purchase price, or any part thereof, of such property or services. Upon passage of title, all such property will be included in a project owned by the City. All of such property or services are exempt from Oklahoma Sales and Use Taxes and/or City Sales Taxes.

DATED this _____ day of _____ 20 _____

CITY OF McALESTER, OKLAHOMA

Mayor

SMARTPHONE METER READING (SPMR) SUBSCRIPTION AGREEMENT

This SPMR Subscription Agreement ("Agreement") is made by and between SPMR, L.L.C., a Texas limited liability corporation, located at 3600 K Avenue, Plano, Texas 75074 (hereinafter "SPMR"), and the City of McAlester doing business at 28 E. Washington, McAlester, OK 74502 ("Subscriber").

RECITALS

- A. WHEREAS SPMR licenses, in object form only, proprietary computer software ("Software") as an application for smart phones, or similar devices, to record utility meter data and to communicate such data to its remote server ("Application");
- B. WHEREAS SPMR hosts the utility meter data on its remote server for retrieval by Subscriber ("Hosting") and collectively, the Application, Hosting and any other services such as training or set-up shall constitute "Services"; and
- C. WHEREAS Subscriber desires to use the Services;

IN CONSIDERATION of the terms and conditions of this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

ARTICLE 1 - GENERAL TERMS

1. ENTIRE AGREEMENT. It is agreed that this Agreement and any EXHIBIT(S) attached hereto and made a part hereby embody the entire agreement of the parties in relation to the subject matter hereunder, and that there is no other oral or written agreement or understanding between the parties at the time of execution pertaining to the subject matter of this Agreement. This Agreement shall not be modified except by the written agreement of all parties hereto.

2. GOVERNING LAW AND CHOICE OF VENUE. This agreement shall be construed, interpreted and enforced under the laws and statutes of the State of Texas without regard for any of said state's conflicts of law provisions. Any legal actions relating to this Agreement shall be brought in either a state court in Collin County, Texas or in a Federal court in the Northern District of Texas, Dallas Division.

3. TAXES. Subscriber shall pay all taxes arising out of this Agreement, except for taxes levied upon the net income of SPMR. Subscriber agrees to provide an exemption certificate with this contract if Subscriber is an exempt organization for state sales and use tax purposes.

ARTICLE 2 - PAYMENTS

1. APPLICATION AND OTHER SERVICES. Subscriber shall pay SPMR for the fees described in EXHIBIT 1 for the Services. Payment shall be made as follows:

A. Subscriber will have access to Services when Services are activated ("Activation Date"). The initial payment of service fees shall be made within ten (10) business days of the Activation Date and if the Activation Date is not on the first day of the month, a prorated fee shall be included in the initial payment of service fees for Services provided from the Activation Date through the last day of that month. Subsequent payments shall be made according to the following payment interval options:

- i. If the monthly pre-payment option is used, subsequent monthly payments shall be made on the first day of each calendar month thereafter until the Agreement is terminated.
- ii. If the annual pre-payment option is used, the subsequent annual payments shall be for an entire annual period and shall be made on the first day of the month following the month in which the Activation Date falls and on each subsequent anniversary of the start of the each annual year period invoiced until the Agreement is terminated.

B. Subscriber shall pay SPMR for any support or training at SPMR's quoted price thirty (30) days after the invoice date.

2. Subscriber's rights to use the Application or Hosting are expressly conditioned on the timely prepayment of the fees described in EXHIBIT 1 and Subscriber's rights to use the Application and Hosting will terminate effective the date any prepayment was due if not paid.

ARTICLE 3 - SOFTWARE

1. SPMR SOFTWARE LICENSE GRANT. SPMR hereby grants to Subscriber a nontransferable and nonexclusive license for the use and possession of the SPMR Software in object code form only. Said license is granted under the terms and conditions set forth herein.

2. Subscriber agrees that SPMR retains ownership rights to the Software, and that Subscriber acquires no title to the Software, nor any

SPMR Initials 

SA

Subscriber Initials _____

other interest in the Software, other than the right to use and possess the Software in accordance with the terms and conditions of this Agreement. All rights not explicitly granted to Subscriber are retained by SPMR.

3. Subscriber may not copy, decompile, reverse-engineer, disassemble, attempt to derive the source code of, modify or create derivative works of the Application or any part thereof.

4. Subscriber agrees that it shall not attempt to or actually sell, give, lend, lease, convey, transfer, license, sublease, provide, or in any other manner transfer any of its rights in the Software, whether or not modified.

ARTICLE 4 – SERVICES

1. SPMR shall provide Subscriber with the Services described on the attached EXHIBIT(S).

2. Services include those specifically described on the attached EXHIBIT(S) and Subscriber agrees that any services not described such as supplemental training or consulting and any related travel and living expenses are not included and Subscriber agrees to pay such charges and expenses within thirty (30) days of SPMR's invoice.

ARTICLE 5 - WARRANTIES

1. SPMR warrants that the System shall operate substantially in accordance with the on-line User Manual. The exclusive remedy for any valid warranty claim shall be the provision of conforming software.

2. DISCLAIMER OF WARRANTY AND LIMITATIONS OF REMEDIES. TO THE EXTENT ALLOWED BY LAW, SUBSCRIBER UNDERSTANDS AND AGREES AS FOLLOWS:

- A. THE EXPRESS WARRANTIES AS SET FORTH IN THIS AGREEMENT ARE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND ALL SUCH OTHER WARRANTIES ARE HEREBY DISCLAIMED AND EXCLUDED BY SPMR.
- B. SPMR SHALL NOT BE LIABLE FOR ANY LOSS OR DAMAGE CAUSED BY DELAY IN FURNISHING SOFTWARE, SERVICES OR ANY OTHER PERFORMANCE UNDER OR PURSUANT TO THIS AGREEMENT.
- C. SPMR DOES NOT WARRANT THE OPERATION OF SOFTWARE OR SERVICES INCLUDED IN THE SYSTEM TO BE ERROR FREE.
- D. THE SOLE AND EXCLUSIVE REMEDIES FOR BREACH OF ANY AND ALL WARRANTIES AND THE SOLE REMEDIES FOR SPMR'S LIABILITY OF ANY KIND (INCLUDING LIABILITY FOR NEGLIGENCE) WITH RESPECT TO THE SOFTWARE OR SERVICES COVERED BY THIS AGREEMENT OR ANY PERFORMANCE BY SPMR UNDER OR PURSUANT TO THIS AGREEMENT, WILL BE LIMITED TO THE REMEDIES SET FORTH IN THIS ARTICLE AND IN NO EVENT SHALL EXCEED THE AGGREGATE CONSIDERATION PAID BY SUBSCRIBER FOR THE SERVICES.
- E. IN NO EVENT SHALL SPMR'S LIABILITY OF ANY KIND INCLUDE ANY SPECIAL, INCIDENTAL, CONSEQUENTIAL OR PUNITIVE DAMAGES, EVEN IF SPMR SHALL HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH POTENTIAL LOSS OR DAMAGE.

ARTICLE 6 – TERMINATION

1. If Subscriber defaults on any obligation in accordance with the terms and conditions of this Agreement and SPMR notifies Subscriber in writing of the details of said failure of performance, then SPMR may, at its option, terminate this Agreement without notice to Subscriber.

2. Either party may terminate this Agreement for convenience with sixty (60) days prior written notice to the other party and the party receiving such notice shall not have any obligation to the terminating party effective the termination date.

3. In the event either party terminates this Agreement or the license of Software, or should Subscriber fail to timely make any payment for the services, all licenses granted under this Agreement shall be terminated, and Subscriber shall, immediately, on the termination date, erase the Software in whatever form retained, and return or destroy any copies of Software documentation. Subscriber shall certify in writing to SPMR that Subscriber has so returned and/or destroyed the Software and SPMR Documentation.

SPMR, L.L.C.

Signature:

Print Name:

Title:

Date:

SPMR Initials

City of McAlester

Signature:

Print Name:

Title:

Date:

SA

Subscriber Initials

EXHIBIT 1

SPMR™ SERVICES SCHEDULE

Qty	Description	Monthly Cost/Unit*	Extended Monthly Cost*	Extended Annual Cost*
4	SPMR™ SmartPhone Software and Support	\$99.00	\$396.00	\$4,752.00
4	SPMR™ SmartPhone Data Hosting	\$19.00	\$76.00	\$912.00
1	SPMR™ Server Web Seat and Support	\$99.00	\$99.00	\$1,188.00
1	Monthly Payment Processing Fee*	\$45.00	\$45.00	NA

TOTAL	\$616.00	\$6,852.00
--------------	-----------------	-------------------

OTHER USER SERVICE FEES AND ONE-TIME SERVICE FEES

Set-up Fee ~~\$250.00~~ waived

Telephone Training Fee, 4 hours ~~\$600.00~~ waived

*For Annual Pre-payments, the Monthly Payment Processing Fee is waived.

Subscriber hereby chooses the ☐ Monthly or ☐ Annual pre-payment option described above.

SPMR Initials *Ru*

SA

Subscriber Initials _____

SCHEDULE "D"

THE MCALESTER PUBLIC WORKS AUTHORITY

PAYMENT REQUISITION SERIES 2014 PROJECT ACCOUNT THE MCALESTER PUBLIC WORKS AUTHORITY CONSTRUCTION FUND

FROM: Trustees of The McAlester Public Works Authority

TO: BancFirst

DATE: November 2, 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, as further supplemented and amended by a Series 2013 Supplemental Note Indenture dated as of June 1, 2013, and as further supplemented and amended by a Series 2014 Supplemental Note Indenture dated as of May 1, 2014 (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 2014 Project Account within the Construction Fund of said Authority as indicated below, the amounts shown for the purposes set forth in this Requisition.

Carstensen Contracting, Inc.

800482036

CREDITOR

TRUST NO.

P.O. Box 754 Pipestone, MN 56164

MAILING ADDRESS

Construction Services

Invoice: Payment # 1

ITEM

ITEM NO.

October 16, 2015

CIP # 4 A

\$ 97,137.70

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: November 2, 2015

Date Approved: _____

Date Paid: _____

Authorized Officer

Submit in triplicate:

1 to Trustee Bank

1 to Authority

1 to City

Contractor's Application

Progress Estimate (6 th St LUMP SUM BIDS)

Progress Estimate to Unit Lower 30m (low)									
For (contract):		CIP 4-6th		Application Number:		Pay Application # 1			
Application Period:		Application Date:		Application Date:		10/2/2015			
A		B		C		D		E	
ITEM		SCHEDULED		FROM PREVIOUS		THIS PERIOD		MATERIALS	
Description		Value		Application (C+D)		Date (C + D + E)		Presently	
Pay Item No.									
6th Street - Roadway									
1	Clearing and Grubbing	\$	3,436.00	\$	-	\$	687.20	\$	-
4	Type A Salvaged Topsoil	\$	6,228.00	\$	-	\$	1,245.60	\$	-
35	Removal of Structures & Obstructions	\$	8,044.00	\$	-	\$	-	\$	-
44	Construction Traffic Control	\$	-	\$	-	\$	-	\$	-
44A	Construction Traffic Control	\$	2,818.00	\$	-	\$	704.50	\$	0.25
45	Traffic Items	\$	12,844.00	\$	-	\$	-	\$	0.00
41	SWPPP Documentation and Management	\$	3,498.00	\$	-	\$	874.50	\$	0.25
43	Mobilization	\$	30,558.00	\$	-	\$	30,558.00	\$	1.00
46	Construction Staking Level II	\$	10,998.00	\$	-	\$	2,199.60	\$	0.20
6th Street - Water									
88	CLSM BACKFILL-FILL EXISTING LINE	\$	10,204.60	\$	-	\$	-	\$	0.00
89	Hydrostatic Pressure Testing & Disinfection	\$	5,866.00	\$	-	\$	-	\$	0.00
A Street - Sewer									
91	CLSM BACKFILL-FILL SEWER EXISTING LINE	\$	4,638.00	\$	-	\$	-	\$	0.00
103	LEAKAGE TEST(SANITARY SEWER MANHOLES)BY NEGATIVE PRESSURE (VACUUM)	\$	765.00	\$	-	\$	-	\$	0.00
104	Deflection & Leakage Test (Sanitary Sewer Mains)	\$	1,623.00	\$	-	\$	-	\$	0.00
		\$	101,570.60			\$	36,269.40	\$	65,301.20

Total This Estimate	\$ 36,269.40
To Finish Lump Sum Items	\$ 65,301.20

Contractor's Application

Progress Estimate (6th St Roadway)

Application Period:				Application Number:			
CIP 4 - 6th				Pay Application #1			
ITEM				10/2/2015			
Specification Section No.	Description	Unit	Bid Value	Total Bid Value	Estimate Quantity Installed	Estimate Value	Materials Presently Installed (not in C)
2	Unclassified Excavation	2,492.00 CY	\$ 12.00	\$ 29,904.00	0.00	\$ -	-
3	Embankments	20.00 CY	\$ 34.00	\$ 680.00	10.00	\$ 340.00	0%
4	Temporary Silt Fence	1,136.00 LF	\$ 2.70	\$ 3,067.20	1,100.00	\$ 2,970.00	50%
5	Temporary Sediment Filter	1.00 EA	\$ -	\$ -	0.00	\$ -	0%
6	Temporary Inlet Sediment Filter	16.00 EA	\$ 150.00	\$ 2,400.00	14.00	\$ 2,100.00	88%
7	Temporary Inlet Sediment Filter	2,432.00 SY	\$ 4.50	\$ 10,944.00	0.00	\$ -	0%
8	Solid State Soding	0.51 AC	\$ 2,350.00	\$ 1,197.50	0.00	\$ -	0%
9	Vegetative Mulching	0.51 AC	\$ 1,000.00	\$ 510.00	0.00	\$ -	0%
10	Mowing	582.00 CY	\$ 88.00	\$ 51,376.00	0.00	\$ -	0%
11	Aggregate Base Type A	57.00 TON	\$ 351.00	\$ 20,007.00	0.00	\$ -	0%
12	Line	3,487.00 SY	\$ 5.50	\$ 19,178.50	0.00	\$ -	0%
12A	Stabilized Subgrade	3,487.00 SY	\$ 5.50	\$ 19,178.50	0.00	\$ -	0%
13	Line Stabilized Subgrade	3,487.00 SY	\$ 5.50	\$ 19,178.50	0.00	\$ -	0%
13A	Subgrade Method B	3,487.00 SY	\$ 5.50	\$ 19,178.50	0.00	\$ -	0%
14	Separator Fabric	3,887.00 SY	\$ 1.55	\$ 6,024.85	0.00	\$ -	0%
15	Prime Coat	873.00 GAL	\$ 3.40	\$ 2,968.20	0.00	\$ -	0%
16	Dowel Jointed P.C.C.P. (Pavement)	3,124.00 SY	\$ 34.00	\$ 106,216.00	0.00	\$ -	0%
17	P.C. for Pavement	700.00 CY	\$ 114.00	\$ 79,800.00	0.00	\$ -	0%
18	Handrailing	50.00 LF	\$ 65.00	\$ 3,250.00	0.00	\$ -	0%
19	6"x6" Precast Reinforced Concrete Box	596.00 LF	\$ 381.00	\$ 227,076.00	0.00	\$ -	0%
20	4"x3" Precast Reinforced Concrete Box	1,304.00 LF	\$ 39.00	\$ 50,856.00	0.00	\$ -	0%
21	Concrete Curb (6" Barrier-Integral)	241.00 SY	\$ 77.00	\$ 18,557.00	0.00	\$ -	0%
22	8" Concrete Sidewalk	330.00 SY	\$ 61.00	\$ 20,130.00	0.00	\$ -	0%
23	8" Concrete Sidewalk	167.00 SY	\$ 74.00	\$ 12,358.00	0.00	\$ -	0%
24	6" Concrete Driveway	52.00 SF	\$ 72.50	\$ 3,770.00	0.00	\$ -	0%
25	Flexible Warning Device (New)	-	\$ -	\$ -	0.00	\$ -	0%
26	Inlet CI Des. 2 (STD)	-	\$ -	\$ -	0.00	\$ -	0%
27	Inlet CI Des. 2 (B)	-	\$ -	\$ -	0.00	\$ -	0%
28	Inlet CI Des. 3 (STD)	-	\$ -	\$ -	0.00	\$ -	0%
29	Inlet w/ Large Jct. Box, CI Des. 2	2.00 EA	\$ 10,141.00	\$ 20,282.00	0.00	\$ -	0%
30	Inlet w/ Large Jct. Box, CI Des. 2(B)	3.00 EA	\$ 11,168.00	\$ 33,504.00	0.00	\$ -	0%
31	Inlet w/ Large Jct. Box, CI Des. 3	1.00 EA	\$ 21,974.00	\$ 21,974.00	0.00	\$ -	0%
32	18" RCP CI-III	37.00 LF	\$ 65.50	\$ 2,423.50	0.00	\$ -	0%
33	24" RCP CI-III	8.00 LF	\$ 65.00	\$ 520.00	0.00	\$ -	0%
34	36" RCP CI-III	-	\$ -	\$ -	0.00	\$ -	0%
35	Removal of Concrete Pavement	5,217.00 SY	\$ 7.50	\$ 39,127.50	0.00	\$ -	0%
36	Removal of Sidewalk	192.00 SY	\$ 9.00	\$ 1,728.00	0.00	\$ -	0%
37	Sewerage	455.00 LF	\$ 2.70	\$ 1,228.50	0.00	\$ -	0%
38	Remove and Reconstruct Fence	100.00 LF	\$ 8.25	\$ 825.00	0.00	\$ -	0%
39	3" PVC SCH. 40 Plastic Conduit Bored	-	\$ -	\$ -	0.00	\$ -	0%
40	Field Office	1.00 EA	\$ 10,760.00	\$ 10,760.00	1.00	\$ 10,760.00	100%
42			\$ 10,760.00	\$ 829,761.75	1.00	\$ 10,760.00	100%

Total This Estimate	\$ 15,970.00
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To Finish Unit Price Items

\$ 813,791.75

Progress Estimate (6th St Water)

Contractor's Application

Application Number: 10/2/2015									
Application Date: 10/2/2015									
Application Period: CIP A - 6th									
For (contract):									
ITEM									
Specification Section No.	Description	Bid Quantity	Unit Price	Bid Value	Total Bid Value	Estimate Quantity Installed	Estimate Value	Materials Presently Installed (not in C)	Total Completed and Stored to Date (D+E)
65	Unclassified Excavation	445.00 CY	\$ 15.00	\$ 6,675.00			\$ -		
66	12" PVC	-		\$ -			\$ -		
67	6" PVC	1,093.00 LF	\$ 30.00	\$ 40,887.00			\$ -		
68	4" PVC	190.00 LF	\$ 33.50	\$ 6,385.00			\$ -		
69	2" PVC	40.00 Ea	\$ 23.00	\$ 920.00			\$ -		
70	Fire Hydrant and Assembly	3.00 Ea	\$ 2,874.00	\$ 8,622.00			\$ -		
71	12" Gate Valve	-		\$ -			\$ -		
72	6" Gate Valve	9.00 Ea	\$ 1,713.00	\$ 15,417.00			\$ -		
73	4" Gate Valve	4.00 Ea	\$ 835.00	\$ 3,340.00			\$ -		
74	Standard Valve Box	13.00 Ea	\$ 154.00	\$ 2,002.00			\$ -		
75	12" Solid Sleeve	-		\$ -			\$ -		
76	6" Solid Sleeve	4.00 Ea	\$ 292.00	\$ 1,168.00			\$ -		
77	2" Solid Sleeve	4.00 Ea	\$ 202.00	\$ 808.00			\$ -		
78	12" 45 degree Fitting (Vertical)	-		\$ -			\$ -		
79	6" 45 Fitting	10.00 Ea	\$ 332.00	\$ 3,320.00			\$ -		
80	4" 45 Fitting (Vertical)	2.00 Ea	\$ 553.00	\$ 1,106.00			\$ -		
80A	4" 45 Fitting (Vertical)	4.00 Ea	\$ 327.00	\$ 1,308.00			\$ -		
81	4x2 Reducing Fitting	4.00 Ea	\$ 356.00	\$ 1,424.00			\$ -		
82	12x12x6 TEE	-		\$ -			\$ -		
83	6x6x6 TEE	5.00 Ea	\$ 502.00	\$ 2,510.00			\$ -		
84A	6x6x6 TEE	4.00 Ea	\$ 410.00	\$ 1,640.00			\$ -		
84	6" Plug	1.00 Ea	\$ 250.00	\$ 250.00			\$ -		
85	5/8"x3/4" Water Service Connection (Long) 6"x1"	8.00 Ea	\$ 1,360.00	\$ 10,880.00			\$ -		
87	5/8"x3/4" Water Service Connection (Short) 6"x1"	4.00 Ea	\$ 1,840.00	\$ 7,360.00	\$ 115,702.00		\$ -		
						Total This Estimate	\$ -	To Finish Unit Price Items	\$ 115,702.00
									\$ 115,702.00

Contractor's Application

Progress Estimate (6th St Sewer)

CIP 4-6TH										Pay Application #1						
Application Period:										Application Number:						
Application Date:										10/2/2015						
ITEM			A		B		C		D		E		F		G	
Specification			Bid Quantity	Unit Price	Bid Value	Total Bid Value	Estimate Quantity Installed	Estimate Value	Materials Presently Installed (not in C)	Total Completed and Stored to Date (D + E)	Total \$ Completed and Stored to Date	% (F/B)	Balance to Finish (B - F)			
Section No.	Description															
90	Unclassified Excavation		303.00 CF		\$ 15.75	\$ 4,772.25	0.00	\$	-	-	-	0%	\$ 4,772.25			
92	12" (PVC) (Sewer Main)		274.00 LF		\$ 47.00	\$ 12,878.00	0.00	\$	-	-	-	0%	\$ 12,878.00			
93	10" (PVC) (Sewer Main)		-		\$ -	\$ -	0.00	\$	-	-	-	0%	\$ -			
94	8" (PVC) (Sewer Main)		79.00 LF		\$ 39.00	\$ 3,081.00	0.00	\$	-	-	-	0%	\$ 3,081.00			
95	Manhole (4' Dia) Standard		2.00 EA		\$ 3,544.00	\$ 6,688.00	0.00	\$	-	-	-	0%	\$ 6,688.00			
96	Add'l Depth to MH 4' dia.		9.00 VF		\$ 212.00	\$ 1,908.00	0.00	\$	-	-	-	0%	\$ 1,908.00			
97	Sanitary Sewer Service Connection (12"x4')		6.00 EA		\$ 441.00	\$ 2,646.00	0.00	\$	-	-	-	0%	\$ 2,646.00			
98	Sanitary Sewer Service Connection (10"x4')		-		\$ -	\$ -	0.00	\$	-	-	-	0%	\$ -			
99	Sanitary Sewer Service Connection (8"x4')		4.00 EA		\$ 254.00	\$ 1,016.00	0.00	\$	-	-	-	0%	\$ 1,016.00			
100	4" PVC Pipe (Sewer Service Line)		470.00 LF		\$ 35.00	\$ 16,450.00	0.00	\$	-	-	-	0%	\$ 16,450.00			
101	Video Inspection of Conduit (Pre-Construct)		353.00 LF		\$ 3.00	\$ 1,059.00	0.00	\$	-	-	-	0%	\$ 1,059.00			
102	Video Inspection of Conduit (Post-Construct)		353.00 LF		\$ 3.00	\$ 1,059.00	0.00	\$	-	-	-	0%	\$ 1,059.00			
						\$ 54,557.25							\$ 54,557.25			

[illegible]

SCHEDULE "D"

THE MCALESTER PUBLIC WORKS AUTHORITY

PAYMENT REQUISITION

SERIES 2014 PROJECT ACCOUNT

THE MCALESTER PUBLIC WORKS AUTHORITY CONSTRUCTION FUND

FROM: Trustees of The McAlester Public Works Authority

TO: BancFirst

DATE: November 2, 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, as further supplemented and amended by a Series 2013 Supplemental Note Indenture dated as of June 1, 2013, and as further supplemented and amended by a Series 2014 Supplemental Note Indenture dated as of May 1, 2014 (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 2014 Project Account within the Construction Fund of said Authority as indicated below, the amounts shown for the purposes set forth in this Requisition.

Carstensen Contracting, Inc.

800482036

CREDITOR

TRUST NO.

P.O. Box 754 Pipestone, MN 56164

MAILING ADDRESS

Construction Services

Invoice: Payment # 5

ITEM

ITEM NO.

October 20, 2015

CIP # 4

\$ 557,360.70

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: November 2, 2015

Date Approved: _____

Date Paid: _____

Authorized Officer

Submit in triplicate:

1 to Trustee Bank

1 to Authority

1 to City

Kimberly Kelly

From: Deena Suddath <dsuddath@bancfirst.com>
Sent: Wednesday, October 28, 2015 11:19 AM
To: Kimberly Kelly
Subject: FW: SCHEDULE D
Attachments: 2971_001 CARSTENSEN CIP 4 #5.pdf; 2972_001 CARSTENSEN CIP 4A # 1.pdf

Kim,

There is a balance of \$21,916.10 remaining in the 2013 project account. To which invoice would you like for us to apply it to?

as

Deena M. Suddath • Senior Vice President and Assistant Secretary • Corporate Trust Administration Manager • BancFirst Trust and Investment Management • 101 N. Broadway, Suite 800, Oklahoma City, OK 73102 • Telephone: 405-218-4116 • Fax: 405-270-4779 • Email: dsuddath@bancfirst.com • www.bancfirst.com

From: Kimberly Kelly [<mailto:kimberly.kelly@cityofmcalester.com>]
Sent: Wednesday, October 28, 2015 9:09 AM
To: Deena Suddath
Subject: SCHEDULE D

Good morning Deena,
I have attached 2 Schedule D's: please let me know that you have received them.

Thank you,
Kimberly Kelly
Administrative Assistant Public Works Department
City of McAlester
918-423-9300 ext.4997
Fax 918-421-4943
kimberly.kelly@cityofmcalester.com

BancFirst Disclaimer:

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CONTRACTOR'S APPLICATION FOR PAYMENT NO.

5

Application Period: 9/1/15 To 9/26/15		Application Date: 9/29/2015	
To (Owner): City of McAlester	From (Contractor): Carstensen Contracting, Inc.	Via (Engineer): Miles Hunter, P.E.	
Project: Reconstruction of South Avenue	Contract: CIP 4	Original (Days): 268	Original (Days): 146
Owner's Contract No.:	Contractor's Project No.:	Engineer's Project No.:	
	15201	#6005601	

Application for Payment

Change Order Summary			
Approved Change Orders			
Number		Additions	Deductions
1	\$	-	-
2	\$	4,500.00	-
3	\$	-	-
4	\$	29,330.00	-
5	\$	6,744.95	-
TOTALS		40,575.03	-
NET CHANGE BY CHANGE ORDERS			40,575.03

1. ORIGINAL CONTRACT PRICE	\$	2,942,565.70
2. Net change by Change Orders	\$	40,575.03
3. CURRENT CONTRACT PRICE (Line 1 + 2)	\$	2,983,140.73
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Report)	\$	2,468,964.60
5. MATERIALS STORED ON HAND	\$	-
a. Paid This Estimate	\$	-
b. Removed This Estimate	\$	-
5. RETAINAGE:		
a. 5% x \$	2,468,964.60	Work Completed
b. - x \$	300.00	Liquidated Damages
c. Total Retainage (Line 5a + Line 5b)	\$	123,448.33
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$	2,345,516.37
7. LESS PREVIOUS PAYMENTS (Line 8 from prior Application)	\$	1,766,239.57
8. AMOUNT DUE THIS APPLICATION	\$	579,276.80
9. BALANCE TO FINISH, PLUS RETAINAGE	\$	514,175.89
(Column G on Progress Estimate + Line 5 Above)		

Contractor's Certification

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

By: John Deak Date: 10/20/15

Payment of: \$ 579,276.80

Is recommended by: [Signature] (Date) 10/21/15

Payment of: \$

Is approved by: [Signature] (Date)

Approved by: [Signature] (Date)

Progress Estimate (LUMP SUM BIDS)

Contractor's Application

For (contract):		CIP 4	Application Number:		Pay Application #5			
Application Period:		9/1/15 To 9/26/15	Application Date:		9/29/2015			
A		B	Work Completed		E	F	G	
Pay Item No.	ITEM	Scheduled Value	C	D	Materials Presently	Total Completed and Stored to Date (C + D + E)	% (F/B)	Balance to Finish (B - F)
	Description		From Previous Application (C+D)	This Period				
South Ave - Roadway								
1	Clearing and Grubbing	\$ 6,871.00	\$ 6,871.00		\$ -	\$ 6,871.00	1.00	\$ -
4	Type A Salvaged Topsoil	\$ 15,577.00	\$ 15,577.00		\$ -	\$ 15,577.00	1.00	\$ -
42	Removal of Structures & Obstructions	\$ 14,984.00	\$ 14,984.00		\$ -	\$ 14,984.00	1.00	\$ -
55	Construction Traffic Control	\$ 6,329.00	\$ 4,746.75	\$ 1,582.25	\$ -	\$ 6,329.00	1.00	\$ -
56	Traffic Items	\$ 18,100.00	\$ 2,715.00		\$ -	\$ 2,715.00	0.15	\$ 15,385.00
52	SWPPP Documentation and Management	\$ 6,745.00	\$ 6,558.75	\$ 2,186.25	\$ -	\$ 6,745.00	1.00	\$ -
54	Mobilization	\$ 76,995.00	\$ 76,995.00		\$ -	\$ 76,995.00	1.00	\$ -
57	Construction Staking Level II	\$ 27,495.00	\$ 24,745.50	\$ 2,749.50	\$ -	\$ 27,495.00	1.00	\$ -
South Ave - Water								
105	CLSM Backfill - Fill Existing Waterline	\$ 28,905.00	\$ 28,905.00		\$ -	\$ 28,905.00	1.00	\$ -
106	Hydrostatic Pressure Testing & Disinfection	\$ 11,757.00	\$ 11,757.00		\$ -	\$ 11,757.00	1.00	\$ -
107	3" Master Meter Vault For Puterbaugh School	\$ 26,237.00	\$ 26,237.00		\$ -	\$ 26,237.00	1.00	\$ -
108	3" Master Meter Vault For Will Rogers School	\$ 26,155.00	\$ 26,155.00		\$ -	\$ 26,155.00	1.00	\$ -
109	Remove Exit Master Meter Vault For Puterbaugh School	\$ 3,940.00	\$ 3,940.00		\$ -	\$ 3,940.00	1.00	\$ -
110	Remove Exit Master Meter Vault For Will Rogers School	\$ 3,940.00	\$ 3,940.00		\$ -	\$ 3,940.00	1.00	\$ -
South Ave - Sewer								
112	CLSM Backfill - Fill Existing Waterline	\$ 8,163.00	\$ 8,163.00		\$ -	\$ 8,163.00	1.00	\$ -
122	Leakage Test(Sanitary Sewer Manholes) By Neg.Pres.(vacuum)	\$ 1,550.00	\$ 1,550.00		\$ -	\$ 1,550.00	1.00	\$ -
123	Deflection & Leakage Test (Sanitary Sewer Mains)	\$ 3,055.00	\$ 3,055.00		\$ -	\$ 3,055.00	1.00	\$ -
		\$ 288,198.00				\$ 272,413.00		

Total This Estimate \$ 6,518.00

To Finish Lump Sum Items \$ 15,385.00

Progress Estimate (South Ave Roadway)

Contractor's Application

For (contract):		CIP 4		Application Number:		Pay Application #5							
Application Period:		9/1/15 To 9/26/15		Application Date:		9/29/2015							
Specification Section No.	ITEM Description	Old Quantity	Unit Price	Old Value	Total Old Value	Estimate Quantity Installed	Estimate Value	Materials Presently Installed (not in C)	Total Completed and Stored to Date (D+E)	Total \$ Completed and Stored to Date	% (F/B)	Balance to Finish (B-F)	Total Spent on Unit Price Items
2	Unclassified Location	4,610.00	CV	\$ 13.00	\$ 59,930.00	4,610.00	\$ 85,310.00	-	4,610.00	\$ 85,310.00	100%	\$ -	\$ 54,370.00
3	Embankment	8.00	CV	\$ 14.00	\$ 112.00	8.00	\$ 112.00	-	8.00	\$ 112.00	100%	\$ -	\$ 49.00
5	Temporary Soil Fence	4,082.00	SY	\$ 2.70	\$ 10,997.40	4,082.00	\$ 10,997.40	-	4,082.00	\$ 10,997.40	100%	\$ -	\$ 10,997.40
6	Temporary Sediment Filter	7.00	EA	\$ 150.00	\$ 1,050.00	7.00	\$ 1,050.00	-	7.00	\$ 1,050.00	100%	\$ -	\$ 1,050.00
7	PUY Temporary Inlet Sediment Filter	36.00	EA	\$ 150.00	\$ 5,400.00	36.00	\$ 5,400.00	-	36.00	\$ 5,400.00	100%	\$ -	\$ 5,400.00
8	Solid Sand Filling	3,812.00	SY	\$ 4.75	\$ 18,087.00	3,812.00	\$ 18,087.00	-	3,812.00	\$ 18,087.00	100%	\$ -	\$ 18,087.00
9	Vegetative Mulching	1.00	AC	\$ 2,350.00	\$ 2,350.00	0.00	\$ 0.00	-	0.00	\$ 0.00	0%	\$ 2,350.00	\$ -
10	Mowing	1.00	AC	\$ 1,000.00	\$ 1,000.00	0.00	\$ 0.00	-	0.00	\$ 0.00	0%	\$ 1,000.00	\$ -
11	AGC state base Type A	1,608.00	CV	\$ 87.20	\$ 139,397.60	1,608.00	\$ 136,862.00	-	1,608.00	\$ 128,882.00	100%	\$ 10,515.60	\$ 136,372.00
12	Gravel	26.67	TON	\$ 181.00	\$ 4,818.20	0.00	\$ 0.00	-	0.00	\$ 0.00	0%	\$ 4,818.20	\$ -
12A	Stabilized Subgrade	11,306.00	SY	\$ 1.30	\$ 14,697.80	11,306.00	\$ 39,571.20	-	11,306.00	\$ 39,571.20	100%	\$ -	\$ 39,571.20
13	Open Stabilized Subgrade	8,938.45	SY	\$ 1.30	\$ 11,620.00	0.00	\$ 0.00	-	0.00	\$ 0.00	0%	\$ 11,620.00	\$ -
13A	Sealing Method B	13,358.00	SY	\$ 5.93	\$ 79,212.04	13,358.00	\$ 80,183.20	-	13,358.00	\$ 81,881.00	100%	\$ -	\$ 62,193.00
14	Reinforced Pavement	11,404.00	SY	\$ 1.50	\$ 17,106.00	7,002.00	\$ 10,503.00	-	7,002.00	\$ 10,503.00	61%	\$ 6,603.00	\$ -
15	Topsoil	210.00	GAL	\$ 8.40	\$ 1,764.00	210.00	\$ 1,764.00	-	210.00	\$ 1,764.00	100%	\$ -	\$ 1,764.00
16	Gravel	2,416.00	GAL	\$ 8.40	\$ 20,294.40	2,416.00	\$ 20,294.40	-	2,416.00	\$ 20,294.40	100%	\$ -	\$ 20,294.40
17	Superpave, Type 50/50 (4-25 OI)	325.00	TON	\$ 348.00	\$ 113,100.00	325.00	\$ 74,670.00	-	325.00	\$ 74,670.00	66%	\$ 38,430.00	\$ 74,670.00
18	Superpave, Type 50/50 (4-25 OI)	150.00	TON	\$ 243.00	\$ 36,450.00	150.00	\$ 36,200.00	-	150.00	\$ 36,200.00	100%	\$ -	\$ 36,200.00
19	Gravel Joint P.C. Concrete Pavement Placement	8,814.00	SY	\$ 28.80	\$ 253,843.20	2,919.00	\$ 112,970.00	-	2,919.00	\$ 112,970.00	45%	\$ 139,110.40	\$ 112,970.00
20	P.C. Concrete for Placement	3,958.00	CV	\$ 118.00	\$ 466,964.00	956.00	\$ 112,847.00	-	956.00	\$ 112,847.00	49%	\$ 119,473.00	\$ 112,847.00
21	Reinforcing	300.00	LF	\$ 85.00	\$ 25,500.00	1,000.00	\$ 10,000.00	-	1,000.00	\$ 10,000.00	100%	\$ -	\$ 10,000.00
22	4" x 4" Precast Reinforced Concrete Box	972.00	LF	\$ 378.00	\$ 367,356.00	972.00	\$ 370,950.00	-	972.00	\$ 370,950.00	100%	\$ -	\$ 370,950.00
23	4" x 4" Precast Reinforced Concrete Box	789.00	LF	\$ 378.00	\$ 297,282.00	851.00	\$ 91,150.00	-	851.00	\$ 91,250.00	102%	\$ -	\$ 91,150.00
24	Class C Concrete	8.00	CV	\$ 1,300.00	\$ 10,400.00	8.00	\$ 1,060.00	-	8.00	\$ 1,060.00	100%	\$ -	\$ 1,060.00
25	Concrete Curb (8" Barrier-Integral)	1,344.00	CV	\$ 39.88	\$ 53,580.72	2,239.00	\$ 82,244.00	-	2,239.00	\$ 82,244.00	95%	\$ 40,339.00	\$ 82,244.00
26	4" Concrete Driveway	1,376.00	CV	\$ 78.00	\$ 107,208.00	488.00	\$ 38,100.00	-	488.00	\$ 38,100.00	35%	\$ 69,108.00	\$ 38,100.00
27	4" Concrete Driveway	165.00	CV	\$ 78.00	\$ 12,870.00	40.00	\$ 3,120.00	-	40.00	\$ 3,120.00	24%	\$ 9,750.00	\$ 3,120.00
28	Tactile Warning Device-New	410.00	SY	\$ 22.00	\$ 8,920.00	140.00	\$ 3,080.00	-	140.00	\$ 3,080.00	34%	\$ 5,840.00	\$ 3,080.00
29	Index C Over Sign	7.00	EA	\$ 4,500.00	\$ 31,500.00	7.00	\$ 31,500.00	-	7.00	\$ 31,500.00	100%	\$ -	\$ 31,500.00
30	Index W/NO. 1st Row/2nd Row, 2'x2'	3.00	EA	\$ 19,544.00	\$ 58,632.00	3.00	\$ 58,632.00	-	3.00	\$ 58,632.00	100%	\$ -	\$ 58,632.00
31	Index W/NO. 1st Row/2nd Row, 2'x2'	1.00	EA	\$ 5,558.00	\$ 5,558.00	1.00	\$ 5,558.00	-	1.00	\$ 5,558.00	100%	\$ -	\$ 5,558.00
32	JPLI Quad Grade Trench Inlet Sorel	408.00	CV	\$ 39.88	\$ 16,271.04	408.00	\$ 30,875.00	-	408.00	\$ 30,875.00	100%	\$ -	\$ 30,875.00
33	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 3,770.00	-	3.00	\$ 3,770.00	75%	\$ 1,312.00	\$ 3,770.00
34	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
35	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
36	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
37	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
38	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
39	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
40	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
41	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
42	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
43	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
44	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
45	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
46	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
47	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
48	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
49	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
50	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
51	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
52	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
53	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
54	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
55	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
56	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
57	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
58	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
59	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
60	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
61	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
62	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
63	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
64	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
65	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
66	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
67	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
68	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
69	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
70	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
71	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
72	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
73	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
74	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
75	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.00	\$ 1,694.00	100%	\$ -	\$ 1,694.00
76	Concrete Curb (8" Barrier-Integral)	3.00	EA	\$ 1,694.00	\$ 5,082.00	3.00	\$ 1,694.00	-	3.				

Progress Estimate (S.AVE Water)

Contractor's Application

For (Contract)		CIP 4		Application Number:		Pay Application #5								
Application Period:		9/1/15 To 9/26/15		Application Date:		8/29/2015								
Item		B		D		E		F		G		H		
Specification Section No.	Description	Bid Quantity	Unit Price	Old Value	Total Bid Value	Estimate Quantity Installed	Estimate Value	Materials Presently Installed (not in C)	Total Completed and Stored to Date (C + F)	Total % Completed and Stored to Date	% (F/G)	Balance to Finish (D - F)	Total Spent on Unit Price Items	
73	Unclassified Excavation	1,050.00	CY	2	34.60	35,130.00	2,050.00	3	15,330.00	1,000.00	15,330.00	100%	\$	15,330.00
74	8" Polyvinyl Chloride (PVC) Pipe	2,165.00	LF	2	44.90	97,332.50	2,185.00	2	97,332.50	2,185.00	97,332.50	100%	\$	97,332.50
75	8" Polyvinyl Chloride (PVC) Pipe	150.00	LF	2	38.00	5,490.00	150.00	5	5,490.00	150.00	5,490.00	100%	\$	5,490.00
76	8" Polyvinyl Chloride (PVC) Pipe	50.00	LF	2	33.00	1,650.00	50.00	5	1,650.00	50.00	1,650.00	100%	\$	1,650.00
77	8" Polyvinyl Chloride (PVC) Pipe	50.00	LF	2	31.00	1,575.00	50.00	5	1,575.00	50.00	1,575.00	100%	\$	1,575.00
78	Wire Hydrant and Assembly R.I.	5.00	EA	3	3,841.00	11,715.00	5.00	3	16,715.00	5.00	16,715.00	100%	\$	16,715.00
79	8" Gate Valve R.I.	16.00	EA	3	1,483.00	23,728.00	16.00	3	23,728.00	16.00	23,728.00	100%	\$	23,728.00
80	8" Gate Valve R.I.	8.00	EA	3	1,271.00	7,838.00	8.00	3	7,838.00	8.00	7,838.00	100%	\$	7,838.00
81	4" Gate Valve R.I.	2.00	EA	3	837.00	1,674.00	2.00	3	1,674.00	2.00	1,674.00	100%	\$	1,674.00
82	Standard Valve Box	24.00	EA	3	164.00	3,936.00	24.00	3	3,936.00	24.00	3,936.00	100%	\$	3,936.00
83	8" Solid Sleeve R.I.	1.00	EA	3	415.00	415.00	1.00	3	415.00	1.00	415.00	100%	\$	415.00
84	8" Solid Sleeve R.I.	1.00	EA	3	311.00	311.00	1.00	3	311.00	1.00	311.00	100%	\$	311.00
85	8" Solid Sleeve R.I.	1.00	EA	3	272.50	272.50	1.00	3	272.50	1.00	272.50	100%	\$	272.50
86	8" Solid Sleeve (Coupling) R.I.	8.00	EA	3	261.00	1,572.00	8.00	3	1,572.00	8.00	1,572.00	100%	\$	1,572.00
87	8" 45 Fitting R.I.	10.00	EA	3	624.00	6,240.00	10.00	3	6,240.00	10.00	6,240.00	100%	\$	6,240.00
88	8" 45 Fitting (Vertical) R.I.	12.00	EA	3	941.00	11,292.00	12.00	3	11,292.00	12.00	11,292.00	100%	\$	11,292.00
89	8" 45 Fitting R.I.	2.00	EA	3	332.00	664.00	2.00	3	664.00	2.00	664.00	100%	\$	664.00
90	8" 45 Fitting (Vertical) R.I.	12.00	EA	3	527.00	6,324.00	12.00	3	6,324.00	12.00	6,324.00	100%	\$	6,324.00
91	8" 45 Fitting (Vertical) R.I.	3.00	EA	3	408.00	1,224.00	3.00	3	1,224.00	3.00	1,224.00	100%	\$	1,224.00
92	8" 45 Fitting R.I.	4.00	EA	3	247.00	988.00	4.00	3	988.00	4.00	988.00	100%	\$	988.00
93	8" 1/2" 45 Fitting R.I.	2.00	EA	3	622.00	1,244.00	2.00	3	1,244.00	2.00	1,244.00	100%	\$	1,244.00
94	8" 1/2" 45 Fitting R.I.	4.00	EA	3	409.00	1,636.00	4.00	3	1,636.00	4.00	1,636.00	100%	\$	1,636.00
95	8" x 6" Reducing Fitting R.I.	5.00	EA	3	478.00	2,390.00	5.00	3	2,390.00	5.00	2,390.00	100%	\$	2,390.00
96	8" x 4" Reducing Fitting R.I.	1.00	EA	3	459.00	459.00	1.00	3	459.00	1.00	459.00	100%	\$	459.00
97	8" x 4" Reducing Fitting R.I.	3.00	EA	3	388.00	1,164.00	3.00	3	1,164.00	3.00	1,164.00	100%	\$	1,164.00
98	8" x 4" Tee R.I.	3.00	EA	3	983.00	2,949.00	3.00	3	2,949.00	3.00	2,949.00	100%	\$	2,949.00
99	8" x 4" Tee R.I.	5.00	EA	3	918.00	4,590.00	5.00	3	4,590.00	5.00	4,590.00	100%	\$	4,590.00
100	8" x 4" Tee R.I.	2.00	EA	3	812.00	1,624.00	2.00	3	1,624.00	2.00	1,624.00	100%	\$	1,624.00
101	8" Plug R.I.	1.00	EA	3	320.00	320.00	1.00	3	320.00	1.00	320.00	100%	\$	320.00
102	1/2" x 3/4" Water Service Connection (Short) R.I.	11.00	EA	3	1,266.00	13,926.00	11.00	3	13,926.00	11.00	13,926.00	100%	\$	13,926.00
103	1/2" x 3/4" Water Service Connection (Long) R.I.	10.00	EA	3	1,543.00	15,430.00	10.00	3	15,430.00	10.00	15,430.00	100%	\$	15,430.00
104	1" Water Service Connection (Short) R.I.	1.00	EA	3	3,170.00	3,170.00	1.00	3	3,170.00	1.00	3,170.00	100%	\$	3,170.00
						Total Bid Estimate		To Finish Unit Price Items						
						3 255,539.00								

Progress Estimate (S. AVE Sewer)

Contractor's Application

CIP 4						Pay Application #5					
Application Period: 9/1/15 To 9/26/15						Application Date: 9/29/2015					
ITEM											
Specification Section No.	Description	Bid Quantity	Unit Price	Bid Value	Total Bid Value	Estimate Quantity Installed	Estimate Value	Materials Presently Installed (not in C)	Total Completed and Stored to Date (D + E)	Total \$ Completed and Stored to Date	% (F/G)
111	Unclassified Excavation	700.00	CV	\$ 9.74	\$ 6,818.00	700.00	\$ 6,818.00	-	700.00	\$ 6,818.00	100%
113	12" PolyVinyl Chloride (PVC) Pipe (Sewer Main)	735.00	LF	\$ 44.00	\$ 32,460.00	716.00	\$ 31,504.00	-	716.00	\$ 31,504.00	100%
114	8" PolyVinyl Chloride (PVC) Pipe (Sewer Main)	335.00	LF	\$ 39.00	\$ 13,065.00	335.00	\$ 13,065.00	-	335.00	\$ 13,065.00	100%
115	Manhole (4' Dia) Standard	10.00	EA	\$ 3,241.00	\$ 32,410.00	10.00	\$ 32,410.00	-	10.00	\$ 32,410.00	100%
116	Add Depth in MH (4' Diameter)	15.00	NF	\$ 215.00	\$ 3,225.00	15.00	\$ 3,225.00	-	15.00	\$ 3,225.00	100%
117	Sanitary Sewer Service Connection (10"x4")	12.00	EA	\$ 365.00	\$ 4,380.00	12.00	\$ 4,380.00	-	12.00	\$ 4,380.00	100%
118	Sanitary Sewer Service Connection (8"x4")	4.00	EA	\$ 262.00	\$ 1,048.00	4.00	\$ 1,048.00	-	4.00	\$ 1,048.00	100%
119	4" PolyVinyl Chloride (PVC) Pipe (Sewer Service Line)	550.00	LF	\$ 35.00	\$ 19,250.00	550.00	\$ 19,250.00	-	550.00	\$ 19,250.00	100%
120	(R) Video Inspection of Conduit (Pre-Const)	1,045.00	LF	\$ 3.00	\$ 3,135.00	0.00	\$ -	-	-	\$ -	0%
121	(R) Video Inspection of Conduit (Post-Const)	1,045.00	LF	\$ 3.00	\$ 3,135.00	0.00	\$ -	-	-	\$ -	0%
					\$ 116,016.00					\$ 116,016.00	100%
						Total This Estimate		To Finish Unit Price Items		\$ 5,270.00	

[illegible]

SCHEDULE "D"

THE MCALESTER PUBLIC WORKS AUTHORITY

PAYMENT REQUISITION
SERIES 2014 PROJECT ACCOUNT
THE MCALESTER PUBLIC WORKS AUTHORITY CONSTRUCTION FUND

FROM: Trustees of The McAlester Public Works Authority

TO: BancFirst

DATE: November 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, as further supplemented and amended by a Series 2013 Supplemental Note Indenture dated as of June 1, 2013, and as further supplemented and amended by a Series 2014 Supplemental Note Indenture dated as of May 1, 2014 (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 2014 Project Account within the Construction Fund of said Authority as indicated below, the amounts shown for the purposes set forth in this Requisition.

T. McDonald Construction

800482036

CREDITOR

TRUST NO.

P.O. Box 1043 Eufaula, OK 74432

MAILING ADDRESS

Construction Services

Invoice: Payment # 12

ITEM

ITEM NO.

October 20, 2015

CIP # 3

\$ 364,325.68

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: November 3, 2015

Date Approved: _____

Date Paid: _____

Authorized Officer

Submit in triplicate:

1 to Trustee Bank

1 to Authority


1 to City

Contractor's Application for Payment No.		12
Application Period:	9/16/2015 TO 10/20/2015	Application Date: 10/20/2015
To (Owner):	CITY OF MCALESTER	Via (Engineer): Infrastructure Solutions Group, LLC dba Mehlbarger Brawley
Project:	SECOND STREET IMPROVEMENTS CIP #3	
Owner's Contract No.:	N/A	Engineer's Project No.: MC-14-01

Approved Change Orders			Change Order Summary	
	Number	Additions	Deductions	
	1		- \$8,950.00	
	2			
	3	\$10,974.00		
	4			
	5	\$2,930.00		
	TOTALS	\$13,904.00	- \$8,950.00	
	NET CHANGE BY CHANGE ORDERS			\$4,954.00

1. ORIGINAL CONTRACT PRICE.....	\$	\$2,730,987.50
2. Net change by Change Orders.....	\$	\$4,954.00
3. Current Contract Price (Line 1 ± 2).....	\$	\$2,735,941.50
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate).....	\$	\$2,063,971.75
5. RETAINAGE:		
a. 10% X \$2,055,451.75 Work Completed....	\$	\$205,545.18
b. 10% X \$8,520.00 Stored Material.....	\$	\$852.00
c. Total Retainage (Line 5a + Line 5b).....	\$	\$206,397.18
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c).....	\$	\$1,857,574.58
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)...	\$	\$1,493,248.90
8. AMOUNT DUE THIS APPLICATION.....	\$	\$364,325.68
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above).....	\$	\$878,366.93

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

Payment of:	\$364,325.68		
is recommended by:		(Engineer)	11/2/15 (Date)
Payment of:	\$364,325.68		
is approved by:		(Owner)	(Date)
Approved by:			Funding Agency (if applicable) (Date)

Endorsed by the Construction Specifications Institute.
EJCDC C-620 Contractor's Application for Payment
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Progress Estimate

Contractor's Application

For (contract):		MC-14-01		Application Number: 12		
Application Period:		9/16/2015 TO 10/20/2015		Application Date: 10/20/2015		
A				E	F	G
Item		Bid Quantity	Unit Price	B	C	D
Bid Item No.	Description			Bid Value	Estimated Quantity Installed	Value
1	EARTHWORK-LS	1	\$65,000.00	\$65,000.00	0.25	\$16,250.00
2	SOLID SLAB SOD-SY	5355	\$3.00	\$16,065.00		
3	AGGREGATE TYPE A-CY	4270	\$47.50	\$202,825.00	3800	\$180,500.00
4	BASE REPAIR-AGG BASE TYPE A-CY	220	\$85.00	\$18,700.00	220	\$18,700.00
5	LIME		\$200.00			
6	LIME STABILIZED SUBGRADE *(6 IN. OF AGG BASE)-SY		\$12.00			
7	TACK COAT	3000	\$1.00	\$3,000.00	3000	\$3,000.00
8	PRIME COAT	135	\$10.00	\$1,350.00	135	\$1,350.00
9	DRIVING SURFACE (OVERLAY) SUPERPAVE S5 (PG64-22)-3"	600	\$140.00	\$84,000.00	600	\$84,000.00
10	BASE REPAIR PATCH (OVERLAY) SUPERPAVE S5 (PG64-22)-3"	75	\$150.00	\$11,250.00	75	\$11,250.00
11	RCP BASE REPAIR PATCH (SUPERPAVE S5 (PG64-22)-3")	70	\$150.00	\$10,500.00	70	\$10,500.00
12	WATER LINE BASE REPAIR PATCH (SUPERPAVE S5 (PG64-22)	25	\$150.00	\$3,750.00	25	\$3,750.00
13	COLD MILLING PAVEMENT (OVERLAY)	3700	\$8.00	\$29,600.00	3700	\$29,600.00
14	PC CONCRETE FOR PAVEMENT (PLACEMENT) -SY	11520	\$24.50	\$282,240.00	6848	\$167,776.00
15	PC CONCRETE FOR PAVEMENT (PLACEMENT) -CY	2600	\$132.00	\$343,200.00	1529	\$201,828.00
16	CONCRETE JOINT SEALING - LF	23625	\$1.20	\$28,350.00	7208	\$8,649.60
17	CONCRETE CURB (6" BARRIER-INTEGRAL) -LF	4456	\$9.00	\$40,104.00	2574	\$23,166.00
18	4" CONCRETE SIDEWALK-SY	1812	\$44.00	\$79,728.00	1190	\$52,360.00
19	6" CONCRETE DRIVEWAY-SY	2022	\$66.00	\$133,452.00	1290	\$85,140.00
20	FACTILE WARNING DEVICE-SY	420	\$22.00	\$9,240.00	24	\$528.00
21	INTEL CI DES. 2 (STD)	2	\$6,600.00	\$13,200.00	2	\$13,200.00
22	INTEL CI DES. 3 (STD)	1	\$7,150.00	\$7,150.00	1	\$7,150.00
23	6" PERFORATED UNDERDRAIN ROUND-LF	6000	\$10.00	\$60,000.00	5020	\$50,200.00
24	6" NON-PERFORATED UNDERDRAIN ROUND-LF	200	\$20.00	\$4,000.00	200	\$4,000.00
25	REMOVAL OF CONCRETE PAVEMENT W/ASPHALT OVERLAY	12000	\$7.00	\$84,000.00	10445	\$73,115.00
26	REMOVAL OF SIDEWALK-SY	1300	\$4.00	\$5,200.00	1200	\$4,800.00
27	MOBILIZATION	1	\$80,000.00	\$80,000.00	0.5	\$40,000.00
28	TENSAR ROADRAIN-SY	12800	\$10.95	\$140,160.00	10617	\$116,256.15
29	CONCRETE JUNCTION BOXES	3	\$4,500.00	\$18,000.00	3	\$13,500.00
30	19"X30" RC PIPE CLASS III	23	\$200.00	\$4,600.00	23	\$4,600.00
31	30" RC PIPE CLASS III	890	\$110.00	\$97,900.00	890	\$97,900.00
32	24"X38" RC PIPE ARCH CLASS III	5	\$500.00	\$2,500.00	5	\$2,500.00
33	44"X27" RC PIPE ARCH CLASS III	33	\$350.00	\$11,550.00	30	\$10,500.00
34	SEWER LINE CONNECTIONS (UNDER RCP WEST SIDE FROM COMMAMACHE TO CANAL)	1	\$1,500.00	\$1,500.00	1	\$1,500.00
35	8" SDR 35 PVC MAIN SEWER LINE	2910	\$65.00	\$189,150.00	2605	\$169,325.00

36	4" ID CONCRETE PRE-CAST MANHOLE	11	\$2,500.00	\$60,500.00	10	\$55,000.00	\$55,000.00	90.9%	\$5,500.00
37	SEWER SERVICE CONNECTION	75	\$950.00	\$71,250.00	59	\$56,050.00	\$56,050.00	78.7%	\$15,200.00
38	SEWER LINE AGGREGATE BASE FOR SURFACE REPAIR	2910	\$10.00	\$29,100.00	2605	\$26,050.00	\$26,050.00	89.5%	\$3,050.00
39	16" PVC C-900 DR 14 WATER MAIN	115	\$90.00	\$10,350.00	105	\$9,450.00	\$9,450.00	91.3%	\$900.00
40	10" PVC C-900 WATER MAIN	1365	\$40.00	\$54,600.00	1336	\$53,440.00	\$53,440.00	97.9%	\$1,160.00
41	6" PVC C-900 WATER MAIN	2935	\$24.00	\$70,440.00	2935	\$70,440.00	\$70,440.00	100.0%	
42	16" WATER MAIN CONNECTION	2	\$3,000.00	\$6,000.00	2	\$6,000.00	\$6,000.00	100.0%	
43	10" WATER MAIN CONNECTION	6	\$2,000.00	\$12,000.00	3	\$6,000.00	\$6,000.00	50.0%	\$6,000.00
44	6" WATER MAIN CONNECTION	5	\$1,000.00	\$3,000.00	5	\$5,000.00	\$5,000.00	100.0%	
45	16" TO 10" WATER MAIN CONNECTION	1	\$3,000.00	\$3,000.00	1	\$3,000.00	\$3,000.00	100.0%	
46	16" GATE VALVE	2	\$4,500.00	\$9,000.00	2	\$9,000.00	\$9,000.00	100.0%	
47	10" GATE VALVE	5	\$2,000.00	\$10,000.00	4	\$8,000.00	\$8,000.00	80.0%	\$2,000.00
48	6" GATE VALVE	13	\$800.00	\$10,400.00	12	\$9,600.00	\$9,600.00	92.3%	\$800.00
49	NEW FIRE HYDRANT ASSEMBLY	10	\$5,500.00	\$55,000.00	10	\$55,000.00	\$55,000.00	100.0%	
50	1" AIR RELEASE VALVE	1	\$1,500.00	\$1,500.00	1	\$1,500.00	\$1,500.00	100.0%	
51	2" METER CONNECTION	4	\$1,600.00	\$6,400.00	3	\$4,800.00	\$4,800.00	75.0%	\$1,600.00
52	WATER SERVICE RECONNECTION (SHORT)	55	\$900.00	\$49,500.00	35	\$31,500.00	\$31,500.00	63.6%	\$18,000.00
53	WATER SERVICE RECONNECTION (LONG)	40	\$900.00	\$36,000.00	37	\$33,300.00	\$33,300.00	92.5%	\$2,700.00
54	WATER AGGREGATE BASE FOR SURFACE REPAIR	680	\$10.00	\$6,800.00	680	\$6,800.00	\$6,800.00	100.0%	
55	TRAFFIC CONTROL	1	\$45,000.00	\$45,000.00	0.5	\$22,500.00	\$22,500.00	50.0%	\$22,500.00
56	2 YEAR MAINTENANCE BOND	1	\$10,000.00	\$10,000.00					
57	SWPPP	1	\$15,000.00	\$15,000.00	0.5	\$7,500.00	\$7,500.00	50.0%	\$7,500.00
58	AS-BUILTS SURVEY	1	\$5,000.00	\$5,000.00					\$5,000.00
59	4" DWV SCH 40 SEWER SERVICE LINE (REQUIRED FOR SERVICE SEPERATION)	120	\$25.00	\$3,000.00					\$3,000.00
CO-1	INVESTIGATE AND CAP ABANDONED SEWER SERVICE LINES	9	\$200.00	\$1,800.00	9	\$1,800.00	\$1,800.00	100.0%	
CO-2	ADD ADDITIONAL CASING WITH END SEALS	1	\$1,500.00	\$1,500.00	1	\$1,500.00	\$1,500.00	100.0%	
CO-3	REVISED ELEVATION FOR CURB INLET DUE TO UTILITY	1	\$750.00	\$750.00	1	\$750.00	\$750.00	100.0%	
WCDI-1	REMOVE AND COMPACT ROAD SURFACE UNDER ROAD SURFACE (Materials plus 25%)	5338	\$11.55	\$61,652.50	4600	\$53,130.00	\$53,130.00	86.2%	\$8,522.50
WCDI-2	REMOVE POP-OFF, CLEANOUT, AND ANTI BACK FLOW PREVENTER	71	-\$103.00	-\$7,313.00					-\$7,313.00
WCDI-3	REMOVE F1000 CORP STOP AND REPLACE FB1000	21	\$486.00	\$10,206.00	21	\$10,206.00	\$10,206.00	100.0%	
WCDI-4	REPLACE F1000 CORP STOP WITH FB1000	69	\$18.00	\$1,242.00	69	\$1,242.00	\$1,242.00	100.0%	
Totals				\$2,735,941.50		\$2,055,451.75	\$8,570.00	75.4%	\$671,969.75

Stored Material Summary

Contractor's Application

For (contract): CITY OF MCALESTER SECOND STREET IMPROVEMENTS			Application Number: 12						
Application Period: 9/16/2015 TO 10/20/2015			Application Date: 10/20/2015						
A	B	C	D		E		F		G
Invoice No.	Shop Drawing Transmittal No.	Materials Description	Stored Previously		Stored this Month		Incorporated in Work		Materials Remaining in Storage (\$) (D + E - F)
			Date (Month/Y)	Amount (\$)	Amount (\$)	Subtotal	Date (Month/Year)	Amount (\$)	
80309		WATER SERVICE CONNECTION FITTINGS	11/2014	\$18,166.27			6/2015	\$18,166.27	
80306		WATER AND SEWER LINE PIPE/ GATE VALVES	11/2014	\$29,141.54			1/2015	\$29,141.54	
11170142		ARCH PIPE 18"X 29" RCP	12/2014	\$1,504.20			2/2015	\$1,504.20	
62486		30" RCP PIPE	12/2014	\$2,877.60			1/2015	\$2,877.60	
62579		STORM DRAIN FRAME AND GRATE AND HARDWARE	12/2014	\$9,029.00			3/2015	\$9,029.00	
80533		18" METER CANS	11/2014	\$5,177.50			6/2015	\$5,177.50	
80532		2" VH77-15B-11-77-NL SETTER	11/2014	\$3,952.74			3/2015	\$3,952.74	
80532		6' DR-14C900 PVC PIPE	11/2014	\$3,082.52			2/2015	\$3,082.52	
80532		6' MJ GATE VALVE	11/2014	\$5,575.35			6/2015	\$5,575.35	
80532		8"X4" SDR-26 WYE W/SCH40 OUTLET	11/2014	\$2,577.58			6/2015	\$2,577.58	
80530		5/8" X 3/4" ZENNER WATER METER	11/2014	\$5,693.18			3/2015	\$5,693.18	
80530		10"X1" CC 315 TAPPING SADDLE	11/2014	\$6,636.52			3/2015	\$6,636.52	
80933		16" PVC STARGRIP W/ACC	1/2015	\$2,559.54			2/2015	\$2,559.54	
80933		10" PVC STARGRIP W/ACC	1/2015	\$6,546.50			2/2015	\$6,546.50	
80933		6" PVC STARGRIP X/ACC	1/2015	\$3,698.37			5/2015	\$3,698.37	
80933		4" 2-WAY CLEAN OUT TEE	1/2015	\$2,422.92				\$2,422.92	
80941		LF 6" DR-14 C900 PVC PIPE	1/2015	\$13,050.21			5/2015	\$13,050.21	
81118		5-1/4 B84B 3-WAY 36 BURY FIRE HYDT L/ACC	1/2015	\$18,067.50			3/2015	\$18,067.50	
44744		57,043 sq ft of Tensar Roadrain RDS	5/2015	\$54,190.84			7/2015	\$45,670.84	\$8,520.00
Totals				\$193,949.88				\$185,429.88	\$8,520.00

SCHEDULE "D"

THE MCALESTER PUBLIC WORKS AUTHORITY

PAYMENT REQUISITION SERIES 2014 PROJECT ACCOUNT THE MCALESTER PUBLIC WORKS AUTHORITY CONSTRUCTION FUND

FROM: Trustees of The McAlester Public Works Authority

TO: BancFirst

DATE: November 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, as further supplemented and amended by a Series 2013 Supplemental Note Indenture dated as of June 1, 2013, and as further supplemented and amended by a Series 2014 Supplemental Note Indenture dated as of May 1, 2014 (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 2014 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 Groups, LLC
CREDITOR

800482036
TRUST NO.

719 S. George Nigh Expressway
MAILING ADDRESS

Construction Services
ITEM

Invoice: MC-14-06-12
ITEM NO.

October 29, 2015
DATE

CIP # 3
PURPOSE

\$ 9,040.50
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: November 3, 2015

Date Approved: _____

Date Paid: _____

Authorized Officer

Submit in triplicate:

1 to Trustee Bank

1 to Authority

1 to City



October 29, 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-14-06-12

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'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:

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

October 29, 2015

PAID
NOV 03 2015

Invoice # MC-14-06-12

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 50 days
Percentage Complete to Date: 290/380 = 76.3%

CONSTRUCTION MANAGEMENT – \$40,000.00
90.5% of \$40,000.00 \$ 36,200.00

RESIDENT PROJECT REPRESENTATIVE - \$103,500.00
90.5% of \$103,500.00 \$ 93,667.50

TOTAL SERVICES BILLED TO DATE \$129,867.50

LESS PREVIOUSLY INVOICED -\$120,827.00

TOTAL DUE THIS INVOICE **\$ 9,040.50**

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



Oklahoma Tax Commission



www.tax.ok.gov



CITY OF MCALESTER
PO BOX 578
MCALESTER OK 74502-0578

Date Issued: October 22, 2015

Letter ID:

Taxpayer ID: COPO-6131

AMD

NOTIFICATION OF CITY SALES/USE CONTRACT

The Oklahoma Municipal League Liaison Board and the Oklahoma Tax Commission (OTC) have recently agreed to the terms of the new sales and use tax administration agreement. The agreement, once executed by CITY OF MCALESTER and OTC will replace the separate sales and use tax agreements currently in effect.

The sales and use tax administration agreement is located on the OTC website at www.tax.ok.gov.
Once on the website:

- Select the *All Taxes* tab
- Click on *Sales and Use Tax* in the drop down menu
- Click on *Information for Cities and Counties*
- Select *City Sales/Use Contract*

Two copies of the agreement should be printed. Complete all blanks on pages 1 and 12 of the agreement and have the proper officials sign on the designated lines. Additionally, the corporate seal should be affixed to each agreement. Submit both agreements to OTC at:

Oklahoma Tax Commission
Attn: David Francis, AMD
PO Box 269060
Oklahoma City, OK 73126-9060

Upon OTC approval, a fully executed copy of the agreement will be returned for your files.

For assistance contact David Francis at **405-522-6600**.

Sincerely,

Oklahoma Tax Commission
Account Maintenance Division

AGREEMENT FOR ADMINISTRATION
OF THE SALES AND USE TAX ORDINANCES
OF THE CITY/TOWN AND AN AGREEMENT TO ENGAGE IN COMPLIANCE
ACTIVITIES BY THE CITY/TOWN OF

THIS AGREEMENT is entered into this ____ day of _____, ____ pursuant to the provisions of Sections 2701 et seq. of Title 68 of the Oklahoma Statutes, between the Oklahoma Tax Commission, hereinafter referred to as "Commission," and the City/Town of _____, Oklahoma, hereinafter referred to as "Municipality," for the administration of effective sales and use tax ordinances on file with the Commission hereinafter referred to as "Ordinances," levying a municipal sales or use tax of _____ percent (____%) upon sales within or outside of the Municipality and to authorize Municipality to engage in compliance activities as hereinafter defined.

1. This Agreement is based upon the Ordinances for the collection of sales and uses taxes by the Municipality, certified copies of which are attached hereto and made a part hereof. The Municipality may, at any time and from time to time, amend or repeal the Ordinances and, to the extent that the Municipality amends or repeals the Ordinances, the Municipality shall promptly provide the Commission with a certified copy of the ordinance effecting such amendment or such repeal.

An increase or a decrease in the municipal sales or use tax rate shall become effective only on the first day of a calendar quarter. Provided, however, the sales and use tax rates levied by the Municipality if the Municipality levies both a sales and use tax, must be identical. The Municipality shall notify the Commission of an increase or a decrease at least seventy-five (75) days prior to the close of the current calendar quarter and shall provide the Commission with a certified copy of the ordinance affecting such increase or such decrease.

2. A. The Commission shall administer and shall enforce the Ordinances and shall collect the municipal sales and use tax, and the interest and penalties with respect thereto as provided in the Ordinances except as provided, in paragraph 16 below. It is recognized and acknowledged that:

(a) the Ordinances levy municipal sales tax upon all sales within the Municipality as authorized by Section 2701 of Title 68 of the Oklahoma Statutes; and

(b) the term "sale" as used in the Ordinances has the same meaning as the term "sale" has in the Oklahoma Sales Tax Code; and

(c) the Ordinances levy municipal use tax upon all transactions within or without the Municipality as authorized by Section 1411 of Title 68 of the Oklahoma Statutes; and

(d) the term "use" as used in the Ordinances have the same

meaning as the term "use" has in the Oklahoma Use Tax Code; and

(e) the permits for sales and use tax issued by the Commission shall be the sales and use tax permits used by the municipality for the enforcement and collection of sales and use taxes within and without the municipality and said permits, as issued by the Commission, shall include the zip code plus the four digit location code commonly called the zip plus 4, when available.

To facilitate such administration, such collection and such enforcement of local taxes, the Commission shall designate a Local Tax Coordinator of the Commission who shall be generally responsible for matters related to the collection of local taxes and, with respect to such matters, shall directly advise the Administrator of the Commission. The duties which may be performed by the Local Tax Coordinator and/or other employees of the Commission under his or her supervision, shall include, without limitation,

B. (a) acting as liaison between the Commission and municipalities with respect to the administration, the collection and the enforcement of local taxes,

(b) addressing concerns of the Commission and/or taxpayers with respect to the administration, the collection and the enforcement of municipal taxes by municipalities,

(c) consulting with municipalities concerns and trends with respect to local taxes,

(d) coordinating collection and enforcement actions by the Commission and municipalities with respect to local taxes,

(e) coordinating the provision by the Commission to municipalities of information and

(f) providing educational and other support to municipalities in their collection and enforcement efforts.

In making decisions with respect to the administration of local taxes, the Commission will consider the view expressed by the Municipality.

The Municipality shall not request that the Local Tax Coordinator perform any duties which are the sole responsibility of the Municipality.

3. The method of computing sales tax to be used by vendors in collecting both state and municipal sales tax is prescribed in Section 1362 of the Oklahoma Sales Tax Code. The method of computing use tax to be used by vendors in collecting both state and municipal use tax is prescribed in Section 1401 of the Oklahoma Use Tax Code.

4. The discount (deduction) allowed to vendors in Section 1367.1 of the Oklahoma Sales Tax Code shall be applicable to both state and local sales tax remittances. Monetary allowances provided for in 68 O.S. § 1354.31 shall also be applicable to both state and local sales tax remittances. The discount (deduction) allowed to vendors in Section 1410.1 of the Oklahoma Use Tax Code shall be applicable to both state and local use tax remittances. Monetary allowances provided for in 68 O.S. § 1354.31 shall also be applicable to both state

and local use tax remittances.

5. The Commission shall retain, as its sole compensation for its services rendered hereunder, an amount not to exceed one-half of one percent (0.5%) of the municipal sales or use taxes collected for services rendered in connection with such collections and the interest and penalties with respect thereto, collected by the Commission hereunder. The applicable percentage is set forth in Exhibit A as incorporated herein.

6. Except as otherwise provided herein, the Commission shall give no preference in applying an amount received for state, municipal and county sales or use taxes owed by a taxpayer to the extent that such amount is less than the aggregate state, municipal and county sales or use tax liability of the taxpayer. Any such amount shall be applied pro rata to the satisfaction of the claims of the Commission, the claims of the Municipality and the claims of other municipalities and counties based on the portions of the aggregate state, municipal and county sales or use tax liability of the taxpayer represented by their respective claims.

7. The municipal sales or use tax received and collected by the Commission pursuant to this Agreement shall be deposited in the State Treasury as required by law. The Commission shall use its best efforts to cause to be paid to the Municipality no later than the tenth day of each calendar month all municipal sales and use tax, and the interest and the penalties with respect thereto, received and collected by the Commission during the immediately preceding calendar month, less any amount withheld by the Commission under Paragraph 5 and less any amounts deducted by the Commission in connection with refunds hereunder.

8. The Commission shall require reports of municipal sales and use tax from vendors, shall maintain records of reports, receipts and collections from vendors. The Commission shall maintain the records in such a manner that the amount due the Municipality each month by a vendor can be determined by the Commission and can be provided to the Municipality. The requirement for the Commission to maintain its records in a verifiable form is intended to require the Commission to maintain its records in a form capable of producing reports that can be electronically downloaded into, at a minimum, an excel spreadsheet or its equivalent; the Commission will use a form which is capable of being understood by a person reviewing such records. The Commission shall make available to the Municipality a monthly statement of the municipal sales and use tax, and interest and penalties with respect thereto, received and collected by the Commission during the immediately preceding calendar month, the amounts, if any, refunded by the Commission to taxpayers during the immediately preceding calendar month and the amount withheld by the Commission under Paragraph 5. The Commission shall allow an annual review of the Commission's expenditures associated with the collection and enforcement of municipal sales and use taxes.

9. In the event a vendor remits sales or use taxes due but fails to submit city attachments, or submits a report from which the sales or use tax due Municipality cannot be determined, the Commission will allocate to Municipality such sales or use tax received pro rata based on the vendor's percentage allocation for the most recent report filed or, if no report has been filed, according to the best information available to the Commission. Such amount, and any interest and penalty as provided in Section 217 of Title 68 of the Oklahoma Statutes with respect thereto, shall be paid to the Municipality in accordance with Paragraph 7. Interest will begin as of the date the vendor remittance is deposited to the State Treasury.

10. The Municipality acknowledges that the Commission is responsible for making

refunds to taxpayers of municipal sales and use taxes previously collected by the Commission on behalf of the Municipality. The term "refunds" as used herein shall include payments made pursuant to filed claim for refund(s) or amended return(s) approved by the Commission. The Commission's determination of any taxpayer's liability for sales and use taxes shall be binding as between the Municipality and the taxpayer.

Any refund of municipal sales and use tax previously paid by the Commission to the Municipality shall be paid from subsequent collections of the municipal sales and use tax. Such refund shall be deducted from the collections payable by the Commission to the Municipality, in the immediately following calendar month following the notice requirements set out in paragraph eleven (11).

11. The Commission shall provide notice to the Municipality via the OKTap user Account to municipalities so that a municipality may view all the requests for refunds that have been filed, processed and recommended approval. All claims for refund shall be documented as outlined in OAC 710:65-11-1 upon discovery of a remittance error by the vendor. Commission, through the Local Tax Coordinator, will notify Municipality at such time the Commission determines the final amount to be refunded pursuant to a claim or remittance error. The Commission shall make available to a municipality, upon request, copies of the claims processed and recommended for approval in the amount of two thousand dollars (\$2000.00) or more and related supporting documents prior to the claim being considered for approval by the Commission. The Commission shall post the requested claim documents on the municipality's OKTap user account to comply with this requirement. Municipality agrees that any amount contained in the notice given pursuant to this section will be considered as advisory only until such time as a final determination has been made by the Commission. Any municipal sales or use tax, and/or any interest and penalties with respect thereto, paid under protest by a taxpayer to the Commission during the immediately preceding calendar month shall be paid by the Commission to the Municipality as part of the payment being made by the Commission to the Municipality. If the protested municipal sales or use tax, interest or penalties are required to be refunded, such amount and any interest required to be paid thereon will be paid out of subsequent collections by the Commission.

The municipality may request by a blanket advisement to the Commission that it be notified of any hearing wherein the Commission hears a claim for refund of a protest of an assessment. If an affected municipality shall have requested such notice in writing, the Commission shall, at the same time the parties are notified of the scheduled hearing, provide written notice of the hearing date and time via electronic mail, e-mail, or mail through the United States Postal Service to the municipality affected.

12. In the event a municipality is notified as required and set out in paragraph 11, above, that it has been paid sales or use tax funds that should have been paid to another municipality, the Tax Commission shall adhere to repayment provisions of the provisions of paragraph 10.

13. The Commission shall provide to the Municipality a full and complete list of the names and the addresses of the persons and the entities which or who report doing business within the boundary of the Municipality during the preceding calendar year via the OKTap user Account. In addition the Commission shall via OKTap provide the following:

A. additions to, and deletions from, the full and complete list of the names and the addresses of persons and entities which or who report doing business during the

preceding calendar year within the boundary of the Municipality;

B. a full and complete list of the persons and the entities specified in paragraph 12(a) which or who are more than sixty (60) days delinquent in filing and/or remitting municipal sales and use taxes pursuant to the Ordinances; and

C. a full and complete, list of all persons and all entities paying municipal sales and use tax under the Ordinances, and/or interest and penalties with respect thereto, and the amount of such remittances.

D. the number of audits completed and assessments determined by the Commission with respect to municipal sales and use taxes, and/or interest and penalties with respect thereto, under the Ordinances during the preceding calendar year; and

Commission also agrees to provide Municipality reports in addition to those outlined above under the following terms:

A. The report is requested in writing or via e-mail, outlining the information required and regularity of the report.

B. The report complies with all terms and statutes outlined within this agreement.

C. The information requested is available to the Commission.

D. Commission will be provided a minimum of thirty (30) days to compile new requests unless otherwise agreed.

E. Commission shall provide the requested report(s) within ninety (90) days unless otherwise agreed.

14. The Commission shall monitor the administration, the collection and the enforcement of municipal sales and use taxes, and/or interest and penalties with respect thereto, under the Ordinances. The Commission shall provide the Municipality such information as may be requested by the Municipality with respect to any protest or any refund of municipal sales or use taxes levied by the Municipality. The Municipality shall also be entitled to consult with the Commission's legal staff about protests and refunds and, to the extent that a protest or a refund involves one or more hearings, the Municipality shall, through legal counsel or other designated staff employed by the Municipality, be entitled to be present and observe such hearing(s); provided, however, the administrative law judge or the Commission may limit the number of counsel or other designated staff, if any, who may be present to the extent necessary to permit the hearing to be conducted in an orderly fashion and without undue trepidation on the part of the taxpayer.

To the extent that such documents and/or such information relates to municipal sales or use taxes, and/or interest and penalties with respect thereto, and is requested, at any time and from time to time by the Municipality, the Commission shall promptly provide to the Municipality (a) copies of applications for sales tax permits, (b) copies of sales or use tax reports, (c) copies of installment or other payment plans, if any, with taxpayers and (d) other documents and other information.

The Commission shall promptly notify the Municipality of any conduct which the Commission believes might be the basis for a criminal prosecution by the Municipality under the Ordinances and shall provide to the Municipality all of the documents and the information in the possession of the Commission with respect thereto, including, without limitation, the names of employees of the Commission who might be witnesses with respect thereto.

The Municipality acknowledges that Section 205 of Title 68 of the Oklahoma Statutes, which makes the records and the files of the Commission confidential (subject to specified exceptions) and which prohibits disclosure of such records and such files (subject to specified exceptions), includes the Commission's records and files with respect to the receipt and the collection of municipal sales and use tax. Nothing contained herein is intended to require the Commission to disclose to the Municipality any information whose disclosure to the Municipality is prohibited by Section 205.

The Commission acknowledges that (a) Section 205(c)(7) of Title 68 of the Oklahoma Statutes permits the Commission to furnish information disclosed by the records and the files of the Commission to an official person or body of this state who is concerned with the administration or the assessment of certain taxes, such as the Municipality, (b) Section 205(c)(22) of Title 68 permits the disclosure to the governing body or municipal attorney, if so designated by the governing body, of information directly involved in the resolution of issues arising out of the enforcement of a municipal sales and use tax ordinance, such as the Ordinances, pursuant to a municipal tax collection agreement, such as this Agreement, and (c) Section 22-107 of Title 11 of the Oklahoma Statutes and Section 205.1 of Title 68 of the Oklahoma Statutes permits the Commission to release specified information to municipalities.

The Municipality acknowledges that Section 205 of Title 68 of the Oklahoma Statutes may prevent the disclosure by the Municipality and persons associated with the Municipality of information which is provided by the Commission to the Municipality and that improper disclosure by the Municipality or any such person of such information may result in civil and criminal liability. The Municipality shall comply with the restrictions imposed by Section 205.

15. The Commission has the authority to enter into an installment or other payment agreement with any taxpayer, including a taxpayer prosecuted under a municipal sales or use tax ordinance, for state and local taxes owed by the taxpayer. Commission will, through its use of a pay plan in order to keep a delinquent business open, collect the liability as quickly as possible by requiring a significant down payment and completion of the pay plan in as short a period as possible. The Municipality shall be entitled to consult with the Commission's legal staff about an installment or other payment agreement prior to negotiation of such an agreement. The installment or other payment agreement shall be void if the taxpayer becomes delinquent in future tax liability or payment under the agreement becomes delinquent. The Commission shall furnish a list of all sales and use taxpayers which have entered into agreements with the Commission on a monthly basis along with the terms, conditions and status of each such installment or payment agreement.

16. In the event of termination of this Agreement, the Commission will cause to be paid over to the Municipality, all municipal sales and use tax funds in its possession then due and payable under this Agreement. The Municipality shall thereafter be liable for and shall pay any refunds of municipal sales or use tax required by law to be made, including refunds of municipal sales or use tax, penalty and interest paid under protest that must be refunded and any interest required thereon. After such termination, the Commission's liability shall extend only to the amount of such funds being held by it. The Municipality agrees to pay any interest

required by law to be paid on such refunds.

17. The Commission shall have the authority to assess and to collect, on behalf of the Municipality, the municipal sales and use taxes levied by the Ordinances, and the interest and the penalties with respect thereto, including, without limitation, any municipal sales or use tax, interest and/or penalty existing on the date hereof except as provide in paragraph 18 below.

The Municipality agrees to refrain from contacting directly persons or entities doing business within the boundary of the Municipality subject to the requirements of paragraph 19. Municipality does have the inherent authority to contact vendors within and without the municipality concerning the vendor's alleged violation of municipal ordinances prior to the initiation of criminal prosecution.

The Municipality may inquire of the Commission into the compliance of persons and entities with the Ordinances and, to the extent that the Municipality determines that any person or any entity has not complied with the Ordinances, the Municipality may request the Commission to issue a proposed assessment against such person or such entity. To the extent that the Commission receives any such request, the Commission shall review such request within 45 days. If, after said review, Commission believes that such request presents a basis for a proposed assessment, Commission shall issue a proposed assessment. Any such proposed assessment shall be resolved as provided in Sections 201 et seq. of Title 68 and the procedural rules promulgated by the Commission.

The Municipality may, at the option of the Municipality, request the Commission to initiate a show cause proceeding against a person or an entity which the Municipality believes, in good faith, not to be in compliance with the Ordinances or any provision thereof. To the extent that the Commission receives any such request, the Commission shall review such request within 45 days. If after said review, Commission believes that such request presents a basis for a show cause proceeding, Commission shall initiate a show cause proceeding. Such show cause proceeding shall be conducted as provided in the procedural rules promulgated by the Commission.

The Commission and the Municipality acknowledge the mutual interest of the Commission and the Municipality in maximizing compliance with the Ordinances and the collection of local taxes thereunder. The Municipality may, at any time and from time to time, either alone or in conjunction with other municipalities, submit a written proposal for collection and enforcement activities for consideration by the Commission; provided, however, it is expressly understood that any such written proposal must provide for coordination with the collection and enforcement activities of the Commission, provide for the use of the then applicable audit standards of the Commission and otherwise be in form and in substance to the Commission. In the event that Municipality's proposal is accepted by Commission, Municipality will be authorized to conduct the activities included in such proposal on behalf of Commission and no other action will be authorized by the Commission by a municipality or municipalities not included in the accepted proposal.

Provided further that upon the request of the municipality, either alone or in conjunction with other municipalities, the Commission shall enter into contractual agreements with the municipality or group of municipalities whereby the municipality or group of municipalities are authorized to implement or augment the Commission's enforcement through a contract with a private auditor(s) or audit firm(s) of the municipal tax. The auditor(s) or audit firm(s) shall first be approved by the Commission and once approved shall be appointed as an agent of the

Oklahoma Tax Commission for purposes of the audit. Contracts with a private auditor or audit firm are not subject to the limitations of Section 262 of title 68 of the Oklahoma Statutes, and the parties, the municipality, private auditor or audit firm and the Commission, are authorized to exchange necessary information to effectively perform the contracted audit. The municipality, its officers and employees and the private auditors or audit firms may receive all information necessary to perform the audit and shall preserve the confidentiality of such information as required by Section 205, title 68, of the Oklahoma Statutes, including the penalties set out therein. The Commission shall be furnished the audit results and all relevant supporting documentation. The municipalities shall pay for the private auditor(s) or audit firm(s) by deduction from the tax assessment resulting from said audit unless another method of payment is set out in the contract with the private auditor or audit firm. Any municipal sales and use tax funds recovered as a result of the use by the municipality of a private auditor or audit firm shall not be subject to the retention calculated by the Commission as provided in Paragraph 5 of this agreement, in addition the Commission shall pay to the municipality any retainage that the Commission shall be entitled to for collection of county sales and use tax and shall pay to the municipality the state's pro rata share of the expenses of the auditor. Provided further, the Commission shall have no obligation to any municipality that does not participate in an audit conducted under subsection D of Section 2702 of Title 68 of the Oklahoma Statutes or an audit conducted pursuant to this section.

Notice of a proposed independent audit shall be provided to the municipality and the municipality shall within 30 days provide acceptance or rejection of participation in the audit. Failure to act within the 30 day time period shall mean that the municipality shall not be included in the audit. Failure to act with respect to a particular independent audit within the 30 day time period shall relieve the Commission of its obligation to audit on behalf of the municipality with respect to that particular audit.

18. The Commission acknowledges the need for municipalities to have input into rulings made by the Commission regarding requests for waivers of penalties and interest assessed on municipal sales and use taxes. Therefore, the Commission agrees to provide municipalities with the opportunity to make recommendations regarding such waiver requests. Such notification shall not include waiver requests received by the Commission through its Voluntary Disclosure Agreement Program.

The Account Maintenance Division or the General Counsel's Office of the Commission will notify municipalities at least two weeks prior to submission of a waiver request to the Commission. The notification will apply to all waiver requests for penalties and interest that was assessed on state and local sales and use taxes in excess of Two Thousand Dollars (\$2,000.00). Any recommendation made by the municipality will be presented to the Commission at the time of consideration of the request. If the municipality fails to make a recommendation in the time allotted, the Division will present the request to the Commission without a municipal recommendation. The Division will notify the municipality of the Commission decision.

19. A City/town may commence compliance activities under the following conditions:

A. The following words and terms, when used in this Agreement, shall have the following meaning, unless the context clearly indicates otherwise:

1. "Agent" means an employee of the Municipality or person or entity acting under contract with the Municipality and certified by the Commission as an agent

for the purpose of compliance activities as set out in this agreement except for municipal criminal prosecution.

2. "Compliance activities" means all actions to assist or induce a delinquent seller to comply with applicable laws, rules and regulations, to accurately and timely collect, source, report and remit sales and use taxes within the municipality's jurisdiction and shall include:

a. The identification of and reporting to the Tax Commission any unregistered sellers making sales sourced to the municipality under the laws of this state. "Unregistered seller" shall mean any delinquent seller which has failed to apply for a sales or use tax permit with the Tax Commission. Provided, the term shall not include any out-of-state seller that does not have a legal requirement to register with the state;

b. The prosecution of any criminal violations of a municipal ordinance related to the payment of sales or use taxes. "Prosecution" shall mean the initiation of legal proceedings by the filing of a complaint in a municipal criminal court of record pursuant to Section 28-113 of Title 11 or by the filing of a complaint in a municipal court not of record pursuant to the provisions of Section 27-115 of Title 11; and

c. Any additional compliance activities that may be performed by the agent of the municipality on accounts of delinquent sellers that were assigned to the agent at the request of the municipality that do not result in a duplication of compliance activities.

Compliance activities **shall not include** the following activities, over which the Tax Commission shall have sole authority:

- a. Registering new taxpayer accounts,
- b. Issuing and administering taxpayer permits,
- c. Receiving returns,
- d. Receiving remittances of sales and use taxes,
- e. Issuing assessments,
- f. Conducting hearings under Section 212 of Title 68,
- g. Developing pay plans in consultation with the municipality as provided in the Agreement for Administration of the Sales and Use Tax Ordinances,
- h. Revoking permits,
- i. Taking legal action to close a business,
- j. Issuing refunds and credits,
- k. Managing audits, and
- l. Determination of taxability of sales transactions.

3. "Delinquent seller" means any person making sales of tangible personal property or services in this state, the gross receipts or gross proceeds from which are taxed by law and fails to obtain a permit, file a sales tax return as required by law, or is delinquent in whole or in part in the collection and remittance of sales or use taxes.

4. "Enhanced collections" means any remittance of past due or unpaid state sales or use taxes, including penalty and interest, obtained from a delinquent seller that was not registered, underreported, failed to report or remit, failed to comply with a payment plan, or arising from liens filed by the Tax Commission following documented compliance activity of a municipality or person or entity acting under contract with such municipality.

B. Municipality elects to engage in the compliance activities designated by notice to the Commission; provided that Municipality may change its designation upon timely notice.

C. This Agreement shall include appointment of persons or entities approved by the Commission conducting compliance activities on behalf of Municipality as agents of the Commission. No appointment shall be necessary or required for Municipality to engage in prosecution of any criminal violations of its ordinance related to the payment of sales or use taxes.

All persons, including municipal employees and employees of entities acting under contract with a municipality, that will be performing compliance activities for Municipality must meet minimum qualifications provided herein and undergo training provided by the Tax Commission. The minimum qualifications shall consist of a bachelor's degree; or an equivalent combination of education and experience, substituting one year of experience in business management, tax revenue, credit collections, or investigative work for each year of the required degree. Provided, the minimum qualifications provided herein shall not apply to employees of municipalities seeking appointment as an agent if the municipality has a population less than 25,000.

Contracts with a private auditor or audit firm are not subject to the limitations of Section 262 of title 68 of the Oklahoma Statutes, and the parties, the municipality, private auditor or audit firm and the Commission, are authorized to exchange necessary information to effectively perform the contracted audit. The municipality, its officers and employees and the private auditors or audit firms may receive all information necessary to perform the audit and shall preserve the confidentiality of such information as required by Section 205, title 68, of the Oklahoma Statutes, including the penalties set out therein.

With the execution of this Agreement, Municipality shall provide the names of all persons, including employees of Municipality, who will be performing compliance activities on behalf of Municipality. The Commission shall issue letters of appointment for all persons who meet or are exempt from the minimum requirements.

Municipality agrees to notify the Commission when additional persons are added by Municipality to conduct compliance activities on behalf of Municipality. Municipality further agrees to immediately notify the Commission of the termination of employment or cancellation of contract of any person appointed as an agent for the purposes of conducting compliance activities.

D. The Commission shall provide to Municipality and agents appointed by the Commission to perform compliance activities all information necessary to perform compliance activities. Municipality and agent shall preserve the confidentiality of the information as required by Section 205 of Title 68 of the Oklahoma Statutes. Failure to comply with the statutory confidentiality requirements shall result in immediate

withdrawal of appointment of any person to perform compliance activities and may result in civil and criminal liability.

Nothing herein shall limit Municipality's use of information provided by the Commission in prosecution of violations of Municipality's tax ordinances.

E. As provided in Section 2702(E)(3) of Title 68, the Tax Commission shall reimburse a municipality performing any of the compliance activities defined above as follows:

1. The Tax Commission shall pay to the municipality an amount equal to three-fourths of one percent ($\frac{3}{4}$ of 1%) of enhanced collections from any unregistered seller identified and reported to the Commission by a municipality for any sales made during the period the seller was unregistered with the Tax Commission;

2. The Tax Commission shall not retain any fee and refund any fee retained from the collection of city sales and use taxes remitted as a result of the prosecution of any criminal violations of a municipal ordinance; and

3. The Tax Commission shall pay to the municipality an amount equal to three-fourths of one percent ($\frac{3}{4}$ of 1%) of enhanced collections from any delinquent seller as a result of other compliance activities documented by the municipality or person acting under contract with such municipality.

To receive compensation, Municipality shall provide documentation of compliance activities which generated the enhanced collections. Documentation shall consist of reports, on forms prescribed by the Commission, listing the name of the delinquent seller, date of compliance activity, type of activity, and such other information as may be necessary to identify the delinquent seller, compliance activity, or enhanced collections.

The Commission shall provide reimbursements on a monthly basis and provide a monthly report to Municipality indicating, at a minimum, the name of the delinquent seller, amount of enhanced collections, and date of remittance by the delinquent seller in the previous month.

The Commission shall use its best efforts to cause reimbursements as a separate distribution to be paid to Municipality no later than the tenth day of each calendar month following the month of receipt of the report of enhanced collections filed with the Commission.

20. It is recognized and acknowledged that the Municipal Ordinances include criminal sanctions for violation of the Ordinances. Notwithstanding anything else contained herein, the Municipality shall have the exclusive authority to prosecute any criminal violations of the Ordinances and the Commission shall refrain from taking any such action. Nothing contained herein shall prevent the State of Oklahoma from prosecuting persons for crimes under state law, including, without limitation, embezzlement by a vendor of a municipal sales tax.

21. To the extent that the Municipality decides to prosecute criminally any action under this Agreement, the Commission and the Municipality shall cooperate, in good faith, to

maximize collections under the Ordinances and to minimize duplicative effort by the Commission and the Municipality.

22. Where the municipality takes the action recognized by paragraph 20 of this Agreement for prosecution to enforce its sales or use tax ordinance, all taxes shall be paid by the taxpayer directly to the Commission. Any resulting payment of municipal tax shall not be subject to the retention calculated by the Commission for the collection of city sales and use taxes as provided in Paragraph 5 of this agreement, subject to the implementation plan established in paragraph 2B of this agreement.

23. The Municipality agrees that, if there is a challenge to the constitutionality or the legality of the Ordinances or any provision thereof (other than a challenge based on the application by the Commission of the Ordinances or any provision thereof), the Municipality shall be responsible for the resolution of such challenge. If such a challenge is based on the application by the Commission of the Ordinances or any provision thereof, the Commission shall be responsible for the resolution of such challenge. The party responsible for the resolution of any challenge shall make all decisions with respect to the prosecution and the settlement of any litigation with respect to such challenge and the other party shall cooperate with the responsible party with respect to the resolution of such challenge. The Commission shall provide notice to the Municipality of any challenge. Notice will be provided within seven (7) business of the receipt of the challenge and the municipality shall be allowed to participate in any decision.

24. The change in the boundary of Municipality shall be effective for sales tax purposes only, on the first day of a calendar quarter following the enlargement of the municipal city limits. If a municipality should de-annex a territory the sales tax from business or firms located in the de-annexed area shall cease on the effective date of the de-annexation ordinance. Municipality shall give the Commission notice in writing of any annexation or de-annexation of territory to the municipality at least as required by Title 68 Oklahoma Statutes Section 2701. The notice shall include a verified copy of the boundaries of the newly annexed or de-annexed territory. In addition all Municipality limit lines shall be shown in map form, and certified to the Commission by the municipal clerk.

25. Neither Municipality nor Commission has entered into this Agreement with the intention of violating state law or the provisions of the Streamlined Sales Tax Agreement. If it is determined by either party that any provision violates either state law or the Streamlined Sales Tax Agreement, such provision of the Agreement shall be null and void. The remaining provision of the Agreement shall be in effect until the expiration or termination of the Agreement.

26. If a dispute arises from the application of paragraph nineteen (19) of this Agreement, and if the dispute cannot be settled through negotiation, the Commission and Municipality agree first to try in good faith to settle the dispute by mediation. Either party may request mediation before the Director of the Office of Management and Enterprise Services in the manner the Director deems appropriate.

27. This Agreement shall be in effect from _____, ____ until _____, _____, and shall renew without action of the parties for additional terms of one (1) year provided that the current rate has not been changed and neither party has given written notice to the other party of its intent to terminate this Agreement prior to the expiration of the then current term. Either party may terminate this contract for any reason upon thirty (30) days written notice of its intent to terminate to the other party.

IN WITNESS WHEREOF, the parties have set their hands and affixed their official seals
the day and year first above written.

THE MUNICIPALITY OF

OKLAHOMA TAX COMMISSION

A Municipal Corporation

Mayor



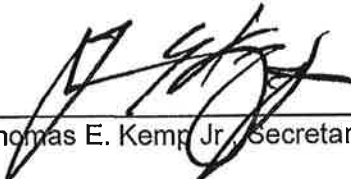
Steve Burrage, Chairman



Dawn Cash, Vice-Chairman

ATTEST: (CITY SEAL)

Municipal Clerk



Thomas E. Kemp Jr., Secretary-Member

ATTEST: (STATE SEAL)

Assistant Secretary – OTC

APPROVED BY THE CITY OF _____ LEGAL DEPARTMENT

BY _____ DATE _____

City Attorney

EXHIBIT A

Retention Fee = 0.5%



McAlester City Council

AGENDA REPORT

Meeting Date: November 10, 2015 Item Number: 1

Department: MRHC

Prepared By: Darryl Linnington,
MRHC CFO Account Code: _____

Date Prepared: November 4, 2015 Budgeted Amount: _____

Exhibits: _____

Subject

Presentation of the McAlester Regional Health Center Audit for Fiscal Year 2015.

Recommendation

Presentation

Discussion

Approved By

Department Head
City Manager

P. Stasiak

Initial

PJS

Date

11-5-15



McAlester City Council

AGENDA REPORT

Meeting Date: November 10, 2015
Department: Engineering /Public Works
Prepared By: John C. Modzelewski,
P.E.,CFM
Date Prepared: November 3, 2015

Item Number: 2
Account Code: _____
Budgeted Amount: _____
Exhibits: 1

Subject

Presentation and discussion of a Stormwater Utility Fee.

Recommendation

Presentation and discussion of the development of a Stormwater Utility Fee.

Discussion

A Stormwater Utility Fee will generate revenue to fund a Stormwater Program that will include the following, as described in the enclosed letter: 1. Drainage Related Capital Improvements; 2. Annual Maintenance to the Drainage System; 3. Storm Water Quality Program; 4. Drainage Related Equipment. Infrastructure improvements will include those identified in the *Master Drainage Plan for Tributary C of Sandy Creek Basin*, completed September 2012. The Stormwater Utility Fee will also fund additional projects identified in future drainage studies.

Approved By

Department Head

City Manager

P. Stasiak

Initial
JCM

PJS

Date

11/03/15

11-5-15

November 3, 2015

John Modzelewski, PE, CFM
Public Works Director
City of McAlester

Mr. Modzelewski,

The City of McAlester has taken several steps to improve the level of flood protection and floodplain management within its borders as part of its participation in the National Flood Insurance Program (NFIP). Additionally, the City has been designated a Small MS4 by the ODEQ and is subject to permitting under Phase II of the National Pollutant Discharge Elimination System (NPDES) program, which requires the proper management of storm water runoff. Compliance with NFIP and NPDES requirements often leads to the development of storm water utility fees as a source of revenues supporting infrastructure improvements and storm water related activities.

On July 14, 2015, an agreement between the City of McAlester and Meshek & Associates to develop and assist with the implementation of a Storm Water Utility Fee (SUF) was approved. Meshek has been working with the City on various projects since 2006. The need for a dedicated source of revenue to provide funding for water quality, drainage studies and drainage related capital improvement projects has been discussed many times. In 2007, Meshek performed an initial estimate of the potential for a SUF. In 2012, Meshek performed a drainage study for the upper portion of Tributary C of Sandy Creek. This study identified five problem areas within the 640 acre drainage basin. Recommendations totaling \$3.17M were identified. The recommended improvements at Mallard & Flamingo have been designed and constructed. Phase one of the recommended improvements at 9th & Illinois have been designed and construction is set to start this month.

The format for the proposed fee is the most common format used in SUF's in the region and includes two categories: Residential and Non-Residential. The average residential lot is generally estimated as having an average impervious area of 2,650 square feet. This is referred to as an Equivalent Service Unit (ESU). For non-residential customers, we have calculated the impervious area within the boundaries of each service address. The total impervious area is divided by 2,650 to determine how many ESU's a non-residential customer will pay.

Each community that uses this approach sets a fee for each ESU. This fee is paid monthly by all residential customers and non-residential customers and is often determined by defining the annual funding needs for the City and determining the fee. The following items have been identified by the City as items that could be funded in whole or part with this fee with a total annual need of over \$1.5M.

1. Drainage Related Capital Improvements \$1,080,000/year
 - a. The Upper Tributary C study was approximately 20% of the total basin area within the City. We can project the \$3.17M to the rest of the City and estimate a total of \$65M in projects. Assuming a 30-year time horizon, this would result in

an annual need of \$2.17M/yr. From there, we can assume 50% are higher priority and reduce the annual need to \$1.08M.

2. Annual Maintenance to the Drainage System \$350,000/year
 - a. Several repairs have been made to the drainage system in the past few years. The canal system is aging and we anticipate a need of \$350,000 per year for maintenance and repair.
3. Storm Water Quality Program \$50,000/year
 - a. The historical cost for consultants to assist with the Storm Water Management Program have varied from \$30k to \$60k. ODEQ released a new permit on November 1, 2015 which will require more work than the last few years.
4. Drainage Related Equipment \$50,000/year
 - a. Street sweepers, grade-alls and other equipment that are primarily used for storm water maintenance.

Based on our calculations, the table below shows the anticipated fee totals on a monthly and annual basis for three different rates. It would take more than a \$5 fee to generate the anticipate revenue required to fund the Storm Water needs.

Property Type	Total Accounts	(\$3.00 - MO)	(\$3.00 - YR)	(\$4.00 - MO)	(\$4.00 - YR)	(\$5.00 - MO)	(\$5.00 - YR)
Nonresidential	851	\$ 47,500.47	\$ 570,005.64	\$ 63,334.00	\$ 760,008.00	\$ 79,167.50	\$ 950,010.00
Residential	6,045	\$ 18,135.00	\$ 217,620.00	\$ 24,180.00	\$ 290,160.00	\$ 30,225.00	\$ 362,700.00

A comparison of other communities is attached for reference.

Brandon Claborn, PE, CFM
Meshek & Associates, PLC
CA 1487 Expires 6/30/17

Stormwater Management Program - Utility Fee Schedule As of November 2015

City	State	Population (US Census Data 2010)	Residential (single-family) per Month	Non-Residential per Month	ESU (or ERU) equivalent stormwater unit	Program Began	Items of Note	Addt Info:
Broken Arrow	OK	98,850	\$4.77	\$4.77 (per each ESU)	2650	2002		https://www.cityoftulsa.org/city-services/food-control/stormwater-fee-and-funding
Tulsa	OK	391,906	\$5.43	\$5.43 (per each ESU)	2650	1987		http://www.bixby.com/water_rates.php
Bixby	OK	20,884	\$2.00	\$2.00 (per ESU)	N/A	1987	flat fee	
Claremore	OK	18,581	\$2.50	\$2.50 (per ESU)	2650	2014	includes a maximum cap	
Jenks	OK	16,924	\$2.00	N/A	N/A	2002	*Per Meter	http://www.jenks.com/city_info/utilities.php
Stillwater	OK	45,688	\$1.00	\$5.00	5000	1997	based on meter size	http://stillwater.org/government/government_utilities_authority/water_utilities/water_utilities
Sapulpa	OK	20,544	\$4.15	\$3.51 (per each ESU)	2650	2007	Program based off Tulsa Study	http://www.enid.org/departments/fz/utility-services/rates/commercial-rates
Enid	OK	49,379	\$4.25	\$21.27 minimum (see link)	5000	1994		http://www.enid.org/departments/fz/utility-services/rates/commercial-rates
OKC	OK	579,989	\$5.69	\$5.69 - \$5.83 sq. - see link	N/A	1992	Storm Water Drainage Utility Fee	http://www.okc.gov/water/service/drainage.html
Edmond	OK	81,405	\$3.00	\$6 and up (based on sq.ft)	4860	1994		
Okmulgee	OK	12,321	\$3.00	\$3	4356	2009		
Owasso	OK	28,915	\$3.00	\$5 (per each ESU)	2650	2006		http://www.cityofowasso.com/utility_dept/rates.html
Muskogee	OK	39,223	\$2.00	\$3 and up - see link	N/A	2005		http://www.muskogeeonline.org/departments/public_works/storm_water_fees.php
McAlester	OK	18,383	N/A	N/A	N/A	N/A		http://www.lawrencepublicworks.org/stormwater.html
Lawrence	KS	67,643	\$4 (per each ESU - see link)	N/A	2366	1997		http://www.cityofdenton.com/pages/index.cfm
Denton	TX	113,383	\$0.50 and up - see link	N/A	N/A	1998		http://www.ci.minneapolis.mn.us/publicworks/stormwater/fee/stormwater_fee_store
Minneapolis	MN	362,578	\$8.95-14.93 - see link	N/A	1530	UNKNOWN	billed as part of sewer fee before 2005	https://bouldercolorado.gov/water/utility-rates
Boulder	CO	97,385	\$13.46-20 and up - see link	see link	N/A	UNKNOWN		



McAlester City Council

AGENDA REPORT

Meeting Date:	November 10, 2015	Item Number:	3
Department:	Community & Economic Development	Account Code:	
Prepared By:	Leroy Alsup, Director & Jayme Clifton, Planning Tech.	Budgeted Amount:	
Date Prepared:	November 2, 2015	Exhibits:	(8) Eight

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 classification of the zoning district for Lot 5, in Block 416, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma from R1-B (Single-Family Residential District) to C-2 (Neighborhood Convenience 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 C-2 (Neighborhood Convenience 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 C-2 (Neighborhood Convenience District). The McAlester Planning and Zoning Commission met on October 20, 2015 and voted (5 Yes to 1 No) to recommend that the applicant's rezoning request be approved as presented.

The Wade Watts Corridor is a transition area that is becoming a commercial corridor. The neighborhood no longer lends itself to new residential development. The property to the west and southwest are zoned C-2 Neighborhood Convenience District. Even, the property to south is developed commercially under a "Use Permitted After Review".

The following documents are attached for your reference:

1. Draft Minutes of the October 20, 2015 Planning Commission Meeting
2. Draft Ordinance
3. Planning and Zoning Staff Report
4. Rezoning Request Application and Abstractor's Certificate
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

Approved By

		Initial	Date
Department Head	L. Alsup	LA	11/02/2015
City Manager	P. Stasiak	<i>PJS</i>	11-5-15

McAlester Planning Commission Minutes
Tuesday, October 20, 2015 Meeting
City Council Chambers
6:30 PM

DRAFT

Item 1

Call to Order and Roll Call

Due to the absence of the Chairman and Vice-Chairman, Leroy Alsup called the meeting to order at 6:43 P.M. Roll was called, and a quorum was present.

Commissioners Present: 6

Harvey Bollinger	Carl Gullick	Susan Kanard	Karl Scifres
Karen Stobaugh	Chris Taylor		

Commissioners Absent: 5

Mark Emmons	Ross Eaton	Justin Few	Denise Lewis
Primus Moore			

A motion was made by Commissioner Kanard second by Commissioner Scifres to appoint Commissioner Harvey Bollinger interim chairman. The vote was taken.

The vote was 6-0

AYE: Kanard, Scifres, Stobaugh, Taylor, Gullick, Bollinger

NAY: None

The motion carried.

Item 2

Approval of Minutes

A motion made by Commissioner Gullick was seconded by Commissioner Scifres to approve the September 15, 2015 Regular Meeting Minutes. The vote was taken.

The vote was 6-0

AYE: Kanard, Scifres, Stobaugh, Taylor, Gullick, Bollinger

NAY: None

The motion carried.

GENERAL BUSINESS:

Item 3

Public Hearing: Discussion and action on P.C. #405, a request to rezone Lot 6, in Block 32, McAlester Addition to the City of McAlester, Pittsburg County, State of Oklahoma from R-1B Single-family Residential District to C-2 Neighborhood Convenience District, and U.P. #57, an alternate request for a Use Permit After Review in the Wade Watts Corridor if the rezoning request is denied.

Commissioner Bollinger opened the item for discussion at 6:45 P.M. Leroy Alsup, Director of the Community and Economic Development Department, presented the staff report to the Commission and it is hereby incorporated in the minutes by reference. Staff recommended that the property at 1401 Wade Watts Avenue (Lot 5, in Block 416) be rezoned from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District based on the following reasoning:

1. The Wade Watts Corridor is a transition area that is becoming a commercial corridor. The neighborhood no longer lends itself to new residential development. The property to the west and southwest are zoned C-2 Neighborhood Convenience District. Even, the property to south is developed commercially under a Use Permitted After Review.
2. The rezoning of 1401 Wade Watts Avenue (Lot 5, in Block 416) would be an extension of the existing C-2 Neighborhood Convenience District directly to the West and Southwest, therefore the 50,000 sq. ft. minimum lot area for rezoning to C-2 would not be satisfied (*precedent set by City Ordinance #2178 discussed in the staff report*).
3. The property at 1401 Wade Watts Avenue (Lot 5, in Block 416) would remain within the Wade Watts Corridor Development therefore the Exterior standards/visual appeal guidelines set forth in Sec 62-213 (g) would remain applicable to the property even after it was rezoned.

Further, staff recommended that if the Planning Commission determined they were not favorable to rezoning the property at 1401 Wade Watts Avenue (Lot 5, in Block 416) from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District, then staff would recommend granting a Use Permitted After Review at 1401 Wade Watts Avenue for a barbershop and beauty shop.

Commissioner Bollinger asked if anyone for or against the application wished to speak. No one came forward. Commissioner Bollinger closed the public hearing on the matter at 6:53 PM and called for a motion. Commissioner Scifres motioned to approve the applicants' request to rezone the property from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District, and was seconded by Commissioner Stobaugh.

Commissioner Bollinger asked for discussion by the Commission. There was discussion of topics such as another recently opened beauty salon on property just across from 1401 on Wade Watts Avenue that was already zoned C-2 commercial; the similar commercial use of other properties in the Wade Watts Corridor; the visual standards set for the Corridor, the transition of the Wade Watts Corridor from residential to commercial; and the similarities of permitted uses in both Wade Watts Corridor Development and C-2 Neighborhood Convenience District. There were no other comments. The vote was taken.

The vote was 5-1

AYE: Scifres, Stobaugh, Taylor, Kanard, Bollinger

NAY: Gullick

The motion carried.

Commissioner Stobaugh motioned to approve the applicants request for a Use Permit After Review for a beauty salon in the event the rezoning request was denied by City Council. Commissioner Scifres seconded the motion. No other motions were made. The vote was taken.

The vote was 6-0

AYE: Scifres, Stobaugh, Taylor, Gullick, Kanard, Bollinger

NAY: None

The motion carried

Item 4 Discussion of an Ordinance to amend the McAlester City Code, Chapter 22 Businesses to add Article VII. Mobile Vendors (Food Trucks).

Commissioner Scifres motioned to table the item to the next meeting and Commissioner Taylor seconded. No other motions were made and the vote was taken.

The vote was 6-0

AYE: Scifres, Stobaugh, Taylor, Gullick, Kanard, Bollinger

NAY: None

The motion carried

Item 5 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.

Commissioner Scifres motioned to table the item to the next meeting and Commissioner Stobaugh seconded. No other motions were made and the vote was taken.

The vote was 6-0

AYE: Scifres, Stobaugh, Taylor, Gullick, Kanard, Bollinger

NAY: None

The motion carried.

Item 6 New Business

There was no New Business.

Item 7 Staff Report

There was no Staff Report.

Item 8 Commission Report

There was no Commission Report.

Item 9 Adjournment

A motion made by Commissioner Taylor was seconded by Commissioner Kanard to adjourn the meeting at 7:10 PM. There was no objection. The motion carried.

The vote was 6-0

AYE: Scifres, Stobaugh, Taylor, Gullick, Kanard, Bollinger

NAY: None

The motion carried.

Approved:

Planning Commission Chairman

Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICT FOR LOT 5, IN BLOCK 416, CITY OF MCALESTER, FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-2 NEIGHBORHOOD CONVENIENCE 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:

Changing the classification of the zoning district for Lot 5, in Block 416, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma from R-1B Single-Family Residential District to C-2 Neighborhood Convenience 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



City of McAlester

Community & Economic Development

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

**PLANNING COMMISSION
STAFF REPORT- PC Case #405 & UP Case #57
October 20, 2015**

To: McAlester Planning Commission
From: Leroy D. Alsup, Community and Economic Development Director
Date: October 12, 2015

Case: PC #404 **Request to Rezone**
UP #57 **Alternate Use Permitted After Review Request**

Applicant: John and Evelyn Renfro
Zoning District: R1-B Single-family Residential District
Location: 1401 Wade Watts Avenue
Legal Description: Lot 5, in Block 416, 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 C-2 Neighborhood Convenience District or to alternately request a "Use Permit After Review in Wade Watts Corridor" for use as a "Barbershop and beauty shop"

General Notifications:

Publication in McAlester News Capital	October 4, 2015
Posting of Sign on Property	October 2, 2015

Notification to Property Owners within 300 Feet:

Property Owners within 300 feet	22 (<i>Mailed on October 2, 2015</i>)
Notification receipts received	12
Notification Returned Unclaimed	1
Notifications Still Out	9

Attachments:

Rezoning Application & Abstractor's Certificate
Use Permitted After Review Application & Abstractor's Certificate
Site Location Map

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

James Schulz- Code Enforcement Inspector
(918) 423-9300 ext. 4986

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

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

Jayne Clifton- Executive Asst./Planning Tech
(918) 423-9300 ext. 4984

Area of Request Map with Area Zoning Shown
Notice to Property Owners within 300 feet
Proof of Publication of Notice in Newspaper
Picture of Sign Posted on Property
“Use Permitted After Review” Approval Form

BACKGROUND INFORMATION:

The subject property at 1401 Wade Watts Avenue is within the Wade Watts Corridor Development. Even though the underlying zoning of this particular parcel remains R-1B Single-Family Residential District, under the Wade Watts Corridor regulations specific commercial uses delineated in Zoning Ordinance Section 62-213 (e) (*inserted below*) may be approved through the “Use Permitted After Review” process for those lots within the Corridor that remained zoned R-1B.

On September 21, 2010 the Planning Commission approved a “Use Permitted After Review” application from Ms. Renfro requesting to use the property at 1401 Wade Watts Avenue for the specific use as a “Real Estate Office” (*Professional Offices*).

The 2010 Use Permitted After Review” approval was specific to “Real Estate Office” (*Professional Offices*), therefore if Ms. Renfro wants to now use the property for another commercial use delineated in Zoning Ordinance Section 62-213 (e), a new “Use Permitted After Review” application would be required.

OPTIONS:

1. Consider rezoning property at 1401 Wade Watts Avenue from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District

- On August 24, 2004, by City Ordinance #2178, Lot 2 in Block 456 to the southwest of the subject property was rezoned from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District (*Predates the creation of the Wade Watts Corridor*). In the staff report, it supports this rezoning by pointing out that the property to North was already zoned C-2 and that the lot did not lend itself to new residential development. Further, it states that the rezoning of Lot 2 in Block 456 was an extension of the C-2 directly to the North and therefore the 50,000 sq. ft. minimum lot area for rezoning to C-2 was not applicable (Sec. 62-202 (d) (1) b).
- Advantage to Property Owner- If the property owner desires to use the property for another C-2 permitted use besides a “Barber and/or Beauty Shop” in the future they would not have to go through the “Use Permitted After Review” process each time the use of the property changed. However, on the flip side, any change of use in the future to another type of commercial development allowed as a C-2 permitted use would no longer be subject to Planning Commission review.

- Sec 62-213 (g) Exterior standards/visual appeal guidelines established for Wade Watts Corridor Development would still be applicable because even if the property is rezoned it would still be within the Wade Watts Corridor.
- The Uses Permitted After Review in the Wade Watts Corridor Development and the Uses Permitted in C-2 Neighborhood Convenience District are not identical.

C-2 Zoning- Uses Permitted	Wade Watts- Uses Permitted After Review
a. Artist supplies and hobby shop	-----
b. Bakery shop	-----
c. Barbershop and beauty shop	a. Barber and/or beauty shop
d. Bookstore	-----
e. Cleaning and dyeing works	-----
f. Clothing and wearing apparel shop	-----
g. Drugstore	-----
h. Financial institution	f. Financial institute
i. Florist shop	g. Florist/gift shops
j. Gift shop	-----
k. Grocery store.	h. Grocery stores
l. Jewelry store	-----
m. Laundry and dry cleaning pickup station	m. Self-service and/or full-service laundry
n. Liquor store	-----
o. Medical and dental clinics	b. Medical and/or dental clinics
p. Motor fuel sales only (not intended for service station operations)	i. Motor fuel sales only (no service station);
q. Pharmacy	c. Pharmacy
r. Professional offices (not including animal clinics/hospitals, and only in specified zones)	d. Professional offices
s. Public uses; i.e., fire station, community building, utility building, library, auditorium, municipal building.	e. Public uses
t. Self-service laundries	m. Self-service and/or full-service laundry
u. Shoe repair shop	-----
v. Stockbroker	-----
v. Stockbroker	-----
Accessory Buildings	Accessory Buildings
Churches	Churches
-----	j. Variety store
-----	k. Pet shop (not including veterinarian clinics)
-----	l. Restaurant
-----	n. Car wash
-----	o. Funeral facilities

2. Consider granting a Use Permitted After Review at 1401 Wade Watts Avenue for a Barbershop and beauty shop.

Sec. 62-213. Wade Watts Corridor Development. (EXCERPT)
(Amended by Ordinance #2350, 03/09/2010)

(c) General provisions and descriptions- The WW district and its regulations may be applied to property located within one block north of Wade Watts Avenue and one block south of Wade Watts Avenue between Strong Boulevard and George Nigh Expressway (Highway 69). More particularly, this area as described in the following platted blocks of the original plat of the city:

- All of Blocks 412, 413, 414, 415, 416, 417, 418, 419, 457, 458, 459, 460 and 461.
(Based on the boundary description and the original Ordinance #2195, 06/28/2005 it appears that Blocks 454, 465, & 456 were inadvertently left out of this listing)

The WW district and its regulations may be applied to the described properties even though, and at the same time, the property is under the regulations of the R-18 (Single-Family Residential) district, and C-2 (Neighborhood Convenience Commercial) district.

(d) *Uses permitted.*

- (1) R-18 Single-Family Residential;
- (2) C-2 Neighborhood Convenience Commercial.¹

¹*(In the original Ordinance #2195, 06/28/2005, this permitted use was limited to Blocks 417, 418, & 419 whose underlying zoning was C-2.)*

(e) *Uses permitted after review.*

- (1) a. Barber and/or beauty shop;
b. Medical and/or dental clinics;
c. Pharmacy;
d. Professional offices;
e. Public uses;
f. Financial institute [institution];
C. Florist/gift shops;
h. Grocery store;
i. Motor fuel sales only (no service station);
j. Variety store;
k. Pet shop (not including veterinarian clinics);
l. Restaurant;
m. Self-service and/or full-service laundry;
n. Car wash;
o. Funeral facilities.

- (2) Accessory buildings or uses customarily incidental to the allowed uses.
- (3) Any public building or use.

- (4) Churches, provided they have major street frontage as shown on the major street plan and meets requirement for off-street parking.
- (f) Area regulations. The following requirements shall apply to all uses permitted. All lots shall comply with specific lot definition and definition found in section 62-707.
- (1) Minimum lot area, and use intensity. The minimum lot area for this district shall not be less than 12,000 square feet. (The 50,000 square-foot requirement does not apply to this WW district.)
-

Staff Recommendation:

Staff recommends that the property at 1401 Wade Watts Avenue (Lot 5, in Block 416) be rezoned from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District.

1. The Wade Watts Corridor is a transition area that is becoming a commercial corridor. The neighborhood no longer lends itself to new residential development. The property to the west and southwest are zoned C-2 Neighborhood Convenience District. Even, the property to south is developed commercially under Uses Permitted After Review.
2. The rezoning of 1401 Wade Watts Avenue (Lot 5, in Block 416) an extension of the C-2 Neighborhood Convenience District directly to the West and Southwest, therefore the 50,000 sq. ft. minimum lot area for rezoning to C-2 would not applicable (Sec. 62-202 (d) (1) b) *(precedent set by City Ordinance #2178 discussed early in report)*.
3. The property at 1401 Wade Watts Avenue (Lot 5, in Block 416) would remain within the Wade Watts Corridor Development therefore the Exterior standards/visual appeal guidelines set forth in Sec 62-213 (g) would remain applicable to the property even after it was rezoned.

If the Planning Commission decides they are not favorable to rezoning the property at 1401 Wade Watts Avenue (Lot 5, in Block 416) from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District, then staff would recommend granting a Use Permitted After Review at 1401 Wade Watts Avenue for a Barbershop and beauty shop.

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.

SEP 28 2015

FOR OFFICE USE ONLY

Received

- CITY OF McALESTER, OKLAHOMA -

APPLICATION FOR ZONING, REDISTRICTING
AND PERMISSIVE USEDATE 09/28/15

APPLICATION NUMBER

PC# 405A filing fee of \$105.00 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: Lot 5 Blk 416 So McAlesterLOCATION OR ADDRESS OF PROPERTY: 1401 Wade Watts Ave, McAlester, OK.
74501

THE PROPERTY REQUESTED TO BE REZONED IS OWNED BY:

NAMEADDRESS

A. John & Evelyn Renfro 520 Oklahoma Ave, McAlester, OK
74501
B. _____
C. _____
D. _____

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

FROM: R1R TO: C2

FRONTAGE IN FEET:

DEPTH IN FEET:

TOTAL SQUARE FEET:

100'120'12,000

(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 #

Evelyn Renfro

530 Oklahoma Ave.
McAlester, Ok. 74501

918 429 8583

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 _____

ORDINANCE NO. 2166

AN ORDINANCE AMENDING ARTICLE VII, SECTION 62-58, AMENDMENTS, OF
THE McALESTER CODE OF ORDINANCES; AND DECLARING AN EMERGENCY.

* * * * *

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

SECTION 1: Article VII, Section 62-58, is hereby amended to read as follows:

- a) Upon the filing of petition for closing, the property owner, or his duly authorized representative, shall pay a filing fee to the Planning Commission. All fees collected by the Planning Commission shall be deposited with the City Treasurer and credited to the General Fund of the City. The fees and expenses for all public notices pursuant to such petition shall be paid by the petitioner, or his duly authorized representative, in accordance with the following schedule:

**SCHEDULE OF FEES REQUIRED FOR FILING PETITION TO CHANGE THE
ZONING OF LAND OR TO REQUEST A USE PERMITTED ON REVIEW**

SQ. FT. OF LAND AREA INVOLVED

0 to 19,000 sq. ft.	\$105.00
20 to 39,000 sq. ft.	\$125.00
40,000 to 50,000 sq. ft.	\$150.00
51,000 to 60,000 sq. ft.	\$165.00
61,000 to 80,000 sq. ft.	\$175.00
81,000 to 100,000 sq. ft.	\$200.00

All over 100,000 sq. ft. shall be \$225.00, plus \$25.00 for each additional 100,000 sq. ft. or fraction thereof.

SQ. FT. OF LAND IN DEDICATED STREET AND/OR ALLEY

0 to 10,000 sq. ft.	\$ 90.00
11,000 to 20,000 sq. ft.	\$105.00
21,000 to 30,000 sq. ft.	\$125.00
31,000 to 40,000 sq. ft.	\$145.00
41,000 to 50,000 sq. ft.	\$165.00

All over 50,000 sq. ft. shall be \$175.00, plus \$25.00 for each additional 20,000 sq. ft. or fraction thereof.

SECTION 2: Repeal of Conflicting Ordinance

Any Ordinance now in effect that conflicts with any provision of this amendment is hereby repealed.

PIONEER ABSTRACT COMPANY

Of McAlester, Inc.
101 E. Carl Albert Pkwy.
McAlester, Oklahoma 74501
918-423-0817

Community & Economic
Development Department

SEP 28 2015

Received

CERTIFICATE

**Lot 5, in Block 416, City of McAlester, formerly South McAlester,
Pittsburg County, State of Oklahoma.**

I, Jami Hatridge, of PIONEER ABSTRACT COMPANY of McAlester, Inc., Bonded and Licensed Abstractor, hereby certifies that the attached list constitutes all the names of all owners of record as shown by the current year's tax rolls in the Office of the County Treasurer of Pittsburg County and State of Oklahoma, of property abutting and within three hundred feet in any direction from the legal description shown above. All persons required to be notified by 11 O. S. Section 659.3 (1975) and all mailing addresses obtainable are indicated as required.

ABSTRACTOR'S NOTE: We have checked the records pertaining to the above described real estate and have recorded our findings as requested. We have exercised due care in preparing this report; however, we assume no liability on our abstractor's bond for the correctness of information furnished or interpretation of any instrument filed of record.

Dated this 21st day of September, 2015.



**JAMI HATRIDGE, Bonded Abstractor
PIONEER ABSTRACT COMPANY
Of McAlester, Inc.**

Subscribed and sworn to before me this 21st day of September, 2015.

My commission expires:



Notary Public

Order #6950-15 sc



RECORD OWNER**LEGAL DESCRIPTION OF PROPERTY**

✓ Edward F. Simmons
13812 Bonsal Lane
Silver Springs, Maryland 20906

Lot 7, in Block 406, South McAlester, and the Southerly 8.5 feet of the alley lying adjacent thereto.

✓ David L. Harris
1010 Magnolia Field
San Antonio, Texas 78251

Lot 8, in Block 406, South McAlester, and the Southerly 8.5 feet of the alley lying adjacent thereto.

✓ School District No. 80
200 East Adams
McAlester, Oklahoma 74501

All of Block 407, South McAlester.

✓ Terry L. Fry
Cynthia Ann Fry
1508 South Maywood Avenue
Independence, Missouri 64052

Lots 1A, 1B and 1C, in Block 416, South McAlester.

✓ Christy Thompson
207 East Madlson
McAlester, Oklahoma 74501

Lot 1D and the Easterly 50 feet of Lot 2, in Block 416, South McAlester.

✓ Mary E. Davis
Alfred K. Haylett
1422 East Cherokee
McAlester, Oklahoma 74501

Westerly 50 feet of Lot 2 and the Easterly 25 feet of Lot 3, in Block 416, South McAlester.

* The City of McAlester
28 East Washington
McAlester, Oklahoma 74501

Westerly 75 feet of Lot 3, in Block 416, South McAlester.

✓ David Robershaw
1400 East Cherokee Avenue
McAlester, Oklahoma 74501

Lot 4, in Block 416, South McAlester.

Applicant ✓ The Renfro Family Trust
520 Oklahoma Avenue
McAlester, Oklahoma 74501

Lot 5, in Block 416, South McAlester.

✓ Coluah Stanfield
P.O. Box 595
McAlester, Oklahoma 74502

Westerly 50 feet of Lot 6, in Block 416, South McAlester.

✓ Jeanette V. Maddox
Jerry R. Maddox
1409 East Wyandotte
McAlester, Oklahoma 74501

Easterly 50 feet of Lot 6 and All of Lot 7, in Block 416, South McAlester.

✓ The Janice T. McBee Family
Revocable Trust
1102 Remington Avenue
McAlester, Oklahoma 74501

One-Half Interest – Lot 8, in Block 416, South McAlester.

✓ Harry S. Lindley
Peggy T. Lindley
4270 North Pine Hollow Road
McAlester, Oklahoma 74501

One-Half Interest – Lot 8, in Block 416, South McAlester.

✓ Terry G. English Trust
P.O. Box 3484
McAlester, Oklahoma 74502

Lot 1, in Block 417, South McAlester.

✓ Family Video Movie Club Inc
1022 East Adams Street
Springfield, Illinois 62703

✓ Terry G. English Trust
P.O. Box 3848
McAlester, Oklahoma 74502

✓ Nelson C. Onaro
Medical Clinic of McAlester
P.O. Box 994
McAlester, Oklahoma 74502

✓ Loans Plus
1308 East Wade Watts Avenue
McAlester, Oklahoma 74501

✓ The Austin Family
Revocable Trust
1303 East Delaware
McAlester, Oklahoma 74501

✓ M. Gordon Frampton
Julie Frampton
216 Swallow Drive
McAlester, Oklahoma 74501

✓ Jeremy W. Pryor
JoAnna L. Pryor
1309 East Delaware
McAlester, McAlester 74501

✓ Linden Paul Dean
6925 NW 116th Street
Oklahoma City, Oklahoma 73162

✓ Yvette Martin
Dave Martin
P.O. Box 1490
McAlester, Oklahoma 74502

✓ Craig Kennedy
2013 Ten Springs
McAlester, Oklahoma 74501

✓ Yvette Martin
Dave Martin
P.O. Box 1490
McAlester, Oklahoma 74502

City of McAlester
McAlester, Oklahoma

Pittsburg County Board of
County Commissioners

Lots 2, 3, 4, 5, 6 and 7, in Block 417, South
McAlester, and the Easterly 40 feet of 13th Street
lying adjacent to the West Line of Block 417.

Lot 8, in Block 417, South McAlester.

Lot 1, in Block 456, South McAlester.

Lot 2, in Block 456, South McAlester.

Lot 3, in Block 456, South McAlester.

The Easterly 60 feet of Lot 7 and the Westerly 20
feet of Lot 8, in Block 456, South McAlester.

The Easterly 80 feet of Lot 8, in Block 456, South
McAlester.

Lots 1 and 8, in Block 457, South McAlester.

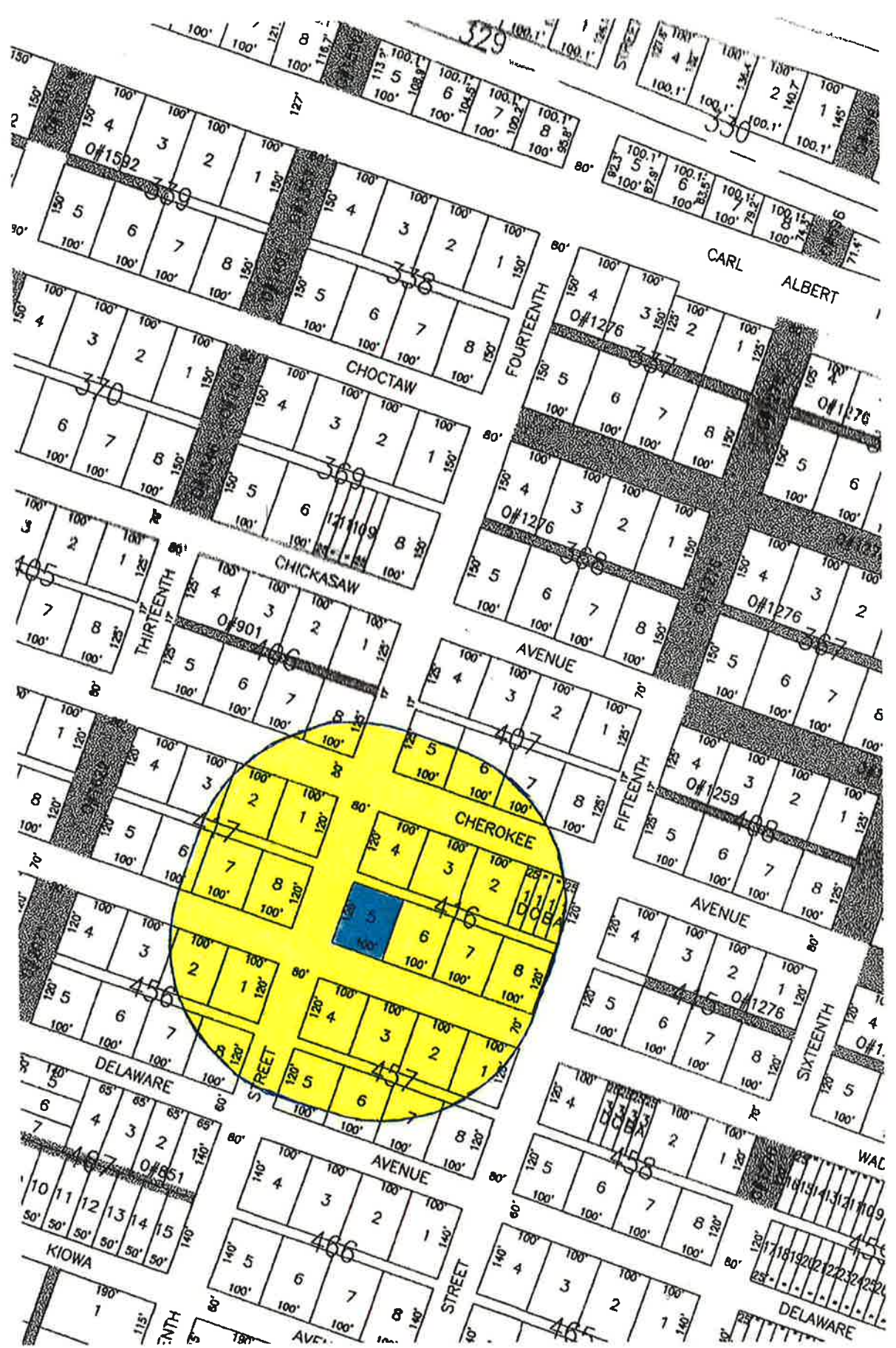
Lot 2, in Block 457, South McAlester.

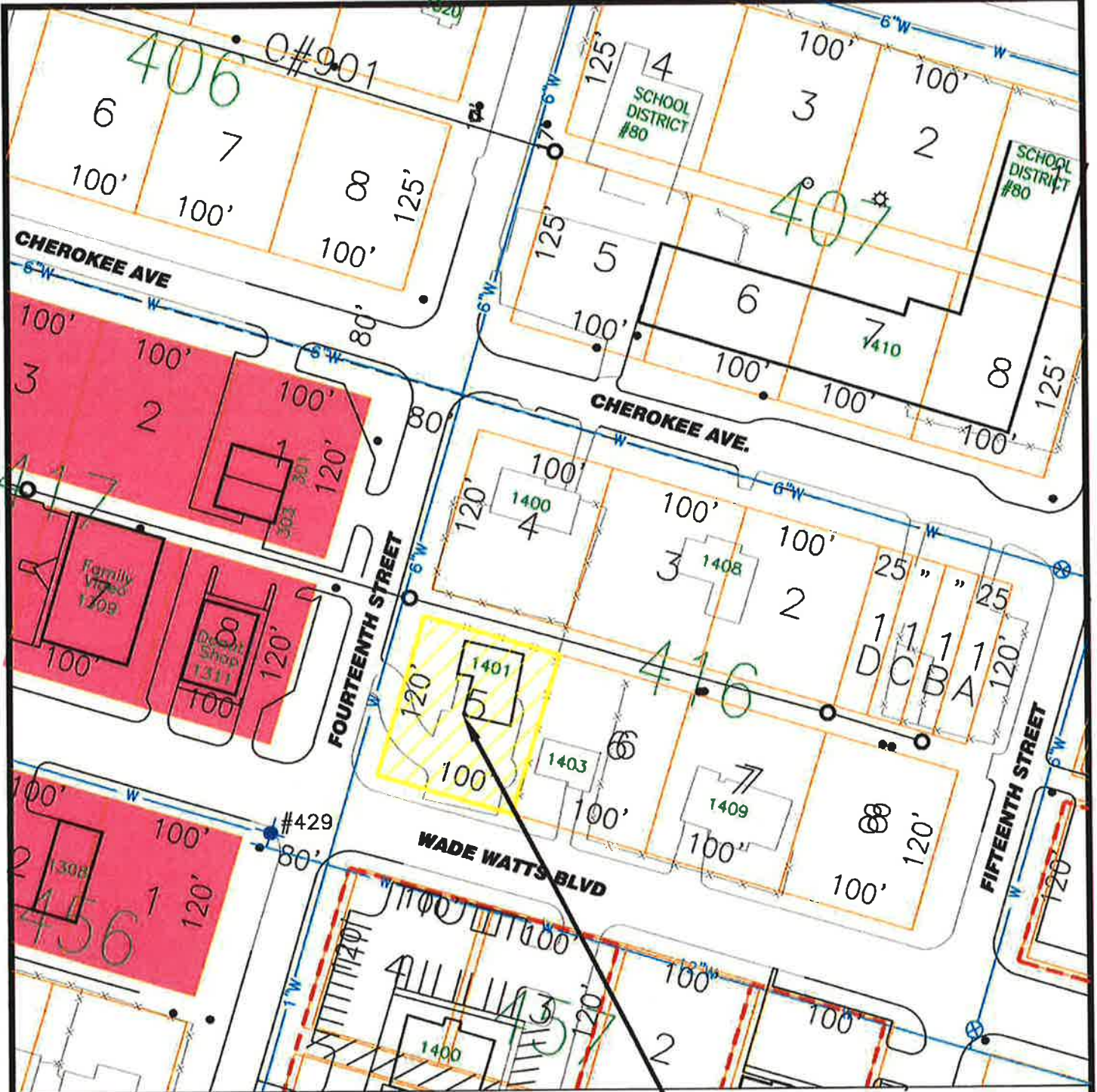
Lots 3, 4, 5 and 6, in Block 457, South McAlester.

Lot 7, in Block 457, South McAlester.

Easements, Alleys, Public Ways.

Easements, Alleys, Public Ways.





- | | | | |
|-------------|--|------------|--|
| A-1 | | C-3 | |
| R-1a | | C-4 | |
| R-1B | | C-5 | |
| R-2 | | H-1 | |
| R-3 | | I-1 | |
| C-1 | | I-2 | |
| C-2 | | | |



SCALE: 1" = 100'



AREA OF REQUEST

Prepared By:
City of McAlester
Engineering Department



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

October 2, 2015

RE: P.C. Case #405
U.P. Case #57

Dear Property Owner:

Applications requesting rezoning and a "Use Permit After Review Wade Watts Corridor" of the following described property has been filed with the Community and Economic Development Department of the City of McAlester. The request is to rezone the property from R1-B (Single-Family Residential District) to C-2 (Neighborhood Convenience District) or to alternately grant a "Use Permit After Review Wade Watts Corridor" for the following described property:

LOCATION: 1401 Wade Watts Avenue

LEGAL: Lot 5, in Block 416, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma

A Public Hearing will be held by the McAlester Planning Commission on Tuesday, October 20, 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, October 13, 2015.

Please be advised that if the Tuesday, October 20, 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, November 17, 2015 McAlester Planning Commission at 6:30 p.m.

If you know of any interested property owner(s) 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

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

James Schulz- Code Enforcement Inspector
(918) 423-9300 ext. 4986

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

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

Jayme Clifton - Executive Asst./Planning Tech.
(918) 423-9300 ext. 4984

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

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.....October 4th.....2015
2nd Insertion.....2015
3rd Insertion.....2015
4th Insertion.....2015
5th Insertion.....2015

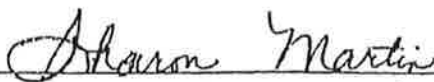
That said newspaper has been published continuously and uninterruptedly in said county during a period one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as publications (second-class) mail matter, 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.....\$ 39.40


Publisher

SUBSCRIBED and sworn to before me this

5th day of October, 2015.


Notary Public



#00002414

My Commission expires: 03/23/16

(Published in the
McAlester News-
Capital on October
4th, 2015.)

CITY OF McALESTER NOTICE OF HEARING ON REZONING AND USE PERMIT AFTER REVIEW

NOTICE IS
HEREBY GIVEN to
all property owners of
the City of McAlester,
that a Public Hearing
will be held before
the McAlester Plan-
ning Commission on
Tuesday, October 20,
2015 at 6:30 p.m.
concerning a rezon-
ing application and a
"Use Permit After Re-
view Wade Watts
Corridor" application
filed for the following
described property:

LOCATION: 1401
Wade Watts Avenue
LEGAL: Lot 5, in
Block 416, City of
McAlester, formerly
South McAlester,
Pittsburg County,
State of Oklahoma

**PROPOSED
CHANGE:** From: R1-
B Single-family Res-
idential District

To: C-2 Neighbor-
hood Convenience
District;
or consideration by
the City Council to
grant a "Use Permit
After Review in Wade
Watts Corridor".

Any person wishing
to appear in support
or opposition to the
proposed rezoning or
use permit after re-
view may do so in the
Council Chambers,
Municipal Building,
located at 28 E.
Washington Avenue,
McAlester, Ok-
lahoma, at the above
date and time.

**FURTHER NOTICE
IS HEREBY GIVEN**
to all property own-
ers and residents of
the City of McAlester,
that if the Tuesday,
October 20, 2015
Planning Commis-
sion is canceled due
to any reason such
as but not limited to
adverse weather con-
ditions, lack of a
quorum, etc. the
above Public Hear-
ing will automatically
be rescheduled and
placed on the agenda
for the Tuesday,
November 17, 2015
McAlester Planning
Commission at 6:30
p.m.

s/Cora Middleton,
City Clerk
10/01/15
Date

RE-ZONING NOTICE
THIS PROPERTY IS THE SUBJECT
OF A RE-ZONING

REQUEST
For More Information
See Notification
To The Right

10/02/2015

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND ACCOMPANYING MAP THERETO KNOWN AS GENERAL ZONING ORDINANCE NO. 1843 (1989), BY CHANGING THE CLASSIFICATION OF THE ZONING DISTRICT FOR LOT 5, IN BLOCK 416, CITY OF MCALESTER, FORMERLY SOUTH MCALESTER, PITTSBURG COUNTY, STATE OF OKLAHOMA FROM R-1B SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-2 NEIGHBORHOOD CONVENIENCE 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:

Changing the classification of the zoning district for Lot 5, in Block 416, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma from R-1B Single-Family Residential District to C-2 Neighborhood Convenience 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 City Council

AGENDA REPORT

Meeting Date:	November 10, 2015	Item Number:	4
Department:	Community & Economic Development	Account Code:	N/A
Prepared By:	Leroy Alsup, Director & Jayme Clifton, Planning Tech.	Budgeted Amount:	N/A
Date Prepared:	November 2, 2015	Exhibits:	(8) Eight

Subject

Consider and act upon, a "Use Permit After Review" in the "Wade Watts Corridor" for the use of the property at 1401 Wade Watts Avenue as a "barbershop and beauty shop".

Reference Note: If the rezoning ordinance proposed for this property at 1401 Wade Watts Avenue is approved by the City Council, it is recommended that this agenda item should be pulled.

Recommendation

Motion to approve a "Use Permit After Review" in "Wade Watts Corridor" for the use of the property at 1401 Wade Watts Avenue as a "barbershop and beauty shop" and to authorize the Mayor to sign the "Use Permit after Review" approval form.

Discussion

The applicant is requesting a "Use Permit After Review" in "Wade Watts Corridor" for use of the property at 1401 Wade Watts Avenue as a "barbershop and beauty shop".

The McAlester Planning and Zoning Commission met on October 20, 2015 and voted (6- Yes, 0- No) to recommend that in the event the rezoning request for this property was denied, that the applicant's "Use Permitted After Review" request be approved.

The following documents are attached for your reference:

1. Draft Minutes of the October 20, 2015 Planning Commission Meeting
2. Draft "Use Permitted After Review" Approval Form for the property at 1401 Wade Watts Avenue
3. Planning and Zoning Staff Report
4. Evelyn Renfro "Use Permitted After Review" Application Form
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

Approved By

		Initial	Date
Department Head	L. Alsup	LA	11/02/2015
City Manager	P. Stasiak	PJS	11-5-15

McAlester Planning Commission Minutes
Tuesday, October 20, 2015 Meeting
City Council Chambers
6:30 PM

DRAFT

Item 1

Call to Order and Roll Call

Due to the absence of the Chairman and Vice-Chairman, Leroy Alsup called the meeting to order at 6:43 P.M. Roll was called, and a quorum was present.

Commissioners Present: 6

Harvey Bollinger	Carl Gullick	Susan Kanard	Karl Scifres
Karen Stobaugh	Chris Taylor		

Commissioners Absent: 5

Mark Emmons	Ross Eaton	Justin Few	Denise Lewis
Primus Moore			

A motion was made by Commissioner Kanard second by Commissioner Scifres to appoint Commissioner Harvey Bollinger interim chairman. The vote was taken.

The vote was 6-0

AYE: Kanard, Scifres, Stobaugh, Taylor, Gullick, Bollinger

NAY: None

The motion carried.

Item 2

Approval of Minutes

A motion made by Commissioner Gullick was seconded by Commissioner Scifres to approve the September 15, 2015 Regular Meeting Minutes. The vote was taken.

The vote was 6-0

AYE: Kanard, Scifres, Stobaugh, Taylor, Gullick, Bollinger

NAY: None

The motion carried.

GENERAL BUSINESS:

Item 3

Public Hearing: Discussion and action on P.C. #405, a request to rezone Lot 6, in Block 32, McAlester Addition to the City of McAlester, Pittsburg County, State of Oklahoma from R-1B Single-family Residential District to C-2 Neighborhood Convenience District, and U.P. #57, an alternate request for a Use Permit After Review in the Wade Watts Corridor if the rezoning request is denied.

Commissioner Bollinger opened the item for discussion at 6:45 P.M. Leroy Alsup, Director of the Community and Economic Development Department, presented the staff report to the Commission and it is hereby incorporated in the minutes by reference. Staff recommended that the property at 1401 Wade Watts Avenue (Lot 5, in Block 416) be rezoned from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District based on the following reasoning:

1. The Wade Watts Corridor is a transition area that is becoming a commercial corridor. The neighborhood no longer lends itself to new residential development. The property to the west and southwest are zoned C-2 Neighborhood Convenience District. Even, the property to south is developed commercially under a Use Permitted After Review.
2. The rezoning of 1401 Wade Watts Avenue (Lot 5, in Block 416) would be an extension of the existing C-2 Neighborhood Convenience District directly to the West and Southwest, therefore the 50,000 sq. ft. minimum lot area for rezoning to C-2 would not be satisfied (*precedent set by City Ordinance #2178 discussed in the staff report*).
3. The property at 1401 Wade Watts Avenue (Lot 5, in Block 416) would remain within the Wade Watts Corridor Development therefore the Exterior standards/visual appeal guidelines set forth in Sec 62-213 (g) would remain applicable to the property even after it was rezoned.

Further, staff recommended that if the Planning Commission determined they were not favorable to rezoning the property at 1401 Wade Watts Avenue (Lot 5, in Block 416) from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District, then staff would recommend granting a Use Permitted After Review at 1401 Wade Watts Avenue for a barbershop and beauty shop.

Commissioner Bollinger asked if anyone for or against the application wished to speak. No one came forward. Commissioner Bollinger closed the public hearing on the matter at 6:53 PM and called for a motion. Commissioner Scifres motioned to approve the applicants' request to rezone the property from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District, and was seconded by Commissioner Stobaugh.

Commissioner Bollinger asked for discussion by the Commission. There was discussion of topics such as another recently opened beauty salon on property just across from 1401 on Wade Watts Avenue that was already zoned C-2 commercial; the similar commercial use of other properties in the Wade Watts Corridor; the visual standards set for the Corridor, the transition of the Wade Watts Corridor from residential to commercial; and the similarities of permitted uses in both Wade Watts Corridor Development and C-2 Neighborhood Convenience District. There were no other comments. The vote was taken.

The vote was 5-1

AYE: Scifres, Stobaugh, Taylor, Kanard, Bollinger

NAY: Gullick

The motion carried.

Commissioner Stobaugh motioned to approve the applicants request for a Use Permit After Review for a beauty salon in the event the rezoning request was denied by City Council. Commissioner Scifres seconded the motion. No other motions were made. The vote was taken.

The vote was 6-0

AYE: Scifres, Stobaugh, Taylor, Gullick, Kanard, Bollinger

NAY: None

The motion carried

Item 4 Discussion of an Ordinance to amend the McAlester City Code, Chapter 22 Businesses to add Article VII. Mobile Vendors (Food Trucks).

Commissioner Scifres motioned to table the item to the next meeting and Commissioner Taylor seconded. No other motions were made and the vote was taken.

The vote was 6-0

AYE: Scifres, Stobaugh, Taylor, Gullick, Kanard, Bollinger

NAY: None

The motion carried

Item 5 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.

Commissioner Scifres motioned to table the item to the next meeting and Commissioner Stobaugh seconded. No other motions were made and the vote was taken.

The vote was 6-0

AYE: Scifres, Stobaugh, Taylor, Gullick, Kanard, Bollinger

NAY: None

The motion carried.

Item 6 New Business
There was no New Business.

Item 7 Staff Report
There was no Staff Report.

Item 8 Commission Report
There was no Commission Report.

Item 9 Adjournment
A motion made by Commissioner Taylor was seconded by Commissioner Kanard to adjourn the meeting at 7:10 PM. There was no objection. The motion carried.

The vote was 6-0

AYE: Scifres, Stobaugh, Taylor, Gullick, Kanard, Bollinger

NAY: None

The motion carried.

Approved:

Planning Commission Chairman

Date



City of McAlester

Community & Economic Development

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

USE PERMITTED AFTER REVIEW LAND USE ACCEPTANCE

According to the provisions of the McAlester Zoning Ordinance, the following Land Use is hereby approved by the McAlester Planning Commission and the McAlester City Council.

Zoning District: R-1B Single Family Residential (Wade Watts Corridor Development)

Location: 1401 Wade Watts Avenue

Legal Description: Lot 5, in Block 416, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma

Use Permitted After Review:

John and Evelyn Renfro is requesting a "Use Permit After Review for a "Barbershop and beauty shop" at 1401 Wade Watts Avenue. The issuance of a Building Permit for said Barbershop and beauty shop" is hereby authorized at 1401 Wade Watts Avenue by the McAlester City Council, subject to the applicable provisions of Chapter 62 -Land Development Code of the City's Code of Ordinances and the following specific special conditions shall also apply to the development of this property:

1. The exterior standards/visual appeal guidelines set forth in Zoning Ordinance Sec. 62-213 (g) of for the Wade Watts Corridor Development incorporated herein by reference.
2. The area regulations and screening requirements set forth in Zoning Ordinance Sec 62-202 (d) and Sec 62-202 (e) for the C-2 Neighborhood Convenience Zoning District incorporated herein by reference.

PLANNING COMMISSION

CITY COUNCIL

Mark Emmons, Chairman

Steve Harrison, Mayor

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

James Schulz- Code Enforcement Inspector
(918) 423-9300 ext. 4986

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

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

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



City of McAlester

Community & Economic Development

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

PLANNING COMMISSION STAFF REPORT- PC Case #405 & UP Case #57 October 20, 2015

To: McAlester Planning Commission
From: Leroy D. Alsup, Community and Economic Development Director
Date: October 12, 2015

Case: PC #404 **Request to Rezone**
UP #57 **Alternate Use Permitted After Review Request**

Applicant: John and Evelyn Renfro
Zoning District: R1-B Single-family Residential District
Location: 1401 Wade Watts Avenue
Legal Description: Lot 5, in Block 416, 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 C-2 Neighborhood Convenience District or to alternately request a "Use Permit After Review in Wade Watts Corridor" for use as a "Barbershop and beauty shop"

General Notifications:

Publication in McAlester News Capital	October 4, 2015
Posting of Sign on Property	October 2, 2015

Notification to Property Owners within 300 Feet:

Property Owners within 300 feet	22 (<i>Mailed on October 2, 2015</i>)
Notification receipts received	12
Notification Returned Unclaimed	1
Notifications Still Out	9

Attachments:

Rezoning Application & Abstractor's Certificate
Use Permitted After Review Application & Abstractor's Certificate
Site Location Map

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

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

Jayne Clifton- Executive Asst./Planning Tech
(918) 423-9300 ext. 4984

James Schulz- Code Enforcement Inspector
(918) 423-9300 ext. 4986

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

Area of Request Map with Area Zoning Shown
Notice to Property Owners within 300 feet
Proof of Publication of Notice in Newspaper
Picture of Sign Posted on Property
“Use Permitted After Review” Approval Form

BACKGROUND INFORMATION:

The subject property at 1401 Wade Watts Avenue is within the Wade Watts Corridor Development. Even though the underlying zoning of this particular parcel remains R-1B Single-Family Residential District, under the Wade Watts Corridor regulations specific commercial uses delineated in Zoning Ordinance Section 62-213 (e) (*inserted below*) may be approved through the “Use Permitted After Review” process for those lots within the Corridor that remained zoned R-1B.

On September 21, 2010 the Planning Commission approved a “Use Permitted After Review” application from Ms. Renfro requesting to use the property at 1401 Wade Watts Avenue for the specific use as a “Real Estate Office” (*Professional Offices*).

The 2010 Use Permitted After Review” approval was specific to “Real Estate Office” (*Professional Offices*), therefore if Ms. Renfro wants to now use the property for another commercial use delineated in Zoning Ordinance Section 62-213 (e), a new “Use Permitted After Review” application would be required.

OPTIONS:

1. Consider rezoning property at 1401 Wade Watts Avenue from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District

- On August 24, 2004, by City Ordinance #2178, Lot 2 in Block 456 to the southwest of the subject property was rezoned from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District (*Predates the creation of the Wade Watts Corridor*). In the staff report, it supports this rezoning by pointing out that the property to North was already zoned C-2 and that the lot did not lend itself to new residential development. Further, it states that the rezoning of Lot 2 in Block 456 was an extension of the C-2 directly to the North and therefore the 50,000 sq. ft. minimum lot area for rezoning to C-2 was not applicable (Sec. 62-202 (d) (1) b).
- Advantage to Property Owner- If the property owner desires to use the property for another C-2 permitted use besides a “Barber and/or Beauty Shop” in the future they would not have to go through the “Use Permitted After Review” process each time the use of the property changed. However, on the flip side, any change of use in the future to another type of commercial development allowed as a C-2 permitted use would no longer be subject to Planning Commission review.

- Sec 62-213 (g) Exterior standards/visual appeal guidelines established for Wade Watts Corridor Development would still be applicable because even if the property is rezoned it would still be within the Wade Watts Corridor.
- The Uses Permitted After Review in the Wade Watts Corridor Development and the Uses Permitted in C-2 Neighborhood Convenience District are not identical.

C-2 Zoning- Uses Permitted	Wade Watts- Uses Permitted After Review
a. Artist supplies and hobby shop	-----
b. Bakery shop	-----
c. Barbershop and beauty shop	a. Barber and/or beauty shop
d. Bookstore	-----
e. Cleaning and dyeing works	-----
f. Clothing and wearing apparel shop	-----
g. Drugstore	-----
h. Financial institution	f. Financial institute
i. Florist shop	g. Florist/gift shops
j. Gift shop	-----
k. Grocery store.	h. Grocery stores
l. Jewelry store	-----
m. Laundry and dry cleaning pickup station	m. Self-service and/or full-service laundry
n. Liquor store	-----
o. Medical and dental clinics	b. Medical and/or dental clinics
p. Motor fuel sales only (not intended for service station operations)	i. Motor fuel sales only (no service station);
q. Pharmacy	c. Pharmacy
r. Professional offices (not including animal clinics/hospitals, and only in specified zones)	d. Professional offices
s. Public uses; i.e., fire station, community building, utility building, library, auditorium, municipal building.	e. Public uses
t. Self-service laundries	m. Self-service and/or full-service laundry
u. Shoe repair shop	-----
v. Stockbroker	-----
v. Stockbroker	-----
Accessory Buildings	Accessory Buildings
Churches	Churches
-----	j. Variety store
-----	k. Pet shop (not including veterinarian clinics)
-----	l. Restaurant
-----	n. Car wash
-----	o. Funeral facilities

2. Consider granting a Use Permitted After Review at 1401 Wade Watts Avenue for a Barbershop and beauty shop.

Sec. 62-213. Wade Watts Corridor Development. (EXCERPT)

(Amended by Ordinance #2350, 03/09/2010)

(c) General provisions and descriptions- The WW district and its regulations may be applied to property located within one block north of Wade Watts Avenue and one block south of Wade Watts Avenue between Strong Boulevard and George Nigh Expressway (Highway 69). More particularly, this area as described in the following platted blocks of the original plat of the city:

- All of Blocks 412, 413, 414, 415, 416, 417, 418, 419, 457, 458, 459, 460 and 461.
(Based on the boundary description and the original Ordinance #2195, 06/28/2005 it appears that Blocks 454, 465, & 456 were inadvertently left out of this listing)

The WW district and its regulations may be applied to the described properties even though, and at the same time, the property is under the regulations of the R-18 (Single-Family Residential) district, and C-2 (Neighborhood Convenience Commercial) district.

(d) *Uses permitted.*

- (1) R-18 Single-Family Residential;
- (2) C-2 Neighborhood Convenience Commercial.¹

¹*(In the original Ordinance #2195, 06/28/2005, this permitted use was limited to Blocks 417, 418, & 419 whose underlying zoning was C-2.)*

(e) *Uses permitted after review.*

- (1) a. Barber and/or beauty shop;
b. Medical and/or dental clinics;
c. Pharmacy;
d. Professional offices;
e. Public uses;
f. Financial institute [institution];
C. Florist/gift shops;
h. Grocery store;
i. Motor fuel sales only (no service station);
j. Variety store;
k. Pet shop (not including veterinarian clinics);
l. Restaurant;
m. Self-service and/or full-service laundry;
n. Car wash;
o. Funeral facilities.

(2) Accessory buildings or uses customarily incidental to the allowed uses.

(3) Any public building or use.

- (4) Churches, provided they have major street frontage as shown on the major street plan and meets requirement for off-street parking.
 - (f) Area regulations. The following requirements shall apply to all uses permitted. All lots shall comply with specific lot definition and definition found in section 62-707.
 - (1) Minimum lot area, and use intensity. The minimum lot area for this district shall not be less than 12,000 square feet. (The 50,000 square-foot requirement does not apply to this WW district.)
-

Staff Recommendation:

Staff recommends that the property at 1401 Wade Watts Avenue (Lot 5, in Block 416) be rezoned from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District.

1. The Wade Watts Corridor is a transition area that is becoming a commercial corridor. The neighborhood no longer lends itself to new residential development. The property to the west and southwest are zoned C-2 Neighborhood Convenience District. Even, the property to south is developed commercially under Uses Permitted After Review.
2. The rezoning of 1401 Wade Watts Avenue (Lot 5, in Block 416) an extension of the C-2 Neighborhood Convenience District directly to the West and Southwest, therefore the 50,000 sq. ft. minimum lot area for rezoning to C-2 would not applicable (Sec. 62-202 (d) (1) b) (*precedent set by City Ordinance #2178 discussed early in report*).
3. The property at 1401 Wade Watts Avenue (Lot 5, in Block 416) would remain within the Wade Watts Corridor Development therefore the Exterior standards/visual appeal guidelines set forth in Sec 62-213 (g) would remain applicable to the property even after it was rezoned.

If the Planning Commission decides they are not favorable to rezoning the property at 1401 Wade Watts Avenue (Lot 5, in Block 416) from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District, then staff would recommend granting a Use Permitted After Review at 1401 Wade Watts Avenue for a Barbershop and beauty shop.

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.

SEP 28 2015

Received

APPLICATION

"REVIEW IN WADE WATTS CORRIDOR"

Applicant: John & Evelyn RenfroStatus of Applicant: ☒ Owner ☐ Option to Purchase ☐ Agent of OwnerLegal Description: Lot 5 BIK 416 So MSAAddress: 1401 Wade Watts Ave. McAlester OK 74501

The following information and attachments are REQUIRED for the review of your application. If they are missing or incomplete, your application **will not** be considered until the information is provided.

(In some cases additional information and/or agreements may be requested at the meeting.)

(1) Proposed Use: The proposed use should be explained in enough detail for the Commission to understand anticipated traffic generation, noise, time of day, etc. If the proposed use is general, such as "office" and no specific tenant is present, you must explain the type of tenant anticipated.

(Note: Medical, dental or financial institutions are not office uses.)

Outline Proposed Use: Beauty Shop

(2) The following are required submittals before the application will be considered. The process will not start before all submittals are provided.

- a. Site Plan: Site plan must show complete lot – distance of the lot from all right-of-ways (streets & alley) – all proposed landscaping, including trees, shrubs, grass area, etc. – any and all proposed signs and complete parking layouts.

(Site Plan shall be drawn to scale and no smaller than 11" x 17" and no larger than 11" x 24".)

- b. The existing building or proposed building must be fully dimensioned.

- c. Elevation: A completed front elevation of the proposed building, (even if an existing building) all elevations that are visible from a side street. The elevation must state type of materials to be used on exterior surface.

- d. All entrances and exits must be shown.

Signature of Applicant(s)

Address

Evelyn Renfro
918 429 8583
(day time phone #)

520 Oklahoma Ave, M.O.

(day time phone #)

(day time phone #)

The required information shall be submitted to the Planning Department, City of McAlester, 28 E. Washington, McAlester, OK at least 22 days prior to the meeting of the Planning Commission. The Planning Commission meets the 3rd Tuesday of each month.

A non-refundable fee is due when the application is filed.

The Planning Commission shall transmit to the City Council its report as to the effect of such proposed building or use upon the character of the neighborhood, traffic conditions, public utilities and other matters pertaining to the general welfare of the community.

FOR OFFICE USE ONLY

DATE: 09/28/15 APPLICATION #: UP# 57

A filing fee of \$ 105.00 has been paid.

Application to be reviewed by the Planning Commission on _____, 20____ at 6:30 p.m.

ORDINANCE NO. 2166

**AN ORDINANCE AMENDING ARTICLE VII, SECTION 62-58, AMENDMENTS, OF
THE McALESTER CODE OF ORDINANCES; AND DECLARING AN EMERGENCY.**

* * * * *

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

SECTION 1: Article VII, Section 62-58, is hereby amended to read as follows:

- a) Upon the filing of petition for closing, the property owner, or his duly authorized representative, shall pay a filing fee to the Planning Commission. All fees collected by the Planning Commission shall be deposited with the City Treasurer and credited to the General Fund of the City. The fees and expenses for all public notices pursuant to such petition shall be paid by the petitioner, or his duly authorized representative, in accordance with the following schedule:

**SCHEDULE OF FEES REQUIRED FOR FILING PETITION TO CHANGE THE
ZONING OF LAND OR TO REQUEST A USE PERMITTED ON REVIEW**

SQ. FT. OF LAND AREA INVOLVED

0 to 19,000 sq. ft.	(\$105.00)
20 to 39,000 sq. ft.	\$125.00
40,000 to 50,000 sq. ft.	\$150.00
51,000 to 60,000 sq. ft.	\$165.00
61,000 to 80,000 sq. ft.	\$175.00
81,000 to 100,000 sq. ft.	\$200.00

All over 100,000 sq. ft. shall be \$225.00, plus \$25.00 for each additional 100,000 sq. ft. or fraction thereof.

SQ. FT. OF LAND IN DEDICATED STREET AND/OR ALLEY

0 to 10,000 sq. ft.	\$ 90.00
11,000 to 20,000 sq. ft.	\$105.00
21,000 to 30,000 sq. ft.	\$125.00
31,000 to 40,000 sq. ft.	\$145.00
41,000 to 50,000 sq. ft.	\$165.00

All over 50,000 sq. ft. shall be \$175.00, plus \$25.00 for each additional 20,000 sq. ft. or fraction thereof.

SECTION 2: Repeal of Conflicting Ordinance

Any Ordinance now in effect that conflicts with any provision of this amendment is hereby repealed.

PIONEER ABSTRACT COMPANY

Of McAlester, Inc.
101 E. Carl Albert Pkwy.
McAlester, Oklahoma 74501
918-423-0817

Community & Economic
Development Department

SEP 28 2015

Received

CERTIFICATE

**Lot 5, in Block 416, City of McAlester, formerly South McAlester,
Pittsburg County, State of Oklahoma.**

I, Jami Hatridge, of PIONEER ABSTRACT COMPANY of McAlester, Inc., Bonded and Licensed Abstractor, hereby certifies that the attached list constitutes all the names of all owners of record as shown by the current year's tax rolls in the Office of the County Treasurer of Pittsburg County and State of Oklahoma, of property abutting and within three hundred feet in any direction from the legal description shown above. All persons required to be notified by 11 O. S. Section 659.3 (1975) and all mailing addresses obtainable are indicated as required.

ABSTRACTOR'S NOTE: We have checked the records pertaining to the above described real estate and have recorded our findings as requested. We have exercised due care in preparing this report; however, we assume no liability on our abstractor's bond for the correctness of information furnished or interpretation of any instrument filed of record.

Dated this 21st day of September, 2015.



**JAMI HATRIDGE, Bonded Abstractor
PIONEER ABSTRACT COMPANY
Of McAlester, Inc.**

Subscribed and sworn to before me this 21st day of September, 2015.

My commission expires:



Notary Public

Order #6950-15 sc



RECORD OWNER

✓ Edward F. Simmons
13812 Bonsal Lane
Silver Springs, Maryland 20906

✓ David L. Harris
1010 Magnolia Field
San Antonio, Texas 78251

✓ School District No. 80
200 East Adams
McAlester, Oklahoma 74501

✓ Terry L. Fry
Cynthia Ann Fry
1508 South Maywood Avenue
Independence, Missouri 64052

✓ Christy Thompson
207 East Madlson
McAlester, Oklahoma 74501

✓ Mary E. Davis
Alfred K. Haylett
1422 East Cherokee
McAlester, Oklahoma 74501

* The City of McAlester
28 East Washington
McAlester, Oklahoma 74501

✓ David Robershaw
1400 East Cherokee Avenue
McAlester, Oklahoma 74501

Applicant ✓ The Renfro Family Trust
520 Oklahoma Avenue
McAlester, Oklahoma 74501

✓ Coluah Stanfield
P.O. Box 595
McAlester, Oklahoma 74502

✓ Jeanette V. Maddox
Jerry R. Maddox
1409 East Wyandotte
McAlester, Oklahoma 74501

✓ The Janice T. McBee Family
Revocable Trust
1102 Remington Avenue
McAlester, Oklahoma 74501

✓ Harry S. Lindley
Peggy T. Lindley
4270 North Pine Hollow Road
McAlester, Oklahoma 74501

✓ Terry G. English Trust
P.O. Box 3484
McAlester, Oklahoma 74502

LEGAL DESCRIPTION OF PROPERTY

Lot 7, in Block 406, South McAlester, and the Southerly 8.5 feet of the alley lying adjacent thereto.

Lot 8, in Block 406, South McAlester, and the Southerly 8.5 feet of the alley lying adjacent thereto.

All of Block 407, South McAlester.

Lots 1A, 1B and 1C, in Block 416, South McAlester.

Lot 1D and the Easterly 50 feet of Lot 2, in Block 416, South McAlester.

Westerly 50 feet of Lot 2 and the Easterly 25 feet of Lot 3, in Block 416, South McAlester.

Westerly 75 feet of Lot 3, in Block 416, South McAlester.

Lot 4, in Block 416, South McAlester.

Lot 5, in Block 416, South McAlester.

Westerly 50 feet of Lot 6, in Block 416, South McAlester.

Easterly 50 feet of Lot 6 and All of Lot 7, in Block 416, South McAlester.

One-Half Interest – Lot 8, in Block 416, South McAlester.

One-Half Interest – Lot 8, in Block 416, South McAlester.

Lot 1, in Block 417, South McAlester.

✓ Family Video Movie Club Inc
1022 East Adams Street
Springfield, Illinois 62703

✓ Terry G. English Trust
P.O. Box 3848
McAlester, Oklahoma 74502

✓ Nelson C. Onaro
Medical Clinic of McAlester
P.O. Box 994
McAlester, Oklahoma 74502

✓ Loans Plus
1308 East Wade Watts Avenue
McAlester, Oklahoma 74501

✓ The Austin Family
Revocable Trust
1303 East Delaware
McAlester, Oklahoma 74501

✓ M. Gordon Frampton
Julie Frampton
216 Swallow Drive
McAlester, Oklahoma 74501

✓ Jeremy W. Pryor
JoAnna L. Pryor
1309 East Delaware
McAlester, McAlester 74501

✓ Linden Paul Dean
6925 NW 116th Street
Oklahoma City, Oklahoma 73162

✓ Yvette Martin
Dave Martin
P.O. Box 1490
McAlester, Oklahoma 74502

✓ Craig Kennedy
2013 Ten Springs
McAlester, Oklahoma 74501

✓ Yvette Martin
Dave Martin
P.O. Box 1490
McAlester, Oklahoma 74502

City of McAlester
McAlester, Oklahoma

Pittsburg County Board of
County Commissioners

Lots 2, 3, 4, 5, 6 and 7, in Block 417, South
McAlester, and the Easterly 40 feet of 13th Street
lying adjacent to the West Line of Block 417.

Lot 8, in Block 417, South McAlester.

Lot 1, in Block 456, South McAlester.

Lot 2, in Block 456, South McAlester.

Lot 3, in Block 456, South McAlester.

The Easterly 60 feet of Lot 7 and the Westerly 20
feet of Lot 8, in Block 456, South McAlester.

The Easterly 80 feet of Lot 8, in Block 456, South
McAlester.

Lots 1 and 8, in Block 457, South McAlester.

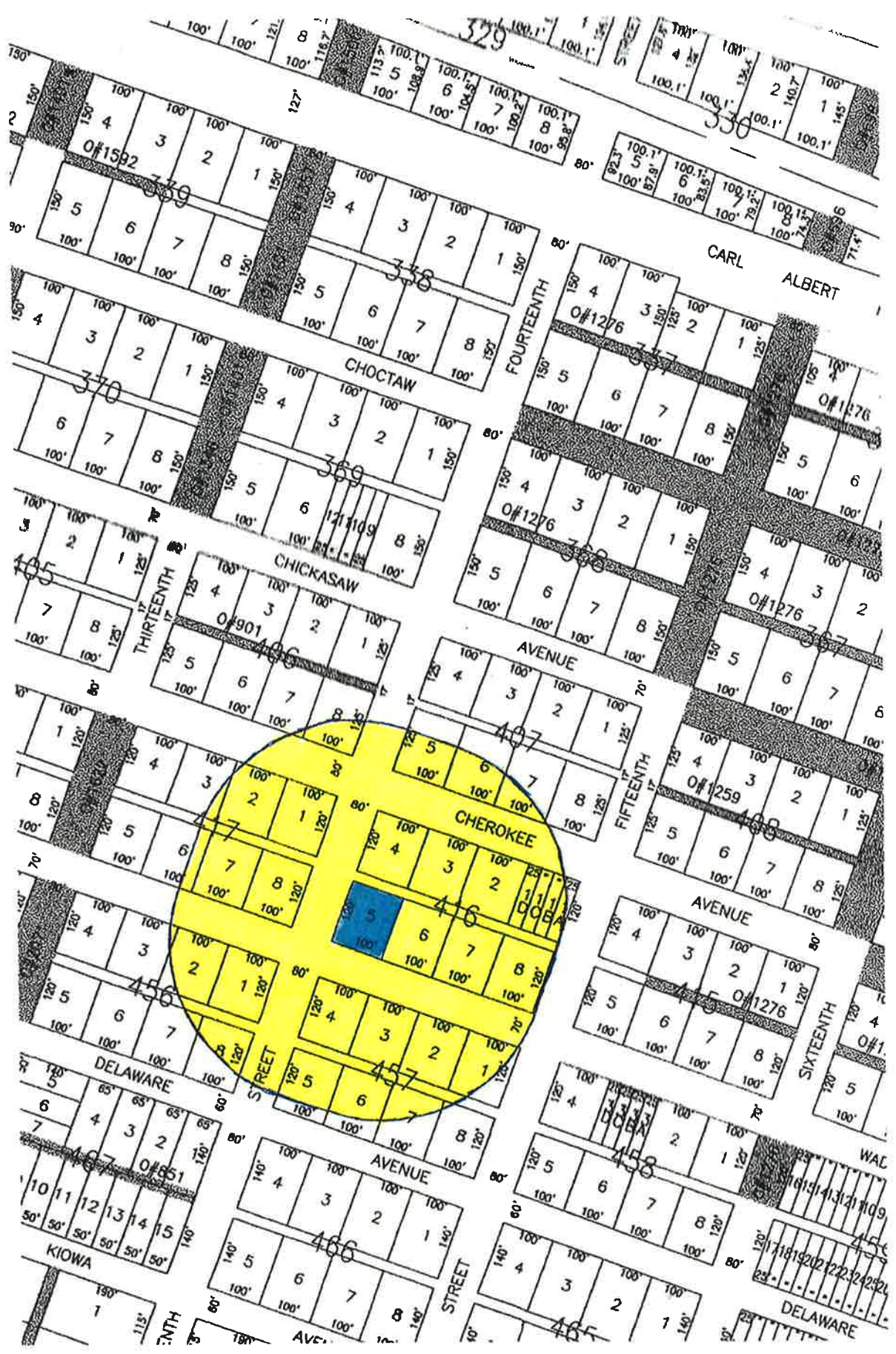
Lot 2, in Block 457, South McAlester.

Lots 3, 4, 5 and 6, in Block 457, South McAlester.

Lot 7, in Block 457, South McAlester.

Easements, Alleys, Public Ways.

Easements, Alleys, Public Ways.



Prepared By:
City of McAlester
Engineering Department



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

October 2, 2015

RE: P.C. Case #405
U.P. Case #57

Dear Property Owner:

Applications requesting rezoning and a "Use Permit After Review Wade Watts Corridor" of the following described property has been filed with the Community and Economic Development Department of the City of McAlester. The request is to rezone the property from R1-B (Single-Family Residential District) to C-2 (Neighborhood Convenience District) or to alternately grant a "Use Permit After Review Wade Watts Corridor" for the following described property:

LOCATION: 1401 Wade Watts Avenue

LEGAL: Lot 5, in Block 416, City of McAlester, formerly South McAlester, Pittsburg County, State of Oklahoma

A Public Hearing will be held by the McAlester Planning Commission on Tuesday, October 20, 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, October 13, 2015.

Please be advised that if the Tuesday, October 20, 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, November 17, 2015 McAlester Planning Commission at 6:30 p.m.

If you know of any interested property owner(s) 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

Leroy Alsop- Director
(918) 423-9300 ext.4951

James Schulz- Code Enforcement Inspector
(918) 423-9300 ext. 4986

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

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

Jayme Clifton - Executive Asst./Planning Tech.
(918) 423-9300 ext. 4984

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

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.....October 4th.....2015
2nd Insertion.....2015
3rd Insertion.....2015
4th Insertion.....2015
5th Insertion.....2015

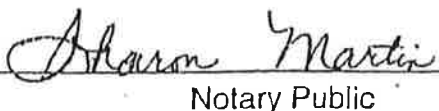
That said newspaper has been published continuously and uninterruptedly in said county during a period one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as publications (second-class) mail matter, 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.....\$ 39.40


Publisher

SUBSCRIBED and sworn to before me this

5th day of October, 2015.


Notary Public



#00002414

My Commission expires: 03/23/16

(Published in the
McAlester News-
Capital on October
4th, 2015.)

CITY OF
McALESTER
NOTICE OF
HEARING ON
REZONING AND
USE PERMIT
AFTER REVIEW

NOTICE IS
HEREBY GIVEN to
all property owners of
the City of McAlester,
that a Public Hearing
will be held before
the McAlester Plan-
ning Commission on
Tuesday, October 20,
2015 at 6:30 p.m.
concerning a rezon-
ing application and a
"Use Permit After Re-
view Wade Watts
Corridor" application
filed for the following
described property:

LOCATION: 1401
Wade Watts Avenue
LEGAL: Lot 5, in
Block 416, City of
McAlester, formerly
South McAlester,
Pittsburg County,
State of Oklahoma

PROPOSED
CHANGE: From: R1-
B Single-family Res-
idential District

To: C-2 Neighbor-
hood Convenience
District;
or consideration by
the City Council to
grant a "Use Permit
After Review in Wade
Watts Corridor"

Any person wishing
to appear in support
or opposition to the
proposed rezoning or
use permit after re-
view may do so in the
Council Chambers,
Municipal Building,
located at 28 E.
Washington Avenue,
McAlester, Ok-
lahoma, at the above
date and time.

FURTHER NOTICE
IS HEREBY GIVEN
to all property own-
ers and residents of
the City of McAlester,
that if the Tuesday,
October 20, 2015
Planning Commis-
sion is canceled due
to any reason such
as but not limited to
adverse weather con-
ditions, lack of a
quorum, etc. the
above Public Hear-
ing will automatically
be rescheduled and
placed on the agenda
for the Tuesday,
November 17, 2015
McAlester Planning
Commission at 6:30
p.m.

s/Cora Middleton,
City Clerk
10/01/15
Date

RE-ZONING NOTICE
THIS PROPERTY IS THE SUBJECT
OF A RE-ZONING

REQUEST
For More Information
See Notification
To The Right

10/02/2015



McAlester City Council

AGENDA REPORT

Meeting Date:	November 10, 2015	Item Number:	5
Department:	Finance	Account Code:	
Prepared By:	Toni Ervin	Budgeted Amount:	
Date Prepared:	October 27, 2015	Exhibits:	1

Subject

Consider and act upon, an ordinance amending Article II Discrimination, Section 58-26 through Section 58-97 of McAlester City Codes to bring Article II Discrimination into compliance with applicable state and federal law; repealing all conflicting ordinances, and declaring an emergency.

Recommendation

Staff recommends a motion to approve updates in McAlester City Code Article II. Discrimination

Discussion

Staff recommends council approves the amendment of the ordinance to update the Article II Discrimination in the McAlester City Code to reflect updates to be compliant with all applicable laws. Included in Article II is Division 1 Generally, Division 2 Community Relations Commission, Division 3 Employment, Division 4 Public Accommodations, and Division 5 Fair Housing,

In order to continue to apply and qualify for grants such as the CDBG grant, we must update our Division 5 Fair Housing Policy to be in compliance with all applicable laws.

This update in the Employment Division is in agreement with our current Personnel Policy book that has already been updated. It reads:

2.01 EQUAL OPPORTUNITY EMPLOYMENT

The City of McAlester is committed to providing equal employment and advancement opportunities to all individuals, regardless of their race, color, religion, sex, national origin, age, genetic information, disability, or any other characteristic protected by applicable law.

Approved By

Initial

Date

Department Head

City Manager

P. Stasiak

PJS

11-5-15

ORDINANCE NO. _____

AN ORDINANCE, AMENDING ARTICLE II DISCRIMINATION, SECTION 58-26 THROUGH 58-97 OF MCALESTER CITY CODES TO BRING ARTICLE II DISCRIMINATION INTO COMPLIANCE WITH APPLICABLE STATE AND FEDERAL LAW, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

ARTICLE II. DISCRIMINATION

DIVISION 1. GENERALLY

Sec. 58-26. Definitions.

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

Age means that period of time when a worker is at least 40 years old and less than 70 years old.

Commission means the community relations commission.

Commissioner means a member of the commission.

Discriminatory practice means the practice designated as discriminatory under this article.

Employer means a person who has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, or a person who as a contractor or subcontractor is furnishing the material or performing work for the state or a governmental entity or agency of the state and includes an agent of such a person but does not include an Indian tribe or a bona fide membership club not organized for profit.

Employment agency means a person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person.

~~*Handicapped person*~~ *Disabled person* means a person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such an impairment or is regarded as having such an impairment.

Labor organization includes:

- (1) An organization of any kind, an agency or employee representation committee, group, association, or plan in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment.
- (2) A conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.
- (3) An agent of a labor organization.

National origin includes the national origin of an ancestor.

Owner means the owner, co-owner, lessee, sublessee, mortgagee, assignee, manager, agent, employee or any other person having the right of ownership or possession or the authority to sell, rent or lease any dwelling unit, or any person having an equitable or security interest in any dwelling unit, including the city and its departments, boards, commissions and authorities.

Person means an individual, association, corporation, joint apprenticeship, committee, joint stock company, labor union, legal representative, mutual company, partnership, receiver, trust, trustee, trustee in bankruptcy, unincorporated organization, any other legal or commercial entity, the state, or any governmental entity or agency, including the city.

Place of public accommodation means any place, store or other establishment, either licensed or unlicensed, which supplies goods or services to the general public or which solicits or accepts the patronage or trade of the general public or which is supported directly or indirectly by government funds; except, that a private club is not a place of public accommodation, if its policies are determined by its members and its facilities or services are available only to its members and their bona fide guests. However, a place of public accommodation shall not include barbershops or beauty shops or privately owned resort or amusement establishments or an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of the establishment as his residence.

Real estate broker means any person who for a fee or other valuable consideration manages, sells, purchases, exchanges or rents or negotiates, or offers or attempts to negotiate the sale, purchase, exchange or rental of, the real property of another, or holds itself out as engaged in the business of managing, selling, purchasing, exchanging or renting the real property of another, or collects rent for the use of the real property of another, and includes real estate salesmen or agents or any other person employed by a real estate broker to perform or to assist in the performance of his business.

DIVISION 2. COMMUNITY RELATIONS COMMISSION

Sec. 58-36. Established.

There is hereby established a community relations commission of the city, consisting of five members, to be appointed by the mayor and city council, for terms of two years; provided, however, that for the first appointment under the provisions of this article, three members shall be appointed for a period of two years and two members shall be appointed for a period of one year. All appointments thereafter shall be for a term of two years. The mayor, or his designee, shall serve as an ex officio member.

Sec. 58-37.

Duties.

The community relations commission shall have the following duties to:

(1) Receive, investigate, and seek the satisfactory adjustment of complaints which charge discriminatory practices as set forth in this article.

(2) Study and investigate by means of public hearings or otherwise any condition having an adverse effect on intergroup relations in the city and study the problems of prejudice and intolerance, bigotry and discrimination as they affect the public safety and general welfare of the city.

(3) Institute and conduct educational and other programs to promote the equal rights and opportunities of all persons regardless of their race, color, religion, national origin, sex, ~~political affiliation, age, marital status or handicap~~ age, genetic information, disability, or any other characteristic protected by applicable law, and to promote understanding among persons, groups of different races, colors, religions, national origins, sex, ~~political affiliations, ages, marital status or handicaps~~ age, genetic information, disability, or any other characteristic protected by applicable law. In performance of this duty, the commission may cooperate with interested citizens, private agencies, and agencies of the federal, state and local government.

(4) Hold hearings, make findings of fact, adopt such rules and policies as may be necessary within the limits of this article, and otherwise carry out the purposes and provisions of this article.

Sec. 58.38. Procedures and powers.

(a) Any person aggrieved by discriminatory practices prohibited by this article may file with the community relations commission a complaint in writing, under oath. The complaint shall be signed by the person claiming to be aggrieved, and shall state the name and address of the person alleged to have violated the provisions of this article, and shall further set forth the particulars of the violation, and may include such other information as may be required by the commission. Complaints filed under this section shall be filed within 60 days after the alleged violation, and failure to file within such time shall be considered a waiver of the application of this article. The commission may issue a complaint on its own initiative, at any time it has knowledge that a person has violated any of the provisions of this article.

(b) The commission shall investigate each complaint filed, and shall attempt an adjustment of the complaint by means of conference and conciliation. Sixty days shall be allowed for the purpose of investigation, conference and conciliation. Upon determination that a complaint is not well founded, the commission shall dismiss the complaint and notify the complainant and respondent in writing of such dismissal. If the commission takes no action within 90 days of the filing of the complaint, it shall be considered dismissed.

(c) If conference or conciliation does not result in compliance with this article, the commission shall cause to be issued and served in the name of the city a written notice together with a copy of the complaint, requiring the person named in the complaint, hereinafter referred to as the respondent, to answer charges of the complaint at a hearing before the commission at a time and place to be specified in the notice.

(d) At the hearing provided for in subsection (c) above, the complainant or person aggrieved may appear in person and/or by counsel, and the respondent may file a written answer to the complaint and may appear in person and/or by legal counsel. The commission, when conducting any hearing, pursuant to this section, may permit amendments to any complaint or answer, and the testimony taken at the hearing shall be under oath, and shall be transcribed at the request of either party, or at the direction of the commission. If the commission finds at the hearing that the respondent has engaged in any discriminatory practice or practices prohibited by this article, it shall state its findings of fact, and shall so certify the matter to the city attorney for appropriate

action. No prosecution shall be brought under this article except upon such certification. If the commission, upon hearing, finds that the respondent has not engaged in any discriminatory practice, it shall state its findings of fact, and shall issue and file an order dismissing the complaint. The commission shall establish rules and regulations to govern, expedite and effectuate the foregoing procedure, and shall maintain the files provided for herein.

Sec. 58-39. Service of notices.

All notices required under this article to be served upon any person may be served personally on such person, or by mailing a copy thereof by certified or registered mail, with return receipt requested, to the current business or residence address of such person.

DIVISION 3. EMPLOYMENT

Sec. 58-51. Employers.

(a) It is a discriminatory practice for an employer to:

(1) Fail or refuse to hire, to discharge or otherwise to discriminate against an individual with respect to compensation or the terms, conditions, privileges or responsibilities of employment because of race, color, religion, national origin, sex, political affiliation, age, marital status or handicap age, genetic information, disability, or any other characteristic protected by applicable law.

(2) Limit, segregate or classify an employee in a way which would deprive or tend to deprive him of employment opportunities or otherwise adversely affect his status because of race, color, religion, national origin, sex, political affiliation, age, marital status or handicap age, genetic information, disability, or any other characteristic protected by applicable law.

(b) This section shall not apply to the employment of an individual by his parents, spouse or child, or to employment in the domestic service of the employer.

Sec. 58-52. Employment agencies.

It is a discriminatory practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, an individual because of race, color, religion, national origin, sex, political affiliation, age, marital status or handicap age, genetic information, disability, or any other characteristic protected by applicable law, or to classify or refer to employment of an individual on the basis of race, color, religion, national origin, sex, political affiliation, age, marital status or handicap age, genetic information, disability, or any other characteristic protected by applicable law.

Sec. 58-53. Labor organizations.

It is a discriminatory practice for a labor organization to:

(1) Exclude or to expel from membership, or otherwise to discriminate against, a member or applicant for membership because of race, color, religion, national origin, sex, political affiliation, age, marital status or handicap age, genetic information, disability, or any other characteristic protected by applicable law.

(2) Limit, segregate or classify membership, or to classify or to fail or refuse to refer for employment an individual in a way:

- a. Which would deprive or tend to deprive an individual of employment opportunities; or
- b. Which would limit employment opportunities or otherwise adversely affect the status of an employee or of an applicant for employment because of race, color, religion, national origin, sex, ~~political affiliation, age, marital status or handicap~~ age, genetic information, disability, or any other characteristic protected by applicable law.

(3) Cause or attempt to cause an employer to violate the provisions of this article.

Sec. 58.54. Training programs.

It is a discriminatory practice for an employer, labor organization, or joint labor-management committee controlling apprenticeship, on-the-job, or other training or retraining program, to discriminate against an individual because of race, color, religion, national origin, sex, ~~political affiliation, age, marital status or handicap~~ age, genetic information, disability, or any other characteristic protected by applicable law in admission to, or employment in, a program established to provide apprenticeship or other training.

Sec. 58-55. Other discriminatory practices.

It is a discriminatory practice for an employer, labor organization or employment agency to print or publish or cause to be printed or published a notice or advertisement relating to employment by the employer or membership in or a classification or referral for employment by the labor organization, or relating to a classification or referral for employment by the employment agency, indicating a preference, limitation, specification, or discrimination, based on race, color, religion, national origin, sex, ~~political affiliation, age, marital status or handicap~~ age, genetic information, disability, or any other characteristic protected by applicable law. However, a notice or advertisement may indicate a preference, limitation, specification or discrimination based on race, color, religion, national origin, sex, political affiliation, age, marital status or handicap when it is a bona fide occupational qualification for employment.

Sec. 58-56. Exceptions.

It is not a discriminatory practice:

(1) For an employer to hire and employ an employee, or an employment agency to classify or refer for employment an individual, for a labor organization to classify its membership or to classify or refer for employment an individual, or for an employer, labor organization, or joint labor management committee controlling an apprenticeship or other training or retraining program to admit or employ an individual in the program, on the basis of his race, color, religion, national origin, sex, political affiliation, age, marital status or handicap.

(2) For a school, college, university or other educational institution to hire and employ an employee of a particular religion if the school, college, university or other educational institution is, in whole or substantial part owned, supported, controlled or managed by a particular religion or by a particular religious corporation, association or society, or if the curriculum of the school,

college, university or other educational institution is directed toward the propagation of a particular religion.

(3) For an employer to apply different standards of compensation or different terms, conditions, privileges or responsibilities of employment pursuant to a bona fide seniority or merit system, or a system which measures earnings by quantity or quality of production or to employees who work in different locations, if the differences are not the result of an intention to discriminate because of race, color, religion, national origin, sex, ~~political affiliation, age, marital status or handicap~~ age, genetic information, disability, or any other characteristic protected by applicable law.

(4) For an employer to give and to act upon the results of a professionally developed ability test if the test, its administration, or action upon the results is not designed, intended, or used to discriminate because of race, color, religion, national origin, sex, ~~political affiliation, age, marital status or handicap~~ age, genetic information, disability, or any other characteristic protected by applicable law.

Sec. 58-57. Imbalance; number or percentage.

Nothing in this article requires an employer, employment agency, labor organization, or joint labor-management committee subject to this article to grant preferential treatment to an individual or group because of race, color, religion, national origin, sex, ~~political affiliation, age, marital status or handicap~~ age, genetic information, disability, or any other characteristic protected by applicable law of the individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, national origin, sex, ~~political affiliation, age, marital status or handicap~~ age, genetic information, disability, or any other characteristic protected by applicable law employed by an employer, referred or classified for employment by an employment agency or labor organization, admitted to membership or classified by a labor organization or admitted to, or employed in, an apprenticeship or other training or retraining program in comparison with the total number or percentage of persons of the race, color, religion, national origin, sex, ~~political affiliation, age, marital status or handicap~~ age, genetic information, disability, or any other characteristic protected by applicable law in the state or a community, section or other area. However, it is not a discriminatory practice for a person subject to this article to adopt and carry out a plan to eliminate or reduce imbalance with respect to race, color, religion, national origin, sex, ~~political affiliation, age, marital status or handicap~~ age, genetic information, disability, or any other characteristic protected by applicable law if the plan has been filed with the commission under regulations of the commission and the commission has not disapproved the plan.

Sec. 58-58. Application of federal or state law.

Notwithstanding any other provisions of this article, it shall not be an unlawful employment practice or discrimination if the act is not prohibited by state or federal laws in regard to discrimination.

DIVISION 4. PUBLIC ACCOMMODATIONS

Sec. 58-71. Discriminatory practice.

It is a discriminatory practice for a person to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of a place of public accommodation because of age, sex, race, color, religion, ~~handicap~~ or national origin, genetic information, disability, or any other characteristic protected by applicable law.

DIVISION 5. FAIR HOUSING

Sec. 58-83. Policy.

It is the policy of the city to provide, within constitutional limitations, for fair housing throughout the city.

Sec. 58-84. Definitions.

Discriminatory housing practice means an act that is unlawful under sections 58-86, 58-87 and 58-88.

Dwelling means any building structure or portion thereof which is occupied as or designed or intended for occupation as a residence by one or more families and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

Family includes a single individual.

Person includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees in bankruptcy, receivers and fiduciaries.

To rent includes to lease, to sublease, to let or otherwise to grant for a consideration the right to occupy premises owned by the occupant.

Sec. 58-85. Unlawful practices.

Subject to the provisions of subsection (2) and section 58-89, the prohibitions against discrimination in the sale or rental of housing set forth in section 58-85 shall apply to:

(1) All dwellings except as exempted by subsection (2).

(2) Nothing in section 58-86 shall apply to:

a. Any single-family house sold or rented by an owner, provided that such private individual owner does not own more than three single-family houses at any one time; provided further that, in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such

sale within any 24-month period; provided further that such bona fide private individual owners does not own any interest in, for is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time; provided further that the sale or rental of any such single-family house shall be excepted from the application of this title only if such house is sold or rented:

1. Without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent or salesman or of such facilities or services on any person in the business of selling or renting dwellings or of any employee or agent of any such facilities or services of any person in the business of selling or renting dwellings or of any employee or agent of any such broker, agent, salesman or person; and

2. Without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of section 58-86(3). However, nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies and other such professional assistance as is necessary to perfect or transfer the title; or b. Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(3) For the purposes of subsection (2), a person shall be deemed to be in the business of selling or renting dwellings if:

a. He has, within the preceding 12 months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein;

b. He has, within the preceding 12 months, participated as an agent, other than in the sale of his own personal residence, in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein; or

c. He is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

Sec. 58-86. Discrimination in the sale or rental of housing.

As made applicable by section 58-85 and except as exempted by sections 58-85(2) and 58-89, it shall be unlawful to:

(1) Refuse to sell or rent after the making of a bona fide offer or to refuse to negotiate for the sale or rental of or otherwise make unavailable or deny an dwelling to any person because of race, sex, color, religion, national origin, disability, age, genetic information, or any other characteristic protected by applicable law.

(2) Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection therewith because of race, sex,

color, religion, national origin, disability ~~or familial status~~, age, genetic information, or any other characteristic protected by applicable law.

(3) Make, print or publish or cause to be made, printed or published any notice, statement or advertisement with respect to the sale or rental of a dwelling that indicates any preference, imitation or discrimination based on race, sex, color, religion, national origin, disability ~~or familial status~~, age, genetic information, or any other characteristic protected by applicable law or an intention to make any such preference, limitation or discrimination.

(4) Represent to any person because of race, sex, color, religion, national origin, disability ~~or familial status~~, age, genetic information, or any other characteristic protected by applicable law that any dwelling is not available for inspection, sale or rental when such dwelling is, in fact, so available.

(5) Induce or attempt to induce any person to sell or rent any dwelling, for profit, by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, sex, color, religion, national origin, disability ~~or familial status~~, age, genetic information, or any other characteristic protected by applicable law.

Sec. 58-87. Discrimination in financing or housing.

It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling or to discriminate against him in the fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance because of race, sex, color, religion, national origin, disability ~~or familial status~~, age, genetic information, or any other characteristic protected by applicable law of such person or of any person associated with him in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance or of the present or prospective owners, lessees, tenants or occupants of the dwelling or dwellings in the relation to which such loan or other financial assistance is to be made or given, provided that nothing contained in this section shall impair the scope or effectiveness of the exception contained in section

Sec. 58-88. Discrimination in the provision of brokerage services.

It shall be unlawful to deny any person access to or membership or participation in any multiple listing service, rental or facility relating to the business of selling or renting dwellings or to discriminate against him in the terms or conditions of such access, membership or participation on account of race, sex, color, religion, national origin, disability ~~or familial status~~, age, genetic information, or any other characteristic protected by applicable law.

Sec. 58-89. Exemption.

Nothing in this division shall prohibit a religious organization, association or society or any non-profit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion or from giving preference to such persons, unless membership in such religion is restricted on account of race, sex, color, national origin, disability ~~or familial status~~, age, genetic information, or any other characteristic protected by applicable law. Nor shall anything in this division prohibit a private club not, in fact, open to the public which, as an incident to its primary purpose or purposes, provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

Sec. 58-90. Administration.

(a) The authority and responsibility for administering the division shall be in the chief executive officer of the city.

(b) The chief executive officer may delegate any of these functions, duties and powers to employees of the city or to boards of such employees, including functions, duties and powers, with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting or otherwise acting as to any work, business or matter under this division. The chief executive officer shall, by rule, prescribe such rights of appeal from the decisions of his hearing examiners to other hearing examiners or to other officers in the city, to boards of officers or to himself, as shall be appropriate and in accordance with law.

(c) All executive departments and agencies shall administer their programs and activities relating to housing and urban development in a manner to affirmatively further the purposes of this division and shall cooperate with the chief executive officer to further such purposes.

Sec. 58-91. Education and conciliation.

Immediately after the enactment of this division, the chief executive officer shall commence such educational and conciliatory activities as will further the purposes of this division. He shall call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this division and his suggested means of implementing it and shall endeavor, with their advice, to work out programs of voluntary compliance and of enforcement.

Sec. 58-92. Enforcement.

(a) Any person who claims to have been injured by a discriminatory housing practice or who believes that he will be irrevocably injured by a discriminatory housing practice that is about to occur (hereafter "person aggrieved") may file a complaint with the chief executive officer. Complaints shall be in writing and shall contain such information and be in such form, as the chief executive officer requires. Upon receipt of such a complaint, the chief executive officer shall furnish a copy of the same to the person or persons who allegedly committed or are about to commit the alleged discriminatory housing practice. Within 30 days after receiving a complaint

or within 30 days after the expiration of any period of reference under subsection (c), the chief executive officer shall investigate the complaint and give notice in writing to the person aggrieved whether he intends to resolve it. If the chief executive officer decides to try to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation and persuasion, nothing said or done in the course of such informal endeavors may be made public or used as evidence in a subsequent proceeding under this division without the written consent of the persons concerned.

(b) A complaint under subsection (a) shall be filed within 180 days after the alleged discriminatory housing practice occurred. Complaints shall be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. Complaints may be reasonably and fairly amended at any time. A respondent may file and answer to the complaint against him and, with the leave of the chief executive officer which shall be granted whenever it would be reasonable and fair to do so, may amend his answer at any time. Both complaints and answers shall be verified.

(c) If, within 30 days after a complaint is filed with the chief executive officer, the chief executive officer has been unable to obtain voluntary compliance with this division, the person aggrieved may, within 30 days thereafter, file a complaint with the secretary of the department of housing and urban development. The chief executive officer will assist in this filing.

(d) If the chief executive officer has been unable to obtain voluntary compliance within 30 days of the complaint, the person aggrieved may, within 30 days thereafter, commence a civil action in any appropriate court against the respondent named in the complaint to enforce the rights granted or protected by this division insofar as such rights relate to the subject of the complaint. If the court finds that a discriminatory housing practice has occurred or is about to occur, the court may enjoin the respondent from engaging in such practice or order such affirmative action as may be appropriate.

(e) In any proceedings brought pursuant to this section, the burden of proof shall be on the complainant.

(f) Whenever an action by an individual shall come to trial, the chief executive officer shall immediately terminate all efforts to obtain voluntary compliance.

Sec. 58-93. Investigations, subpoenas, giving of evidence.

(a) In conducting an investigation, the chief executive officer shall have access at all reasonable time to premises, records, documents, individuals and other evidence or possible sources of evidence and may examine, record and copy such materials and take and record the testimony or statement of such persons as are reasonably necessary for the furtherance of the investigation; provided, however, that the chief executive officer first complies with the provisions of the Fourth Amendment relating to unreasonable searches and seizures. The chief executive officer may issue subpoenas to compel his access to or the production of such materials or the appearance of such persons and may issue interrogatories to a respondent to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or

served in aid of a civil action in the United States District Court for the district in which the investigation is taking place. The chief executive officer may administer oaths.

(b) Upon written application to the chief executive officer, a respondent shall be entitled to the issuance of a reasonable number of subpoenas by and in the name of the chief executive officer to the same extent and subject to the same limitations as subpoenas issued by the chief executive officer himself. Subpoenas issued at the request of a respondent shall show on their face the name and address of such respondent and shall state that they were issued at his request.

(c) Witnesses summoned by subpoena of the chief executive officer shall be entitled to the same witness and mileage fees as are witnesses in proceedings in United States District Courts. Fees payable to a witness summoned by a subpoena issued at the request of a respondent shall be paid by him. Within five days after service of a subpoena upon any person, such person may petition the chief executive officer to revoke or modify the subpoena. The chief executive officer shall grant the petition if he finds that the subpoena requires appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous or for other good reason.

(d) In case of contumacy or refusal to obey a subpoena, the chief executive officer or other person at whose request it was issued may petition for its enforcement in the municipal or state court for the district in which the person to whom the subpoena was addressed resides, was served or transacts business.

(e) Any person who willfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents or other evidence, if in his power to do so, in obedience to the subpoena or lawful order of the chief executive officer shall be fined not more than \$200.00. Any person who, with intent to mislead the chief executive officer, shall make or cause to be made any false entry or statement of fact in any report, account, record or other document submitted to the chief executive officer pursuant to his subpoena or other order or shall willfully neglect or fail to make or cause to be made full, true and correct entries in such reports, accounts, records or other documents or shall willfully mutilate, alter or by any other means falsify any documentary evidence shall be fined not more than \$200.00.

(f) The city attorney shall conduct all litigation in which the chief executive officer participates as a party or as amicus pursuant to this division.

Sec. 58-94. Enforcement by private persons.

(a) The rights granted herein by sections 58-85, 58-86, 58-87 and 58-88 may be enforced by civil actions in state or local courts of general jurisdiction. A civil action shall be commenced within 180 days after the alleged discriminatory housing practice occurred; provided, however, that the court shall continue such civil case brought pursuant to this section or section 58-92(d) from time to time before bringing it to trial if the court believes that the conciliation efforts of the chief executive officer are likely to result in satisfactory settlement of the discriminatory housing practice complained of in the complaint made to the chief executive officer and which practice

forms the basis for the action in court; and provided, however, that any sale, encumbrance or rental consummated prior to the issuance of any court order issued under the authority of this division and involving a bona fide purchaser, encumbrance or tenant, without actual notice of the existence of the filing of a complaint or civil action under the provisions of this division, shall not be affected.

(b) The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order or other order and may award to the plaintiff actual damages and not more than \$1,000.00 punitive damages, together with court costs and reasonable attorney's fees in the case of a prevailing plaintiff, provided that the said plaintiff, in the opinion of the court, is not financially able to assume said attorney's fees.

Sec. 58-95. Interference, coercion or intimidation.

It shall be unlawful to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of or on account of his having exercised or enjoyed or on account of his having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by sections 58-85, 58-86, 58-87 or 58-93. This section may be enforced by appropriate civil action.

Sec. 58-96. Separability of provisions.

If any provision of this division or the application thereof to any person or circumstance is held invalid, the remainder of the division and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Sec. 58-97. Prevention of intimidation in fair housing cases.

Whoever, whether or not acting under color of law, by force or threat of force, willfully injures, intimidates or interferes with or attempts to injure, intimidate or interfere with:

(1) Any person because of his race, sex, color, religion, national origin, disability ~~or familial status~~, age, genetic information, or any other characteristic protected by applicable law and because he is or has been selling, purchasing, renting, financing, occupying or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling or applying for or participating in any service, organization or facility relating to the business of selling or renting dwellings; or

(2) Any person because he is or has been or in order to intimidate such person or any other person or class of persons from:

a. Participating without discrimination on account of race, sex, color, religion, national origin, disability ~~or familial status~~, age, genetic information, or any other characteristic protected by applicable law in any of the activities, services, organizations or facilities described in subsection 58-97(1); or

b. Affording another person or class of persons opportunity or protection so to participate.

(3) Any citizen because he is or has been or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, sex, color, religion, national origin, disability ~~or familial status~~, age, genetic information, or any other characteristic protected by applicable law, in any of the activities, services, organizations or facilities described in subsection 58-97(1) or from participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate shall be fined not more than \$200.00, and if bodily injury results, shall be fined not more than \$200.00; and if death results, shall be subject to imprisonment for any term of years or for life.

**PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF MCALESTER,
OKLAHOMA ON THIS ____ DAY ____, 2015.**

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

By: _____
Steve Harrison, Mayor

ATTEST:

CORA MIDDLETON, City Clerk

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

By: _____
William J. Ervin, City Attorney



McAlester City Council

AGENDA REPORT

Meeting Date:	<u>October 27, 2015</u>	Item Number:	<u>6</u>
Department:	<u>City Manager</u>	Account Code:	<u></u>
Prepared By:	<u>Peter Stasiak</u>	Budgeted Amount:	<u></u>
Date Prepared:	<u>October 21, 2015</u>	Exhibits:	<u>1</u>

Subject

Consider and act to provide written notice of termination of the Professional Services Agreements with EST, Inc. for Construction Management Services related to CIP #2, CIP#4, and CIP #4A.

Recommendation

Consider and act upon sending written notice of termination to EST, Inc.

Discussion

Approved By

Initial

Date

Department Head

City Manager

P. Stasiak

PJS

11-5-15



October 21, 2015

Re: Notice of Termination of Professional Services Agreements for City of McAlester, Oklahoma CIP# 2, CIP#4, and CIP# 4A.

Dear Sirs,

This letter will serve as formal written notice to terminate the professional services agreements between the City of McAlester, Oklahoma and EST, Inc., under contract paragraph 10.00 Termination. The City is currently investigating possible breach of multiple provisions of the subject agreement(s), as well as certain representations and/or omissions that have been made by EST, Inc. assigned personnel.

Questions have recently been raised about EST's comprehensive construction management services, more particularly services related to engineering oversight, construction compliance with contract plans and specifications, project management, daily on-site inspection, contract administration, materials sampling and testing, auditing, and other services promised under "Exhibit A" Scope of Services.

Pursuant to paragraph 11.00 Ownership of Documents, please immediately deliver copies of each and every document, in your possession or under your direction and control, related to the above referenced project(s) including but not limited to all correspondence (including email); your construction documents file; your job site orderly files including but not limited to: correspondence, reports, photographs, shop drawings, other submissions, and other related data; all work notes; memoranda; plans; drawings; specifications; intellectual property; change orders; progress reports; recommendations to the City; daily observation reports; or record of any kind, whether stored electronically or non-electronically.

Please also provide any document or record related to paragraph 17 of "Exhibit A" Scope of Services.

You are further advised that this letter does not waive any right under the subject agreement(s), or any recourse available to the City either in equity or at law, and that the City expressly reserves the same.

Sincerely,

Steve Harrison, Mayor



McAlester City Council

AGENDA REPORT

Meeting Date: November 10, 2015 Item Number: 7
Department: _____
Prepared By: Joe Ervin, City Attorney Account Code: _____
Date Prepared: November 5, 2015 Budgeted Amount: _____
Exhibits: 1

Subject

Consider and act upon, to authorize the Mayor to sign a Resolution allowing the City Manager limited authority to approve certain construction contract change orders for purposes of efficiency, flexibility and economy.

Recommendation

Staff recommends authorization for the City Manager to approve certain construction contract change orders subject to specific restrictions and conditions.

Discussion

Approved By

Initial

Date

Department Head

City Manager

P. Stasiak

PJS

11-5-15

RESOLUTION NO. ____

A RESOLUTION OF THE CITY OF MCALESTER, OKLAHOMA, GRANTING THE CITY MANAGER LIMITED AUTHORITY TO APPROVE CONSTRUCTION PROJECT CHANGE ORDERS, AND PROVIDING FOR CERTAIN RESTRICTIONS, CONDITIONS, AND LIMITATIONS THEREON.

WHEREAS, the McAlester City Council finds that it is appropriate, for purposes of efficiency, flexibility and economy, to provide limited authority the McAlester City Manager to approve certain construction contract change orders, subject to specific restrictions and conditions, and,

WHEREAS, the McAlester City Council is empowered to authorize certain additional duties and functions of the City Manager, and to prescribe the circumstances under which those duties or functions shall be performed, and,

WHEREAS, the McAlester City Council has determined that adoption of the following is in the best interests of the City, and,

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

Section 1. That the City Manager of the City of McAlester, Oklahoma should be and is hereby authorized and empowered to approve necessary and appropriate change orders to existing authorized construction projects, when, and only when, ALL the following conditions have been met:

- a) The time required for calling a special meeting of the McAlester City Council would result in one or more of the following; (1) a stoppage of the work, or (2) an immediate risk to the health, welfare or safety of the citizens of McAlester, Oklahoma, or (3) an immediate financial loss to the City.
- b) The City Manager has examined and verified the necessity of the proposed change order, together with all documentary support required under the subject contract.
- c) The City Manager has received the recommendations of the City staff, and any consultants providing professional services on said construction contract, including recommendations regarding more cost effective alternatives.
- d) The total amount of the proposed change order is less than \$25,000.00.
- e) The total sum of all previously approved change orders, together with the proposed change order, does not exceed 15% of the total contract price, or such other amount prescribed by state law.
- f) The total amount of all change orders approved by the City Manager on all projects, which are subject to Council notice and/or pending ratification does not exceed \$25,000.00.

Section 2. When all of the criteria listed above have been satisfied, the City Manager, in his sole discretion, may approve and execute a written change order, subject to and in compliance with all other terms and conditions of the applicable construction contract.

Section 3. The City Manager will report and provide all approved change orders made under this resolution, together with any documentary support, at the first meeting following such approval for ratification by the City Council.

Section 4. Upon Council ratification of any change order approved pursuant to this resolution, the amount of said change order shall be removed from the total amount calculated under Section 1(f) above.

PASSED and APPROVED at the regular meeting of the City Council of the City of McAlester, Oklahoma, and duly signed by the Mayor this ____ day of November, 2015.

CITY OF MCALESTER, OKLAHOMA
A Municipal Corporation

By _____
Steve Harrison

ATTEST:

Cora Middleton, City Clerk



McAlester City Council

AGENDA REPORT

Meeting Date: November 10, 2015 Item Number: 8
Department: _____
Prepared By: Weldon Smith, Councilman Account Code: _____
Date Prepared: November 3, 2015 Budgeted Amount: _____
Exhibits: 1

Subject

Discussion and possible action to accept recommended goals and objectives for the City manager for FY2015-2016.

Recommendation

Discussion

Discussion

Approved By

Initial

Date

Department Head

City Manager

P. Stasiak

PJS

11-5-15

Potential city manager goals for fiscal 2015-2016

The McAlester Charter requires the council to establish policies, goals, and performance monitoring for the city and thus, the city manager. The following goals are proposed for FY 2015-2016. Council-approved goals will provide the city manager with guidelines and the council with the basis for his evaluation toward the end of the fiscal year.

1. Achieve and maintain fiscal sustainability and resiliency

- a. Achievement measure: the city is able to maintain quality essential services to the public while insuring that city spending is effectively adjusted in response to changes in city income so that both the general fund and the MPWS fund each maintain a balance of at least \$1 million. (This standard may be relaxed to \$500,000 for each fund if the council votes that an emergency related to the health or safety of the community is involved.)
- b. Achievement measure: Monthly financial reporting commensurate with that of top financial reporting cities in the state is achieved by 1 February 2016.

2. Implement a system of performance measurement for department heads and employees in all departments by 1 April 2016

- a. Achievement measure: Each city department has developed at least three meaningful performance measures intended to track and improve its city services and documentation of these measures has begun. (The aim is to identify key services in each department, track and analyze their performance, and develop strategies to improve performance. Periodic reviews at least once per year will update or change these meaningful performance measures as deemed desirable.)
- b. Achievement measure: The city manager submits a performance measurement report to the council each year by 1 May.

3. Instill and maintain a culture of customer friendliness, effectiveness, and continuous improvement in city government

- a. Achievement measure: Each citizen inquiry with the city is logged and forwarded to the appropriate department for action. A response is made back to the citizen within two working days. Action taken on an inquiry is logged.
- b. Achievement measure: The city manager submits a report on citizen inquiry action to the council each year by 1 May.
- c. Achievement measure: The city has instituted an effective method of sampling public opinion of city services and analyzed and reported on the results of such surveys each year by 1 May. In addition, the city website makes it easy for citizens to report or make inquiries to the city by 1 May.

4. Determine the steps and timeline for building a comprehensive/strategic plan for the community by April 2016.

- a. The steps and timeline for the comprehensive/strategic community plan is developed on time.



McAlester City Council

AGENDA REPORT

Meeting Date:	November 10, 2015	Item Number:	9
Department:	City Council	Account Code:	
Prepared By:	Steve Harrison, Mayor	Budgeted Amount:	
Date Prepared:	November 5, 2015	Exhibits:	1

Subject

Consider and act upon, a Resolution establishing a Ward Commission for the City of McAlester.

Recommendation

A motion to approve the establishment of a Ward Commission for the City of McAlester per the City Charter. The Charter provides that said Ward Commission shall consist of seven members, with each City Council person appointing one member and those six members, with the affirmative vote of at least four, choosing the seventh member who shall be chairman.

Discussion

Approved By

Department Head
City Manager

P. Stasiak

Initial

PJS

Date

11-5-15

RESOLUTION NO. _____

**A RESOLUTION ESTABLISHING A WARD COMMISSION FOR
THE CITY OF MCALESTER**

WHEREAS, the Charter for the City of McAlester provides for the establishment of a Ward Commission: and

WHEREAS, the Charter further provides that said Ward Commission shall consist of seven members, with each City Council person appointing one member and those six members, with the affirmative vote of at least four, choosing the seventh member who shall be Chairman.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA, that:

SECTION 1: The Ward Commission is hereby established.

SECTION 2: The member appointed by each City Council person is as follows:

Councilman Smith: Primus Moore
Councilman Titsworth: Theresa Smith
Vice-Mayor Read: Jarred Phillips
Councilman Garvin: Frank Phillips
Councilman Barnett: Janet Hance
Councilman Karr: Roy Prince

PASSED and **APPROVED** this _____ day of November, 2015.

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

ATTEST:

By: _____
Steve Harrison, Mayor

Cora Middleton, City Clerk

The McAlester Airport Authority met in Regular session on Tuesday October 27, 2015, at 6:00 P.M. after proper notice and agenda was posted October 22, 2015.

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

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

- Approval of the Minutes from the October 13, 2015, Regular Meeting of the McAlester Airport Authority. (*Cora Middleton, City Clerk*)
-
- Confirm action taken on City Council Agenda Item D, regarding claims ending October 20, 2015. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item I, authorizing the Mayor to sign a five (5) year lease agreement with Med-Trans Corporation for hangar and land lease at McAlester Regional Airport. (*Peter Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item 1, discussion and update on Financials. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign the McAlester Regional Airport (MLC) Five Year Capital Improvement Plan. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)

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

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

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, seconded by Mr. Karr.

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

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

Chairman Steve Harrison declared the motion carried.

Steve Harrison, Chairman

ATTEST:

Cora Middleton, Secretary

The McAlester Public Works Authority met in Regular session on Tuesday October 27, 2015, at 6:00 P.M. after proper notice and agenda was posted October 22, 2015.

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

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

- Approval of the Minutes from the October 12, 2015, Special Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Approval of the Minutes from the October 13, 2015, Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item D, regarding claims ending October 20, 2015. (*Toni Ervin, Chief Financial Officer*) in the amount of \$ 178,904.42.
- Confirm action taken on City Council Agenda Item E, authorization of payment to Carstensen Construction, Inc., Contractor's Application for Payment #1, in the amount of \$97,137.70, for the construction of road and infrastructure improvements related to CIP#4A 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 F, authorization of payment to Carstensen Construction, Inc., Contractor's Application for Payment #5, in the amount of \$579,276.80, 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 G, authorization of payment to Collins Waterworks, LLC., Invoice No. 1028, in the amount of \$11,350.00, for the construction of water improvements related to Economic Development and funded through the McAlester Public Works Authority Construction Fund Series Note Indenture, dated as of December 1, 2011, Project Account. (*John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item H, authorizing the Mayor to sign a "Planned Maintenance (PM) Agreement" between the City of McAlester and Clifford

Power System, Inc. (CPS) to perform periodic Planned Maintenance on eight generators located in various City-owned facilities. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

- Confirm action taken on City Council Agenda Item 1, discussion and update on Financials. *(Toni Ervin, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 2, authorizing the Mayor to sign the McAlester Regional Airport (MLC) Five Year Capital Improvement Plan. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 3, a Professional Services Agreement with Infrastructure Solutions Group, LLC dba Mehlburger Brawley for engineering services required for the design of the 2015 Community Development Block Grant (CDBG) Small Cities Water Improvements. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 4, Change Order No. 7 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Improvements and authorize the Mayor to sign Change Order No. 7. *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 6, consideration and act to provide written notice of termination of the Professional Services Agreements with EST, Inc. for Construction Management Services related to CIP #2, CIP#4, and CIP #4A. *(Peter Stasiak, City Manager)*

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

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

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

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

Chairman Harrison declared the motion carried.

ATTEST:

Steve Harrison, Chairman

Cora Middleton, Secretary

The McAlester Public Works Authority met in Special session on Monday, November 2, 2015, at 5:30 P.M. after proper notice and agenda was posted October 30, 2015.

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

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

- Confirm action taken on City Council Agenda Item 1, Change Order No. 8 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Improvements and authorize the Mayor to sign Change Order No. 8., *(CFM, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 2, Change Order No. 9 to the contract with Carstensen Contracting, Inc. for the construction of CIP#4 Amendment Improvements and authorize the Mayor to sign Change Order No. 9., *(John C. Modzelewski, P.E., CFM, City Engineer and Public Works Director)*

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

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

Chairman Harrison declared the motion carried.

There being no further business to come before the Authority. Mr. 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, Titsworth, Karr, Garvin, Barnett & Chairman Harrison
NAY: None

Chairman Harrison declared the motion carried.

ATTEST:

Steve Harrison, Chairman

Cora Middleton, Secretary