



# McAlester City Council

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## NOTICE OF MEETING

### Regular Meeting Agenda

Tuesday, April 28, 2020 – 6:00 pm  
McAlester City Hall – Council Chambers  
28 E. Washington

#### Attending in Person

John Browne ..... Mayor  
Maureen Harrison ..... Ward Five  
Peter J. Stasiak ..... City Manager  
Cora M. Middleton ..... City Clerk

#### Attending via Teleconference

Weldon Smith ..... Ward One  
Cully Stevens, Vice Mayor ..... Ward Two  
Steve Cox ..... Ward Three  
James Brown ..... Ward Four  
Zach Prichard ..... Ward Six  
William J. Ervin ..... City Attorney

*This agenda has been posted at the McAlester City Hall, distributed to the appropriate news media, and posted on the City website: [www.cityofmcalester.com](http://www.cityofmcalester.com) within the required time frame. Public call-in number is (918)715-4209, Public Access Code 2222.*

*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 March 31, 2020, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from the April 14, 2020, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for April 8, 2020 through April 21, 2020. *(Sherri Swift, Chief Financial Officer)*
- D. Consider and act upon, authorizing the Mayor to sign the Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2020 through June 30, 2021. *(Sherri Swift, Chief Financial Officer)*
- E. Accept and place on file the McAlester Defense Support Association Third Quarter Report for FY19-20. *(Jessica Gregg, Executive Director)*
- F. Concur with the Mayor's reappointments of Dr. Michael Boyer, Stephen Otis, David Verner, Mike Hogan, Randy Walters, and Les Cashmere to the Airport Advisory Board for terms to expire April 30, 2022. *(John Browne, Mayor)*
- G. Concur with the Mayor's appointment of John Alford as a replacement for Ben Kennedy to the Airport Advisory Board for a term to expire April 30, 2022. *(John Browne, Mayor)*

**ITEMS REMOVED FROM CONSENT AGENDA****PUBLIC HEARING**

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

**AN ORDINANCE AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE CITY OF MCALESTER, OKLAHOMA; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF MCALESTER, OKLAHOMA; PROVIDING FOR VESTING**

**SCHEDULES; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.**

**AN ORDINANCE OF THE CITY OF MCALESTER TEMPORARILY REDUCING CERTAIN FEES AUTHORIZED IN CHAPTER 106, UTILITIES, ARTICLE V, STORMWATER UTILITY PROGRAM, DIVISION 1, GENERALLY, THE MCALESTER CITY CODE; AMENDING CHAPTER 48, FEES FOR CHAPTER 106, UTILITIES, ARTICLE V, STORMWATER UTILITY PROGRAM, DIVISION 1, GENERALLY; TEMPORARILY REPEALING ALL CONFLICTING ORDINANCES, AND PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

**AN ORDINANCE OF THE CITY OF MCALESTER TEMPORARILY SUSPENDING CERTAIN FEES AUTHORIZED IN CHAPTER 106, UTILITIES, ARTICLE V, STORMWATER UTILITY PROGRAM, DIVISION 1, GENERALLY, THE MCALESTER CITY CODE; AMENDING CHAPTER 48, FEES FOR CHAPTER 106, UTILITIES, ARTICLE V, STORMWATER UTILITY PROGRAM, DIVISION 1, GENERALLY; TEMPORARILY REPEALING ALL CONFLICTING ORDINANCES, AND PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

**SCHEDULED BUSINESS**

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1. Consider and act upon, an ordinance amending the City of McAlester Defined Contribution Retirement Plan. *(Peter Stasiak, City Manager)*

**Executive Summary**

Motion to adopt and authorize the Mayor to sign an ordinance amending the City of McAlester Defined Contribution Retirement Plan and Joinder and to become effective April 1, 2020.

2. Consider and act upon, a Resolution to adopt the Capital Improvement Program 2020/2021-2024/2025. *(Peter Stasiak, City Manager)*

**Executive Summary**

Motion to approve the Resolution adopting the Capital Improvement Program for 2020/2021-2024/2025.

3. Consider and act upon, authorizing the purchase of a new cardboard baler from Sebright Products Inc. of Hopkins, MI. *(Mel Priddy, Community Services)*

**Executive Summary**

Motion to approve and authorize the purchase of one new cardboard baler from Sebright Products, Inc. for the low bid of \$11,070.00.

4. Consider and act upon, a temporary reduction or suspension of the Stormwater Service Charge Fee to last until June 30, 2020, at 11:59pm. *(Cully Stevens, Ward 2 Councilman)*

**Executive Summary**

Motion to approve a temporary reduction or suspension of the Stormwater Service Charge Fee until June 30, 2020, 11:59 pm.

5. Presentation and discussion of Fiscal Year 2020/2021 Budget. *(Peter Stasiak, City Manager)*

**Executive Summary**

Presentation.

6. Discussion and possible action on the local modification of Governor Stitt's guidelines for re-opening the economy. *(John Browne, Mayor)*

**Executive Summary**

Discussion and possible action.

**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 April 14, 2020, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*

- Confirm action taken on City Council Agenda Item C, regarding claims ending April 21, 2020. *(Sherri Swift, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item F, the Mayor's reappointments of Dr. Michael Boyer, Stephen Otis, David Verner, Mike Hogan, Randy Walters, and Les Cashmere to the Airport Advisory Board for terms to expire April 30, 2022. *(John Browne, Mayor)*
- Confirm action taken on City Council Agenda Item G, the Mayor's appointment of John Alford as a replacement for Ben Kennedy to the Airport Advisory Board for a term to expire April 30, 2022. *(John Browne, Mayor)*
- Confirm action taken on City Council Agenda Item 1, an ordinance amending the City of McAlester Defined Contribution Retirement Plan. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 2, a Resolution to adopt the Capital Improvement Program 2020/2021-2024/2025. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 6, the discussion and possible action on the local modification of Governor Stitt's guidelines for re-opening the economy. *(John Browne, Mayor)*

#### ADJOURN MAA

#### **CONVENE AS McALESTER PUBLIC WORKS AUTHORITY**

*Majority of a Quorum required for approval*

- Approval of the Minutes from the April 14, 2020, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item C, regarding claims ending April 21, 2020. *(Sherri Swift, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, an ordinance amending the City of McAlester Defined Contribution Retirement Plan. *(Peter Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 2, a Resolution to adopt the Capital Improvement Program 2020/2021-2024/2025. *(Peter Stasiak, City Manager)*

- Confirm action taken on City Council Agenda Item 4, a temporary reduction or suspension of the Stormwater Service Charge Fee to last until June 30, 2020, at 11:59pm. *(Cully Stevens, Ward 2 Councilman)*
- Confirm action taken on City Council Agenda Item 6, the discussion and possible action on the local modification of Governor Stitt's guidelines for re-opening the economy. *(John Browne, Mayor)*

#### ADJOURN MPWA

#### **CONVENE AS MCALESTER RETIREMENT TRUST AUTHORITY**

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*Majority of a Quorum required for approval*

- Approval of the Minutes from the March 25, 2020, Regular Meeting of the McAlester Retirement Trust Authority. *(Cora Middleton, City Clerk)*
- Approval of Retirement Benefit Payments for the Period of April, 2020. *(Sherri Swift, Chief Financial Officer)*
- Confirm action taken on City Council Agenda Item 1, an ordinance amending the City of McAlester Defined Contribution Retirement Plan. *(Peter Stasiak, City Manager)*

#### ADJOURN MRTA

#### **EXECUTIVE SESSION**

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

- Consider and Act to convene in executive session pursuant to Title 25 O.S. § 307(B)(1) for confidential communications between a public body and its attorney to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, more particularly City Manager, Peter Stasiak.

#### **RECONVENE INTO OPEN SESSION**

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

- Consider and act upon the proposed contract for City Manager Peter Stasiak.

#### ADJOURNMENT

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**CERTIFICATION**

*I certify that this Notice of Meeting was posted on this \_\_\_\_\_ day of \_\_\_\_\_ 2020 at \_\_\_\_\_ a.m./p.m. as required by law in accordance with Section 303 of the Oklahoma Statutes and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of McAlester website: [www.cityofmcalester.com](http://www.cityofmcalester.com).*

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**Cora M. Middleton, City Clerk**

The McAlester City Council met in a Special session on Tuesday, March 31, 2020, at 5:00 P.M. after proper notice and agenda was posted, March 30, 2020 at 3:23 P.M.

### **Call to Order**

Mayor Browne called the meeting to order.

### **Roll Call**

Council Roll Call was as follows:

Present in Person:	Weldon Smith, James Brown, & Maureen Harrison
Present via Teleconference:	Cully Stevens, Steve Cox, Zach Prichard & John Browne
Absent:	None
Presiding:	John Browne, Mayor

Staff Present in Person:	Peter Stasiak, City Manager & Cora Middleton, City Clerk
Staff Present via Teleconference:	William J. Ervin, City Attorney

Councilwoman Harrison gave the invocation and led the Pledge of Allegiance.

### **Scheduled Business**

1. Discussion and possible action, to adopt a proclamation expressing McAlester's commitment to the creation and importance of the Pittsburg County Mutual Aid Council.

Executive Summary

Possible adoption of a Proclamation expressing McAlester's commitment to the creation and importance of the Pittsburg County Mutual Aid Council.

Mayor Browne read the proposed proclamation.

Councilman Prichard addressed the Council explaining his thoughts on this proclamation.

There was discussion concerning funding, how this could tie into the Pittsburg County Emergency Management office activities, possible changes to the language in the proposed proclamation, the possibility of communities outside of Pittsburg County joining the group, and what other entities would need to approve the proposed council if the City approved the creation of the council.



Kevin Enloe, Director Pittsburg County Emergency Management addressed the Council reviewing everything that was already in place with the County, what his office procedures were, and how many times a day he was involved in update calls.

After a brief discussion concerning how this council would be more for the sharing of information and not handling the crisis itself, this council being a conduit to help communities interact with the Emergency Management Office and how this could be a duplication of what was already being done, Vice-Mayor Stevens moved to approve the proposed Proclamation creating the Pittsburg County Mutual Aid Council.

Councilman Prichard asked if the suggested changes to the language in the proclamation were included in the motion.

There was another brief discussion regarding the suggested changes, who would make those changes to the proclamation, and clarification of the changes, Vice-Mayor Stevens restated his motion to approve the proclamation and changing “we establish” in the last paragraph to “we intend to establish” and appointing Councilman Prichard to represent the City of McAlester. The motion was seconded by Councilman Cox. There was no further discussion, and the vote was taken as follows

AYE: Councilmembers Stevens, Cox, Smith, Brown, Harrison, Prichard & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

2. Discussion of a program to provide food and other necessities to individuals at elevated risk of developing serious cases of COVID-19.

Executive Summary

Discussion.

Councilman Prichard addressed the Council explaining that the idea was doing something to lessen the impact of the virus. He stated that if the City could do something to encourage the elderly no to leave their homes. He then reviewed his thoughts on where the City could possibly find the funding.

Mayor Bowne asked Attorney Ervin what funds could be used for this type if program.

Attorney Ervin commented that Economic Development funds could be used to protect existing businesses but could not be used to provide for the elderly. He stated that use of Tourism funds did not appear to be proper and as the Ordinance regulating the Emergency Fund currently existed, those funds could not be used.

There was discussion, concerning if this program could be used solely for restaurants, how funds would normally be made available, how the Emergency Fund Ordinance could be used, the Charter requirements regulating the Emergency Fund, and if the funds for Nutrition came from Tourism.

Mayor Browne called roll at 5:55 P.M.

There was further discussion regarding the amount of Federal funding that the Nutrition program received, the number of meals per day that the Nutrition program furnished , the proposed number of meals to be furnished, who prepared the meals for the Nutrition program, how an individual could sign up to receive meals, who furnished the food for the Nutrition program, enhancing the current program instead of creating a new program, and the limitations of the current program.

Attorney Ervin commented that Economic Development funds were not cleared for feeding the elderly and the Nutrition program received Federal funds. He reminded the Council to be careful with the use of Federal Funds.

There was discussion concerning the language on the Ordinance that created the Economic Development funds, where the information could be found, the proposed program , the City not having qualified staff to implement the proposed program, what the actual goal of the proposed program was, there already being a plan in place to address the at risk population of the City. Not taking money from the General Fund when how the pandemic would affect the City, if the Choctaw Nation was involved in delivering meals, the amount currently in the Emergency Fund, how it as funded, how much the City was currently needing to cut from the budget through June 30, 2020, the difficulty in funding the five (5) core services, he Hospital's "Meals on Wheels" program being merged into the City's meal services, the Federal Government's aid package, and the cause of the City's budget shortfalls.

There was no action taken on this item.

3. Discussion of a program to provide financial assistance to organizations negatively impacted by the outbreak of COVID-19.

Executive Summary  
Discussion.

Councilman Prichard addressed the Council stating that even with the number of Federal and State programs, the City needed to do something for local small businesses.

There was discussion concerning the use of both Economic Development and Tourism funds for this proposed program, what the Federal government was planning to help the economy, how long this pandemic could affect the economy, when citizens could expect to start receiving the stimulus checks, how a program provided by the City would operate, the City being able to respond more quickly than the Federal or State governments, how much was in the Economic Development fund that could be used for this type of program, and commitments already made for some of the Economic Development funds.

Alyssa Latty, Director McAlester Main Street addressed the Council reviewing the opportunities available for the area's small businesses, and the application process.

There was discussion regarding how long the application process would take, what type of businesses would be able to apply, what the City's core business was, what the next fiscal year's budget could look like and how not assisting the small businesses might affect the City in the future.

There was no action taken on this item.

4. Discussion of possible Charter amendments to ensure continued functioning of City government during times of incapacitation of City Council members.

Executive Summary

Discussion.

Councilman Prichard addressed the Council commenting that there was no provision in the Charter that would allow the City Council to continue to operate should a quorum of members not exist. He stated that he felt it would be wise for the Council to amend the Charter to address that situation should it occur.

Councilman Smith stated that the Charter, in Section 206.5.C, addressed the replacement of members including the Mayor.

Councilman Prichard commented that the Council would not be able to fill those positions in a timely manner and may not be able to find someone willing to run for the vacated seats.

Mayor Browne asked the City Attorney to address this item.

Attorney Ervin commented that he believed that Councilman Prichard was expressing concern that in times of incapacitation the provisions in the Charter did not react quickly enough. He stated that changes to the Charter had to go before the voters. He added that the Charter could not plan for every situation. He further stated that Title 11 in the Oklahoma Statutes provided for less than a quorum to approve the payment of bills and other things.

Councilwoman Harrison inquired about if any of this was pursuant to the "Open Meeting Act" or if it came from the Charter.

Attorney Ervin commented that all was contained in the City Charter.

No action was taken on this item.

### **Adjournment**

There being no further business to come before the Council, Councilman Brown moved for the meeting to be adjourned. The motion was seconded by Councilman Smith.

Before the vote, Mayor Browne thanked Councilman Prichard for the work he had put into these items and urged everyone to stay home unless they had to leave for work or necessities and to think of the people that were having to work in the grocery stores.

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

AYE: Councilmembers Brown, Smith, Cox, Harrison, Prichard, Stevens & Mayor Browne

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 5:55 P.M.

ATTEST:

\_\_\_\_\_  
John Browne, Mayor

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

The McAlester City Council met in a Regular session on Tuesday, April 14, 2020, at 6:00 P.M. after proper notice and agenda was posted, April 9, 2020 at 11:50 A.M.

### **Call to Order**

Mayor Browne explained that the meeting was late starting due to some technical difficulties with the new technology. He added that if more technical difficulties were experienced the meeting would be adjourned and reconvened tomorrow, Wednesday, April 15, 2020 at 5:30 P.M. He then explained the rules for this meeting with the temporary changes that had been made to the State of Oklahoma's Open Meeting Act.

### **Roll Call**

Council Roll Call was as follows:

Present in Person: Weldon Smith, Maureen Harrison & John Browne  
Present via Teleconference: Cully Stevens, Steve Cox, James Brown & Zach Prichard  
Absent: None  
Presiding: John Browne, Mayor

Staff Present: Pete Stasiak, City Manager and Cora Middleton, City Clerk  
Staff Attending via Teleconference: Kirk Ridenour, Economic Development Director; William J. Ervin, City Attorney

Councilwoman Harrison gave the invocation and led the Pledge of Allegiance.

### **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.*

There were no citizen comments.

### **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 March 10, 2020, Regular Meeting of the McAlester City Council. (Cora Middleton, City Clerk)
- B. Approval of the Minutes from the March 17, 2020, Emergency Meeting of the McAlester City Council. (Cora Middleton, City Clerk)

- C. Approval of the Minutes from the March 23, 2020, Emergency Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- D. Approval of the Minutes from the March 25, 2020, Emergency Meeting of the McAlester City Council. (*Cora Middleton, City Clerk*)
- E. Approval of Claims for March 18, 2020 through April 7, 2020. (*Sherri Swift, Chief Financial Officer*) In the following amounts: General Fund - \$113,415.78; Parking Authority - \$107.45; Nutrition - \$2,004.90; Landfill Res./Sub-Title D - \$3,105.00; Tourism Fund - \$5,194.88; SE Expo Center - \$45,348.57; E-911 - \$17,106.95; Economic Development - \$7,458.84; Grants & Contributions - \$300.00 CDBG Grants Fund - \$1,422.00; Fleet Maintenance - \$19,969.12; CIP Fund - \$28,958.44; Technology Fund - \$552.29; Stormwater Fund - \$7,551.19 and Infrastructure Fund - \$216,407.30.
- F. Consider and act upon, receipt of the Permit No. SL000061200101 from the Oklahoma Department of Environmental Quality (ODEQ) for the construction of replacement of existing lift station with one (1) lift station with two (2) 200 GPM pumps and all appurtenances to serve the UPS Lift Station Improvements, Southside – Airport Area, Pittsburg County, Oklahoma. (*Dalton Carlton, Public Works Director*)
- G. Consider and act upon, a Personal Services Agreement with David Wright for hay baling on the Steven Taylor Industrial Park and Hwy 31 west of Indian Nation Turnpike in the amount of \$1,035.00. (*Mel Priddy, Community Services Director*)
- H. Consider and act upon, authorizing the Mayor to sign the Memorandum of Agreement (MOA) No. 697DCM-20-L-00083 between the City of McAlester and the US Federal Aviation Administration. (*Cora Middleton, City Clerk*)
- I. Approval of the Minutes from the March 24, 2020 Regular Meeting of the McAlester City Council. On Tuesday, March 24, 2020, there was no quorum present in the Council Chambers. This statement is only to document for posterity the actions that were or were not taken during this time at the City of McAlester. (*Cora Middleton, City Clerk*)

Councilwoman Harrison requested that items “E, F, G and H” be removed for individual consideration.

A motion to approve the Consent Agenda items “A through D and I” was made by Councilman Smith and seconded by Mayor Browne.

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

AYE: Councilmembers Smith, Stevens, Cox, Brown, Harrison, Prichard & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

### **Items removed from Consent Agenda**

- E. Approval of Claims for March 18, 2020 through April 7, 2020. (*Sherri Swift, Chief Financial Officer*) In the following amounts: General Fund - \$113,415.78; Parking Authority - \$107.45; Nutrition - \$2,004.90; Landfill Res./Sub-Title D - \$3,105.00; Tourism Fund - \$5,194.88; SE Expo Center - \$45,348.57; E-911 - \$17,106.95; Economic Development - \$7,458.84; Grants & Contributions - \$300.00 CDBG Grants Fund - \$1,422.00; Fleet Maintenance - \$19,969.12; CIP Fund - \$28,958.44; Technology Fund - \$552.29; Stormwater Fund - \$7,551.19 and Infrastructure Fund - \$216,407.30.

Councilwoman Harrison asked if the claims included that Economic Development funds that would be discussed later.

Mayor Browne stated that this was for actions already taken.

- F. Consider and act upon, receipt of the Permit No. SL000061200101 from the Oklahoma Department of Environmental Quality (ODEQ) for the construction of replacement of existing lift station with one (1) lift station with two (2) 200 GPM pumps and all appurtenances to serve the UPS Lift Station Improvements, Southside – Airport Area, Pittsburg County, Oklahoma. (*Dalton Carlton, Public Works Director*)

Councilwoman Harrison asked if there was a funding amount that went with this item or was this something that the City was thinking about doing?

Manager Stasiak explained that this was the permit authorizing the City to proceed with the project.

- G. Consider and act upon, a Personal Services Agreement with David Wright for hay baling on the Steven Taylor Industrial Park and Hwy 31 west of Indian Nation Turnpike in the amount of \$1,035.00. (*Mel Priddy, Community Services Director*)

Councilwomen Harrison asked why the City had went with the high bid when normally they went with the lowest bid.

Manager Stasiak explained that this bid was to pay the City for the hay that was baled.

- H. Consider and act upon, authorizing the Mayor to sign the Memorandum of Agreement (MOA) No. 697DCM-20-L-00083 between the City of McAlester and the US Federal Aviation Administration. (*Cora Middleton, City Clerk*)

Councilwoman Harrison asked if the building was empty and if there had been any renovations done to the building.

Manager Stasiak explained that there was a small area in the building that was leased for equipment and the work done on the building was mainly maintenance.

There were no other comments and a motion to approve Items “E through H” was made by Councilman Brown. The motion was seconded by Councilwoman Harrison, and the vote was taken as follows:

AYE: Councilmembers Brown, Harrison, Stevens, Cox, Prichard, Smith & Mayor Browne  
NAY: None

Mayor Browne declared the motion carried.

A motion to open a Public Hearing to address an ordinance amending Fiscal year 19/20 and the proposed 5-year Capital Improvement Plan Program for FY 2020/2021-2024/2025 for the City of McAlester was made by Councilman Smith. The motion was seconded by Mayor Browne, and the vote was taken as follows:

AYE: Councilmembers Smith, Cox, Brown, Harrison, Prichard, Stevens & Mayor Browne  
NAY: None

Mayor Browne declared the motion carried and the Public Hearing was opened at 6:17 P.M.

#### **Public Hearing**

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

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2656 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2019-20; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

**A PUBLIC HEARING ON THE PROPOSED 5 YEAR CAPITAL IMPROVEMENT PROGRAM FOR FY 2020/2021-2024/2025 FOR THE CITY OF McALESTER.**

There were no comments.

A motion to close the Public Hearing was made by Councilman Smith and seconded by Councilwoman Harrison.

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

AYE: Councilmembers Smith, Harrison, Brown, Prichard, Stevens, Cox & Mayor Browne  
NAY: None

Mayor Browne declared the motion carried and the Public Hearing was closed at 6:18 P.M.



## **Scheduled Business**

1. Discussion and possible action to adopt a McAlester Area Local Economic Disaster Relief Program. (*Zach Prichard, Ward Six Councilman*)

### Executive Summary

Discussion and possible action on a program designed for small business economic disaster relief via a loan or grant program funded by Economic Development Funds.

Mayor Browne commented that there had been a lot of discussion on this this previously and he asked if Councilman Prichard had anything to add.

Councilman Prichard stated that if this program was adopted Economic Development staff would be tasked with implementing it and he hoped for quick turnaround.

Mayor Browne commented that he felt this proposed program was premature. He stated that he had researched what the Federal Government had put in place. He reviewed the programs that were available through the Federal Government and stated that the Federal Government would be more capable of paying and having a much quicker turn around than the City could. He commented that even before the decline of the oil and gas industry the City was having to supplement its' bond payments because the sales tax receipts were not enough to cover them. He stated that even though this Economic Development money the City may have to go back to the citizens asking to repurpose the funds. He added that with the possibility of laying employees off, the City could not spend the money when they did not know how the City would get through this decline.

Councilwoman asked Mayor Browne to clarify the programs that were being offered by the Federal Government. She inquired about the amount of available funds for the proposed program.

Mayor Browne reviewed the programs being offered by the Federal Government.

Manager Stasiak stated that the available amount to fund the program was \$700,000.00.

Councilwoman Harrison asked that letter "e" in the Eligibility section of the program be clarified.

Councilman Prichard explained that this referenced the "CARES Act", which was approved by the Federal Government and was part of the payroll protection program.

There was discussion concerning who would write the grants, possibly borrowing forms from local lenders, citizens having equal access to the program, how the funds would be distributed, the program helping businesses that were not deemed essential and the money in the Economic Development account not being used for anything.

Attorney Ervin expressed his concerns with the proposed program. He commented that the application process was short, the program would have to be with the Authority since the loans

would be beyond the fiscal year, it would have to be administered by the City or Authority, it was problematic for the City to loan money to businesses outside of the City, and would need to restrict to businesses within the City limits.

Councilman Smith commented on the priorities of the City, not knowing if there was a gap that needed to be filled and the City having a financial problem in the City at this time. He stated that this was not a time to be tapping into funds. He commended Councilmen Prichard and Stevens for proposing this program.

There was discussion concerning how the City staff would be able to handle the applications, if employees would need to be hired, partnering with local banks, where the funds would come from, what the Economic Development funds were used for and if any of the local businesses had applied for Economic Development funds prior to this pandemic.

Mayor Browne commented that if not going to payrolls what would it be used for, if all of the Economic Development money was spent there would not be funding for an Economic Development Director or for the groups in D.C. that helped protect the Ammunition Plant.

There was discussion concerning the balance in the Economic Development fund, tabling to allow time to review, and the importance of helping local businesses.

A motion to not adopt the proposed plan was made by Councilman Smith. The motion was seconded by Mayor Browne.

Before the vote, there was discussion concerning possible legal issues that might exist, having money available for economic development, how applications from family or friends would be handled, when the government mandate was set to end, this program being a drop in the bucket and not solving problems.

Vice-Mayor Stevens asked Mayor Browne to clarify the motion.

Mayor Browne restated the motion as “a motion to not adopt the plan.”

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

AYE: Councilmembers Smith, Harrison, Cox, Brown & Mayor Browne

NAY: Councilmembers Prichard & Stevens

Mayor Browne declared the motion carried.

2. Consider and act upon, an Ordinance amending Ordinance No. 2566 which established the budget for fiscal year 2019-2020; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. (*Sherri Swift, Chief Financial Officer*)

Executive Summary

Motion to approve the budget amendment ordinance.

Manager Stasiak addressed the Council reviewing the exhibits for the amendment. He explained that Exhibit A-1 was to move \$500,000.00 to the General Fund from the Emergency Fund and Exhibit A-2 moved the funds and A-3 was for the Economic Development fund transfer for the economic relief program.

### **ORDINANCE NO. 2683**

**AN ORDINANCE OF THE CITY OF McALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2656 WHICH ESTABLISHED THE BUDGET FOR FISCAL YEAR 2019-20; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.**

Councilman Smith moved to approve **ORDINANCE NO. 2683**, amending Fiscal Year 2019/2020, transferring funds from the Emergency Fund to the General Fund, Exhibits A-1, and A-2. The motion was seconded by Mayor Browne, and the vote was taken as follows:

AYE: Councilmembers Smith, Cox, Brown, Harrison & Mayor Browne  
NAY: Councilman Prichard & Stevens

Mayor Browne declared the motion carried.

Councilman Smith moved to approve the EMERGENCY CLAUSE. The motion was seconded by Mayor Browne, and the vote was taken as follows:

AYE: Councilmembers Smith, Cox, Brown, Harrison, Prichard & Mayor Browne  
NAY: Councilman Stevens

Mayor Browne declared the motion carried.

3. Discussion and possible action to award any city employee an additional 80 hours of sick leave should he/she contract the COVID19 virus or be quarantined due to contact with someone who has been diagnosed positive for the virus. (*John Browne, Mayor*)

**Executive Summary**

Motion to approve the award of additional sick leave to any city employee that has been positively diagnosed with the COVID19 virus or due to being placed under quarantine after coming in contact with someone that has been diagnosed positive for the virus.

Mayor Browne explained that Governor Stitt had put this out for State employees and asked that Cities follow suit. He explained that this additional leave would only be available to a City employee if he or she contracted COVI-19 or be exposed to the virus through contact with someone that had tested positive and had to be quarantined.

There was discussion concerning part-time employees ability to receive the leave, only working employees would be eligible for the additional leave, if this would be available to retirees, the cost of furnishing the additional leave and what fund would cover the cost of the additional leave.

There was no further discussion, and a motion to approve the award of an additional eighty (80) hours of sick leave to any city employee that contracted the COVID-19 virus or had to be quarantined due to contact with someone that had tested positive for the virus was made by Mayor Browne. The motion was seconded by Councilman Smith, and the vote was taken as follows:

AYE: Councilmembers Smith, Brown, Harrison, Prichard, Stevens, Cox & Mayor Browne

NAY: None

Mayor Browne declared the motion carried.

4. City of McAlester Financial update. (*Peter Stasiak, City Manager*)

Executive Summary

Discussion and update.

Manager Stasiak addressed the Council commenting that he would try to furnish them with a picture of the City's current financial status. He stated that through March the year was seventy-five percent (75%) over, the revenue in the General Fund was about 5% under budget and the expenses were about 3% under budget, the revenue in the MPWA was 5.9% under budget and the expenses were 6.8% under budget. He stated that it was difficult to predict what was happening because the only real time information was for the period of February 16<sup>th</sup> through March 15<sup>th</sup> and that was about when everything got shut down. He stated that the sales tax as of March 15<sup>th</sup> was under budget 10.3%. He commented that was indicative of what was being seen with the downfall of the oil and gas industry. He added the previous two (2) months sales tax was also under budget. He informed the Council that there were about four thousand (4,000.) businesses that disbursed sales tax to the City. He reviewed how he and staff had reviewed the area businesses and attempted to forecast sales tax receipts for the coming fiscal year. He stated that based on those estimates, the General Fund and the MPWA would have a \$3.138 million deficit and this number could grow to \$3.5 million. He explained that the bulk, of the City's expenditures, was payroll and benefits. He informed the Council, that in an effort to help address this deficit, the City had offered an early retirement program and thirteen (13) employees had signed up, and there were eight (8) vacant positions for a total of twenty-one (21). He added that material and supplies had been cut year after year and were probably as low as they could get. He commented that going forward, the proposal was for an additional thirty-two (32) furloughs. He stated that those employees would remain City employees, they would be eligible for unemployment and the additional federal program. He commented that the bulk of the employees would be kept whole. He added that the City would continue to pay for the employees' insurances premiums and there would not be any part-time employees. He commented that he had not seen this type of numbers and the City would be focusing on the core services. He then reviewed the areas of the City that would be at risk. He stated that it was his intent to present a preliminary balanced budget at the next Council meeting on April 28, 2020.

There was discussion regarding what areas of the City the budget cuts would include, how this would affect the Capital Outlay, if any employees had requested a salary reduction, the status of

the 14<sup>th</sup> Street Retail project, if cannibalization of stores could be an issue, and a possible dramatic increase in sales tax.

There was no action taken on this item.

### **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.*

There was no new business.

### **City Manager's Report**

- Report on activities for the past two weeks.

Manager Stasiak stated that he had received an email from the Collins organization stating that their plans were completed, and they would be setting up a meeting to move forward on the approval of the plans. He added that things were moving quickly, and the project was coming together.

### **Remarks and Inquiries by City Council**

Councilman Smith thanked the medical personnel, the City employees, truck drivers, clerks and stockers in the grocery stores and everyone that was working through this to help keep everything going. He then commented that the Round-a-bout was very nice.

Councilwoman Harrison expressed appreciation for all the workers in the essential areas and commended Councilmen Prichard and Stevens for their proposal.

Vice-Mayor Stevens thanked Manager Stasiak and the City employees and all the area businesses that were working to help during the pandemic. He commented that he wished the City would do more to help the local businesses.

Councilman Cox thanked the City employees especially the Fire, EMTs and Police Department. He commented that he felt there were still ways to help the community.

Councilman Brown commended Councilmen Prichard and Stevens for their proposal. He commended the front-line workers and first responders. He then thanked the City employees.

Councilman Prichard stated that the Council vote had not gone the way of the people and urged them to contact the City Council.

### **Mayor's Comments and Committee Appointments**

Mayor Browne stated that because a vote did not go a certain way did not mean it was against people. He thanked all the people that were working, social distancing and staying home. He

commented that Oklahoma was expected to reach the peak somewhere between April 21<sup>st</sup> and April 24<sup>th</sup>. He encouraged everyone to consider those they came in contact with during this time.

### Recess Council Meeting

Councilman Smith moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilwoman Harrison.

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

AYE: Councilmembers Smith, Harrison, Brown, Prichard, Stevens, Cox & Mayor Browne

NAY: None

Mayor Browne declared the motion carried and the meeting was recessed at 7:31 P.M.

### Reconvene Council Meeting

The Regular Meeting was reconvened at 7:33 P.M.

Mayor Browne asked Vice-Mayor Stevens if he was willing to pull this item since it did not fit within the Open Meeting Act.

Vice-Mayor Stevens stated that it was his understanding that after speaking with the Mayor that the City Attorney and Mayor had decided this was illegal and should be pulled.

### Executive Session

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

- Consider and Act to convene in executive session pursuant to Title 25 O.S. § 307(B)(1) for confidential communications between a public body and its attorney to discuss the employment, hiring, appointment, promotion, demotion, termination, disciplining or resignation of all city employees.

### Adjournment

There being no further business to come before the Council, Councilman Smith moved for the meeting to be adjourned. The motion was seconded by Councilwoman Harrison.

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

AYE: Councilmembers Smith, Harrison, Stevens, Cox, Brown, Prichard & Mayor Browne

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 7:35 P.M.

ATTEST:

\_\_\_\_\_  
John Browne, Mayor

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

**CLAIMS FROM**

**April 08, 2020**

**Thru**

**April 21, 2020**



PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1	MISC VENDOR					
	MONETAH M. MOORE	I-202004153068	01 -4-0-408	AMBULANCES MONETAH M. MOORE:EMS REFUND	095743	658.00
01-A00219	ADVANCED DATA PROCESSIN					
	I-2911		01 -5432308	CONTRACTED SE FEB 2020 COLLECTIONS	000000	1,626.87
01-A00362	VYVE BROADBAND					
	I-202004073056		01 -5542328	INTERNET SERV APR 2020-PARKS SHOP	095624	77.32
	I-202004073056		01 -5548328	INTERNET SERV APR 2020-FACILITY MAINTENANCE	095624	77.32
	I-202004073056		01 -5865328	INTERNET SERV APR 2020-STREETS/TRAFFIC CONT	095624	77.31
	I-202004073056		01 -5431328	INTERNET SERV APR 2020-TRAINING CENTER	095624	106.20
	I-202004083058		01 -5431328	INTERNET SERV APRIL 2020-NSIDE FIRE STATION	095624	62.95
	I-202004133065		01 -5431328	INTERNET SERV APRIL 2020-FIRE STATION #2	095744	62.95
01-C00100	CLEET					
	I-202004063050		01 -2100	CLEET PAYABLE MARCH 2020-CLEET	095626	5,705.49
01-C00149	CANON FINANCIAL SERVICE					
	I-21337104		01 -5215312	EQUIPMENT REN COPIER LEASE-UB&C APRIL20	095745	101.00
	I-21337104		01 -5321202	OPERATING SUP COPIER LEASE-PATROL APR20	095745	306.00
01-C00320	CENTERPOINT ENERGY ARKL					
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-RESERVE BLDG	095628	198.95
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-802 E HARRISON	095628	90.96
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-FIRE STATION #2	095628	152.27
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-CEMETERY	095628	203.14
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-FIRE STATION #3	095628	194.67
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-LIBRARY	095628	425.41
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-CITY HALL	095628	575.93
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-OAK HILL CEMETERY	095628	57.16
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-STIPE CENTER	095628	443.36
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-MAINT SHOP	095628	471.95
	I-202004023047		01 -5215314	GAS UTILITY MAR 2020-1600 E COLLEGE AVE "C	095628	192.16
	I-202004023047		01 -5551314	GAS UTILITY MAR 2020-FED BLDG	095628	1,271.52
01-D00097	DASH MEDICAL GLOVES, IN					
	I-INV1194122		01 -5321202	OPERATING SUP GLOVES: 5LG, 5XL, 5XXL	000000	503.30
01-D00537	DOLAN CONSULTING GROUP,					
	I-19-01313		01 -5321331	EMPLOYEE TRAV SURVIVING VERBAL CONFLICT	000000	190.00
01-D00684	DR. JASON MCELYEA					
	I-107		01 -5432308	CONTRACTED SE CONTRACTED SVC 03/16-03/31/20	095747	1,071.00
01-E00024	STANLEY RAY OWENS DBA E					
	I-4052		01 -5542203	REPAIRS & MAI ARCHERY PRK	000000	120.00
01-E00268	ESO SOLUTIONS, INC					
	I-ESO-33452		01 -5225349	SOFTWARE MAIN CLOUD HOSTED SOL. FIRE DEPT	000000	1,899.00

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-J00121	JAMESCO ENTERPRISES, LL	I-22309	01 -5215202	OPERATING SUP PAPER TOWELS	000000	14.91
01-L00428	LOWE'S CREDIT SERVICES	I-02464	01 -5210480	CONTINGENCY 3/4" PLYWOOD	000000	180.60
		I-02464	01 -5210480	CONTINGENCY PAINT	000000	86.28
		I-08045	01 -5432203	REPAIR & MAIN MASTER LOCK & KEY	000000	189.05
		I-901794	01 -5548203	REPAIRS & MAI BUILDING MAINT SUPPLIES	000000	2.46
		I-9902677	01 -5210480	CONTINGENCY 3/4" PLYWOOD	000000	121.49
		I-9902677	01 -5210480	CONTINGENCY PAINT ROLLERS	000000	13.26
		I-9902677	01 -5210480	CONTINGENCY PAINT ROLLERS	000000	0.01
		I-9906993	01 -5542203	REPAIRS & MAI KILZ	000000	36.64
		I-9906993	01 -5542203	REPAIRS & MAI PAINT ROLLERS	000000	7.98
		I-9906993	01 -5542203	REPAIRS & MAI DISPOSABLE PAINT PAN	000000	1.49
		I-9906993	01 -5542203	REPAIRS & MAI VALSPAR PRO WHITE PA	000000	30.36
01-M00570	MCKESSON MEDICAL-SURGIC	I-00938704	01 -5432202	OPERATING SUP MEDICAL SUPPLIES	000000	553.72
		I-00968449	01 -5432202	OPERATING SUP MEDICAL SUPPLIES	000000	142.40
01-N00250	MCALESTER NEWS CAPITAL	I-300029425	01 -5212317	ADVERTISING & COUNCIL & MISC PUBLICATIO	000000	18.10
01-O00219	OKLA BUREAU OF NARCOTIC	I-202004063049	01 -2103	OBV PAYABLE ( MARCH 2020-OBV	095631	88.08
01-O00595	OSBI	I-202004063051	01 -2101	AFIS PAYABLE MARCH 2020-AFIS FEES	095632	5,617.93
		I-202004063051	01 -2102	FORENSICS PAY MARCH 2020-FORENSIC FEES	095632	5,380.88
		I-202004063051	01 -2106	OSBI-LAB FEE MARCH 2020-LAB FEES	095632	86.16
01-O00610	OTA PIKEPASS CENTER	I-20200393708	01 -5542331	EMPLOYEE TRAV TOLL USAGE	000000	1.80
01-P00329	PATRICK WALLING DBA PIT	I-14774	01 -5542203	REPAIRS & MAI REPAIR FRONT DOOR STIPE CNTR	000000	196.95
01-P00337	PITTS COUNTY CRIMINAL J	I-202004173075	01 -5213335	COUNTY INCARC FEB 2020 INCARCERATION FEES	000000	2,024.00
		I-202004173076	01 -5213335	COUNTY INCARC MAR 2020 INCARCERATION FEES	000000	836.00
01-P00340	PITTS. COUNTY ELEC. BOA	I-04/07/20RUNOFF	01 -5101350	ELECTIONS 4/7/20 RUNOFF ELECTION	000000	613.05
01-P00341	PITTS. COUNTY HEALTH DE	I-202004213080	01 -5653348	DRUG TESTING/ MARCH 2020-PATTON HEP VACCINE	000000	98.00
		I-202004213080	01 -5653348	DRUG TESTING/ MARCH 2020-SWING HEP VACCINE	000000	98.00
01-P00510	PRO-KIL, INC					

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-P00510	PRO-KIL, INC		continued			
	I-183568	01 -5431316	REPAIRS & MAI	QUARTERLY PEST CONTROL	000000	96.00
	I-183569	01 -5431316	REPAIRS & MAI	QUARTERLY PEST CONTROL	000000	96.00
	I-183570	01 -5431316	REPAIRS & MAI	QUARTERLY PEST CONTROL	000000	96.00
	I-183585	01 -5548203	REPAIRS & MAI	PEST CONTROL-FIRING RANGE	000000	116.00
01-P00560	PSO/SOUTHWESTERN ELECTR					
	I-202004073055	01 -5215313	ELECTRIC UTIL	MAR 2020 ELECTRIC-GENERAL	095633	8,687.87
01-S00184	SECURITY BANK CARD CENT					
	I-202004083061	01 -5544202	OPERATING SUP	LUNCH-PICKLEBALL TOURNAMENT	095634	155.74
	I-202004083061	01 -5544202	OPERATING SUP	6-10 WHEELER TRK LDS LEVEL FIE	095634	270.00
	I-202004083061	01 -5432331	EMPLOYE TRAVE	MEAL-AMBULANCE INSPECTION	095634	25.47
	I-202004083061	01 -5653213	SAFETY EXPENS	SPRAY BOTTLES-COVID-19	095634	39.36
	I-202004083061	01 -5321202	OPERATING SUP	COVID-19 CLEAN/DISINFEC SUPPLI	095634	76.39
	I-202004083061	01 -5321331	EMPLOYEE TRAV	LIFESAVERS CONF REFUND-R.PARKE	095634	350.00-
	I-202004083061	01 -5865202	OPERATING SUP	MARKING PAINT	095634	111.47
	I-202004083061	01 -5225349	SOFTWARE MAIN	REMOTE ACCESS SOFTWARE RENEWAL	095634	2,756.40
01-S00329	SHRED-IT US JV LLC dba					
	I-8129587043	01 -5212308	CONTRACTED SE	03/12/20 SHRED SERV	000000	50.00
01-T00185	DOUGHTERY'S PHARMACY MC					
	I-1007046	01 -5653213	SAFETY EXPENS	POISION IVY PREVENTATIVES	000000	500.00
01-T00348	THE MERIWEATHER GROUP					
	I-102	01 -5653308	CONTRACTED SE	JAN/FEB 20-COMP STUDY, BENEFIT	000000	23,050.00
01-U00020	UNITED STATES CELLULAR					
	I-202004073057	01 -5542202	OPERATING SUP	APRIL 2020-SBC INTERNET	095637	43.61
01-W00040	WALMART COMMUNITY BRC					
	I-00313	01 -5431202	OPERATING SUP	OPERATING SUPPLIES	000000	55.72
	I-02480	01 -5431202	OPERATING SUP	OPERATING SUPPLIES	000000	51.22
	I-02480-1	01 -5431202	OPERATING SUP	OPERATING SUPPLIES	000000	95.18
	I-03128	01 -5431202	OPERATING SUP	OPERATING SUPPLIES	000000	55.90
	I-04809	01 -5431202	OPERATING SUP	OPERATING SUPPLIES	000000	4.92
01-W00371	WILLIAMS SCOTSMAN, INC.					
	I-7693305	01 -5865312	EQUIPMENT REN	OFFICE RENT-STREETS	000000	318.87
FUND 01 GENERAL FUND TOTAL:						69,763.91

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00107	ACCURATE LAB & TRAINING	I-SU31724	02 -5973316	REPAIRS & MAI LAB SUPPLIES-BOTH PLANTS	000000	859.91
01-A00267	AIRGAS, INC	I-9969795336	02 -5973203	REPAIRS & MAI MONTHLY BOTTLE RENTAL	000000	155.82
		I-9970042167	02 -5864202	OPERATING SUP YRLY CYLINDER LEASE	000000	130.95
01-A00362	VYVE BROADBAND	I-202004073056	02 -5975328	INTERNET SERV APR 2020-HEREFORD LANE	095624	74.23
01-A00423	ALLIED WASTE SERVICES O	I-375-000441426	02 -5866306	CONTRACTED RE MAR 2020 RESIDENT TRASH SVC	000000	60,320.78
		I-375-000441426	02 -5866306	CONTRACTED RE MAR 2020 COMMERCIAL SVC	000000	106,874.69
		I-375-000441426	02 -5866306	CONTRACTED RE MAR 2020 BAD DEBT WRITE OFF	000000	130.60-
01-A00768	AT&T CORP DBA ACC BUSIN	I-200910009	02 -5267315	TELEPHONE UTI MAR 20 INTERNET C.H./FED BLDG	095625	1,654.16
01-B00314	BIO-AQUATIC TESTING, IN	I-00056104	02 -5973304	LAB TESTING RETEST E&W WWTP	000000	3,251.41
		I-00056469	02 -5973304	LAB TESTING RETEST E&W WWTP	000000	559.41
01-C00320	CENTERPOINT ENERGY ARKL	I-202004023047	02 -5267314	GAS UTILITY MAR 2020-301 E POLK	095628	229.69
01-C00339	CERTIFIED LABORATORIES	I-3876807	02 -5973203	REPAIRS & MAI X-433 AEROSOL DZ, NACMM	000000	203.35
01-D00540	DOLESE BROTHERS	I-RM20015729	02 -5975218	STREET REPAIR ASH & COLE	000000	870.00
		I-RM20016033	02 -5975218	STREET REPAIR ASH & STONEWALL	000000	532.00
01-F00251	FORT COBB FUEL AUTHORIT	I-202004063054	02 -5267314	GAS UTILITY MARCH 2020 GAS-HERFERORD LN	095630	334.73
01-H00016	CORE & MAIN LP	I-M177020	02 -5975235	WATER MAIN RE WATERLINE REPAIR	000000	5,153.66
01-J00121	JAMESCO ENTERPRISES, LL	I-22309	02 -5267202	OPERATING SUP PAPER TOWELS	000000	14.91
01-K00210	KIAMICHI ELECTRIC COOP.	I-202004143066	02 -5267313	ELECTRIC UTIL MARCH 2020-UTM ELECTRIC	095748	366.79
01-N00320	NORTH CENTRAL LAB OF WI	I-437444	02 -5973316	REPAIRS & MAI LAB SUPPLIES-BOTH PLANTS	000000	2,033.01
01-P00560	PSO/SOUTHWESTERN ELECTR	I-202004023046	02 -5267313	ELECTRIC UTIL MARCH 2020-MPWA	095633	36,017.18

4/22/2020 11:02 AM

## REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 5

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-S00184	SECURITY BANK CARD CENT					
		I-202004083061	02 -5871316	REPAIRS & MAI MARKING PAINT	095634	111.46
01-S00580	AT & T					
		I-202004063053	02 -5267315	TELEPHONE UTI APRIL 2020-MPWA	095635	11,042.13
		I-202004133064	02 -5267315	TELEPHONE UTI APRIL 2020 DATA LINE	095749	970.00
01-S00704	BRAVADO WIRELESS FORMER					
		I-0277788	02 -5973328	INTERNET SERV APRIL 2020-INTERNET W WWM PLAN	095636	89.96
			FUND	02 MPWA	TOTAL:	231,719.63

4/22/2020 11:02 AM  
REGULAR DEPARTMENT PAYMENT REGISTER  
PACKET : 18804 18812 18816 18832 18839 18840  
VENDOR SET: Mult  
FUND : 26 EDUCATIONAL FUND

PAGE: 6

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-MC0145	MCALESTER PUBLIC SCHOOL	I-202004163072	26 -5211627	TRANSFER - MC APRIL 2020 SALES TAX	000000	38,580.11
			FUND	26 EDUCATIONAL FUND	TOTAL:	38,580.11

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 27 TOURISM FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00245	CATHEY & ASSOCIATES, L.	I-48244	27 -5655403	CAPITAL OUTLA CEILING & DOORS CHADICK	000000	3,721.00
01-S00184	SECURITY BANK CARD CENT	I-202004083061	27 -5655214	TOURISM EXPEN ITALIAN PROP FOR TOURISM	095634	67.79
		I-202004083061	27 -5655214	TOURISM EXPEN OKLA GIFT-PATCHES,STICKERS,PI	095634	987.50
		I-202004083061	27 -5655214	TOURISM EXPEN OKLA GIFT SHOP-CINNAMON TOOTHP	095634	102.12
		I-202004083061	27 -5655214	TOURISM EXPEN OKLA GIFT SHOP-NOVELTY MERCHAN	095634	316.44
		I-202004083061	27 -5655318	PRINTING OKLA GIFT SHOP-SHIRTS,CAPS,ETC	095634	1,856.00
		I-202004083061	27 -5655214	TOURISM EXPEN OKLA GIFT SHOP-DRINKING BIRDS	095634	149.70
01-S00952	SUPERIOR INTERNATIONAL	I-INV0161415	27 -5655403	CAPITAL OUTLA BENCHES CHADICK BATHROOMS	000000	573.16
			FUND	27 TOURISM FUND	TOTAL:	7,773.71

4/22/2020 11:02 AM  
REGULAR DEPARTMENT PAYMENT REGISTER  
PACKET : 18804 18812 18816 18832 18839 18840  
VENDOR SET: Mult  
FUND : 28 SE EXPO CENTER

PAGE: 8

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00320	CENTERPOINT ENERGY ARKL	I-202004023047	28 -5654314	GAS UTILITY MAR 2020-EXPO	095628	1,947.08
01-S00580	AT & T	I-202004063053	28 -5654315	TELEPHONE UTI APRIL 2020-ATM LINE @ EXPO	095635	236.04
01-S00704	BRAVADO WIRELESS FORMER	I-0277788	28 -5654328	INTERNET SERV APRIL 2020-INTERNET EXPO	095636	89.96
			FUND 28 SE EXPO CENTER	TOTAL:		2,273.08



4/22/2020 11:02 AM

## REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 9

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 29 E-911

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00146	CANADIAN VALLEY TELEPHO	I-1974SZ00801.089	29 -5324315	TELEPHONE UTI APR 2020-911 CO TRUNK LINE	095627	113.36
01-C00856	CROSS TELEPHONE	I-ESMAC_198_2004	29 -5324315	TELEPHONE UTI APR 2020 911 CO TRUCK LINE	095629	381.78
01-L00084	LANGUAGE LINE SERVICES	I-4794251	29 -5324202	OPERATING SUP TRANSLATION SERVICES/911	000000	6.35
01-S00580	AT & T	I-202004063053	29 -5324315	TELEPHONE UTI APRIL 2020-911 WIRELESS	095635	228.36
		I-202004133064	29 -5324401	CAPITAL OUTLA APRIL 2020 EQUIP LEASE	095749	2,403.33
			FUND 29 E-911	TOTAL:		3,133.18

4/22/2020 11:02 AM

REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 10

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 32 GRANTS & CONTRIBUTIONS

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-S00184	SECURITY BANK CARD CENT	I-202004083061	32 -5215334	OSU WELLNESS OSU OPIOD AWARENESS CAMPAIGN	095634	117.29
01-W00143	WATERWORKS INTERNATIONAL	I-1-01-20	32 -5215204	EXPENSE FOR P SPLASHPAD EQUIPMENT	000000	37,835.00
			FUND 32	GRANTS & CONTRIBUTIONS TOTAL:		37,952.29

4/22/2020 11:02 AM

REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 11

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 33 CDBG GRANTS FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-S00949	SUNRISE CONSTRUCTION, L					
	I-PAY APP #1		33 -5971521	2019 CDBG PRO 2019 CDBG SEWER PROJECT	000000	60,056.49
				FUND 33 CDBG GRANTS FUND	TOTAL:	60,056.49

4/22/2020 11:02 AM

## REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 12

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 35 FLEET MAINTENANCE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-000075	O'REILLY AUTO PARTS					
		I-0230-316920	35 -5862203	REPAIRS & MAI MEGA CRIMP	000000	37.38
		I-0230-318844	35 -5862203	REPAIRS & MAI HYD, OIL, & FUEL FILTERS	000000	21.34
		I-0230-318846	35 -5862203	REPAIRS & MAI HYD FILTER	000000	11.60
01-P00023	P & K EQUIPMENT, INC					
		I-3603877	35 -5862203	REPAIRS & MAI WP-25	000000	17.65
01-R00090	RAM INC dba W.E. ALLFOR					
		I-POS004350	35 -5862203	REPAIRS & MAI TC-7-PROPANE BOTTLE	000000	24.00
01-W00371	WILLIAMS SCOTSMAN, INC.					
		I-7693304	35 -5862312	EQUIPMENT REN OFFICE RENT-FLEET MAINT	000000	318.87
			FUND	35 FLEET MAINTENANCE	TOTAL:	430.84

4/22/2020 11:02 AM

REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 13

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 36 WORKER'S COMPENSATION

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00653	CONSOLIDATED BENEFITS R	I-2851	36 -5215315	THIRD PARTY A W/C ADMIN	000000	1,750.00
			FUND	36 WORKER'S COMPENSATION	TOTAL:	1,750.00

4/22/2020 11:02 AM

## REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 14

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 41 CIP FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-B00094	BANCFIRST-MCALESTER					
		I-04282020-INTREST	41 -5862501	FLEET VEHICLE INTREST ONLY 1ST DRAW 11 VEH	000000	447.04
01-F00170	FIRST NATIONAL BANK					
		I-04282020-LN#137306	41 -5975501	LEASE PAYMENT 2018 DUMP TRUCK INTREST	000000	359.44
		I-04282020-LN#137306	41 -5975501	LEASE PAYMENT 2018 DUMP TRUCK PRINCIPAL	000000	2,217.20
		I-04282020-LN#137307	41 -5862501	FLEET VEHICLE 2018 FORD F150 INTEREST	000000	68.22
		I-04282020-LN#137307	41 -5862501	FLEET VEHICLE 2018 FORD F150 PRINCIPAL	000000	420.78
01-L00428	LOWE'S CREDIT SERVICES					
	I-74944		41 -5542401	CAPITAL OUTLA 16 CU FT MERCHANDISER	000000	1,614.05
				FUND 41 CIP FUND	TOTAL:	5,126.73

4/22/2020 11:02 AM

REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 15

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 46 STORMWATER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-D00056	DALTON CARLTON	I-696552	46 -5871401	CAPITAL OUTLA MANHOLE REPAIR 2ND STREET	095746	4,000.00
01-L00340	LIMESTONE GAP CONSTRUCT	I-114	46 -5871401	CAPITAL OUTLA DRAINAGE MAINT. LIST#7	000000	19,874.00
			FUND	46 STORMWATER FUND	TOTAL:	23,874.00

Dalton finished 2nd Street job 4/3/20

4/22/2020 11:02 AM

## REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 16

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 48 INFRASTRUCTURE FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00274	ALAN PLUMMER AND ASSOCI	I-000000046270	48 -5973402	REHAB WEST SE WASTEWATER MASTER PLAN	000000	25,804.00
01-A00773	AUTOMATED BUILDING SYST	I-0012763-IN	48 -5548401	INFRASTRUCTUR PARTS FOR AIR HANDLER FED BLDG	000000	178.30
01-D00056	DALTON CARLTON	I-696551	48 -5975402	WATER LINE RE KTC METER INSTALL	095746	8,900.00
			FUND 48	INFRASTRUCTURE FUND	TOTAL:	34,882.30

Dalton finished KTC meter job 4/7/20



4/22/2020 11:02 AM

REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 17

PACKET : 18804 18812 18816 18832 18839 18840

VENDOR SET: Mult

FUND : 49 MRHC - CANCER CENTER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-MC0170	MCALESTER REGIONAL HOSP	I-202004163073	49 -5211626	TRANSFER - CA APRIL 2020 SALES TAX	000000	38,580.11
			FUND	49 MRHC - CANCER CENTER FUND	TOTAL:	38,580.11
				REPORT GRAND TOTAL:		555,896.38

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

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====		
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
2019-2020	01 -2100	CLEET PAYABLE (COURT)	5,705.49						
	01 -2101	AFIS PAYABLE - COURT	5,617.93						
	01 -2102	FORENSICS PAYABLE (COURT)	5,380.88						
	01 -2103	OBN PAYABLE (COURT)	88.08						
	01 -2106	OSBI-LAB FEE PAYABLE	86.16						
	01 -4-0-408	AMBULANCES *NON-EXPENS	658.00	498,500-	83,023.98				
	01 -5101350	ELECTIONS	613.05	10,622	4,072.22-	Y			
	01 -5210480	CONTINGENCY	401.64	40,897	29,847.44				
	01 -5212308	CONTRACTED SERVICES	50.00	2,720	1,421.48				
	01 -5212317	ADVERTISING & PRINTING	18.10	2,500	400.11-	Y			
	01 -5213335	COUNTY INCARCERATION EXPEN	2,860.00	14,500	2,970.00-	Y			
	01 -5215202	OPERATING SUPPLIES	14.91	31,800	10,909.42				
	01 -5215312	EQUIPMENT RENTALS	101.00	25,562	494.26				
	01 -5215313	ELECTRIC UTILITY	8,687.87	417,603	165,274.72				
	01 -5215314	GAS UTILITY	3,005.96	57,139	26,619.57				
	01 -5225349	SOFTWARE MAINTENANCE	4,655.40	160,008	4,824.10-	Y			
	01 -5321202	OPERATING SUPPLIES	885.69	15,000	4,765.31				
	01 -5321331	EMPLOYEE TRAVEL & TRAININ	160.00-	7,000	1,380.37				
	01 -5431202	OPERATING SUPPLIES	262.94	13,000	3,494.71				
	01 -5431316	REPAIRS & MAINTENANCE	288.00	14,500	4,955.52				
	01 -5431328	INTERNET SERVICE	232.10	2,485	959.17-	Y			
	01 -5432202	OPERATING SUPPLIES	696.12	31,000	12,359.35				
	01 -5432203	REPAIR & MAINT SUPPLIES	189.05	2,750	1,833.63				
	01 -5432308	CONTRACTED SERVICES	2,697.87	65,025	20,196.42				
	01 -5432331	EMPLOYEE TRAVEL & TRAINING	25.47	2,567	25.36-	Y			
	01 -5542202	OPERATING SUPPLIES	43.61	9,000	3,065.85				
	01 -5542203	REPAIRS & MAINT SUPPLIES	393.42	38,500	22,417.01				
	01 -5542328	INTERNET SERVICE	77.32	2,092	298.00				
	01 -5542331	EMPLOYEE TRAVEL & TRAININ	1.80	2,128	0.19				
	01 -5544202	OPERATING SUPPLIES	425.74	16,250	10,390.00				
	01 -5548203	REPAIRS & MAINTENANCE SUPP	118.46	35,200	14,086.69				
	01 -5548328	INTERNET SERVICE	77.32	1,000	222.62				
	01 -5551314	GAS UTILITY	1,271.52	5,000	3,448.93-	Y			
	01 -5653213	SAFETY EXPENSE	539.36	25,500	6,709.22				
	01 -5653308	CONTRACTED SERVICES	23,050.00	26,500	11,547.39-	Y			
	01 -5653348	DRUG TESTING/PHYSICALS	196.00	11,000	1,162.45				
	01 -5865202	OPERATING SUPPLIES	111.47	750	89.10-	Y			
	01 -5865312	EQUIPMENT RENTALS	318.87	3,900	2,943.39				
	01 -5865328	INTERNET SERVICE	77.31	2,100	514.13				
	02 -5267202	OPERATING SUPPLIES	14.91	19,200	4,420.12				
	02 -5267313	ELECTRIC UTILITY	36,383.97	526,687	189,954.00				
	02 -5267314	GAS UTILITY	564.42	13,909	4,743.02				
	02 -5267315	TELEPHONE UTILITY	13,666.29	124,020	16,421.74-	Y			
	02 -5864202	OPERATING SUPPLIES	130.95	300	169.05				
	02 -5866306	CONTRACTED REFUSE SERVICES	167,064.87	1,985,674	482,170.22				

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

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====		
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
02	-5871316	REPAIRS & MAINTENANCE	111.46	300	188.54				
02	-5973203	REPAIRS & MAINT SUPPLIES	359.17	34,899	5,642.85				
02	-5973304	LAB TESTING	3,810.82	32,000	2,225.54				
02	-5973316	REPAIRS & MAINTENANCE	2,892.92	25,800	3,340.17				
02	-5973328	INTERNET SERVICE	89.96	2,100	559.09				
02	-5975218	STREET REPAIRS & MAINTENAN	1,402.00	125,000	44,189.48				
02	-5975235	WATER MAIN REPAIR	5,153.66	165,000	54,218.73				
02	-5975328	INTERNET SERVICE	74.23	894	144.64				
26	-5211627	TRANSFER - MCALESTER PUBLI	38,580.11	568,549	153,073.74				
27	-5655214	TOURISM EXPENSE	1,623.55	50,000	556.37-	Y			
27	-5655318	PRINTING	1,856.00	40,000	19,303.73				
27	-5655403	CAPITAL OUTLAY-PARKS	4,294.16	165,000	21,818.66				
28	-5654314	GAS UTILITY	1,947.08	32,525	14,274.54				
28	-5654315	TELEPHONE UTILITY	236.04	3,500	33.30-	Y			
28	-5654328	INTERNET SERVICE	89.96	9,000	3,222.09				
29	-5324202	OPERATING SUPPLIES	6.35	5,000	3,767.65				
29	-5324315	TELEPHONE UTILITY	723.50	99,550	20,196.74				
29	-5324401	CAPITAL OUTLAY	2,403.33	29,000	4,966.70				
32	-5215204	EXPENSE FOR PARKS (OTHER)	37,835.00	0	53,772.69-	Y			
32	-5215334	OSU WELLNESS PROGRAM	117.29	0	5,962.29-	Y			
33	-5971521	2019 CDBG PROJECT	60,056.49	275,804	49,018.70				
35	-5862203	REPAIRS & MAINTENANCE SUPP	111.97	182,714	41,374.48				
35	-5862312	EQUIPMENT RENTALS	318.87	3,827	314.65				
36	-5215315	THIRD PARTY ADM FEES	1,750.00	22,000	1,000.00				
41	-5542401	CAPITAL OUTLAY	1,614.05	152,202	138,249.65				
41	-5862501	FLEET VEHICLES	936.04	45,870	39,682.04				
41	-5975501	LEASE PAYMENTS	2,576.64	30,920	5,153.60				
46	-5871401	CAPITAL OUTLAY	23,874.00	297,993	11,639.31				
48	-5548401	INFRASTRUCTURE IMPROVEMENT	178.30	135,000	20,518.18				
48	-5973402	REHAB WEST SEWER PLANT	25,804.00	250,000	181,922.44				
48	-5975402	WATER LINE REPLACEMENT	8,900.00	125,000	30,569.43-	Y			
49	-5211626	TRANSFER - CANCER CENTER	38,580.11	536,549	121,073.74				
** 2019-2020 YEAR TOTALS **			555,896.38						

NO ERRORS

\*\* END OF REPORT \*\*

FUND	PERIOD	AMOUNT
01	04/2020	69,763.91
02	04/2020	231,719.63
03	04/2020	0.00
05	04/2020	0.00
08	04/2020	0.00
09	04/2020	0.00
11	04/2020	0.00
14	04/2020	0.00
16	04/2020	0.00
24	04/2020	0.00
26	04/2020	38,580.11
27	04/2020	7,773.71
28	04/2020	2,273.08
29	04/2020	3,133.18
30	04/2020	0.00
31	04/2020	0.00
32	04/2020	37,952.29
33	04/2020	60,056.49
35	04/2020	430.84
36	04/2020	1,750.00
38	04/2020	0.00
41	04/2020	5,126.73
42	04/2020	0.00
44	04/2020	0.00
46	04/2020	23,874.00
48	04/2020	34,882.30
49	04/2020	38,580.11
		<b>555,896.38</b>



# McAlester City Council

## AGENDA REPORT

Meeting Date:	<u>April 28<sup>th</sup>, 2020</u>	Item Number:	<u>Consent Agenda D</u>
Department:	<u>Finance</u>		
Prepared By:	<u>Sherri Swift</u>	Account Code:	<u></u>
Date Prepared:	<u>April 21, 2020</u>	Budgeted Amount:	<u></u>
		Exhibits:	<u>1</u>

### Subject

Consider and act upon, authorizing the Mayor to sign the Annual Engagement Letter with Crawford & Associates, P.C., for the period of July 1, 2020 through June 30, 2021.

### Recommendation

Motion to authorize the Mayor to sign the Annual Engagement Letter for consultants.

### Discussion

### Approved By

		<i>Initial</i>	<i>Date</i>
Department Head		<u></u>	<u></u>
City Manager	P.Stasiak	<u></u>	<u></u>



April 10, 2020

Honorable Mayor and Members of the City Council  
City of McAlester  
P.O. Box 578  
McAlester, OK 74502-0578

To the Honorable Mayor and Members of the City Council:

Crawford & Associates, P.C. is pleased that the City of McAlester (the City) continues to express its confidence in our firm and our state and local government expertise. We look forward to a continued long and successful relationship as an integral financial management resource to the City of McAlester management and governing body.

We are prepared to provide a full range of accounting and consulting services to the City of McAlester contingent upon approval of your management and/or governing body. The purpose of this engagement letter is to identify the scope of available services from Crawford & Associates, the specific initial services requested at this time, and to confirm the terms, objectives, and limitations of our engagement services.

#### **Scope of Services**

The scope of professional services that are available and can be provided to the City of McAlester are outlined below under the heading *Scope of Available Services*. While this listing includes a range of services available from Crawford & Associates, the specific initial services requested to be provided at the current time are separately identified under the heading *Initial Services Requested*. Any additional services that are available from Crawford & Associates beyond these initially requested services can be provided upon subsequent specific request and agreement.

#### **Scope of Available Services**

- Preparation of Annual Financial Statements
- General Accounting and Advisory Assistance
- Budget Preparation and Amendment Assistance
- Capital Asset Records and Accounting Assistance
- Information Technology System Assistance
- Internal Control Policies and Procedures Assistance
- Labor Relations Consulting
- Laws and Regulations Compliance Assistance
- Investigation of Allegations or Concerns
- Tax and Other Regulatory Report Assistance

#### **Initial Services Requested**

- Preparation of Annual Financial Statements
- General Accounting and Advisory Assistance

### **Services Related to the Preparation of Annual Financial Statements**

You have requested that we prepare the annual financial statements of the financial reporting entity of the City of McAlester, Oklahoma as of and for the year ended June 30, 2020. Such financial statements will include:

- a. Basic Financial Statements, including notes to the financial statements
- b. Required Supplementary Information
- c. Supplementary Information (to the extent management elects to include)
- d. Other Information (to the extent management elects to include)

### ***Crawford & Associates' Responsibilities***

The objective of our engagement is to prepare the annual financial statements in accordance with accounting principles generally accepted in the United States of America based on information provided by you. We will conduct our engagement in accordance with Statements on Standards for Accounting and Review Services (SSARSs) promulgated by the Accounting and Review Services Committee of the AICPA and comply with the AICPA's Code of Professional Conduct, including the ethical principles of integrity, objectivity, professional competence, and due care.

We are not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or otherwise gather evidence for the purpose of expressing an opinion or a conclusion. Accordingly, we will not express an opinion or a conclusion or provide any assurance on the financial statements.

Our engagement cannot be relied upon to identify or disclose any financial statement misstatements, including those caused by fraud or error, or to identify or disclose any wrongdoing within the entity or noncompliance with laws and regulations.

### ***Management Responsibilities***

The engagement to be performed is conducted on the basis that management acknowledges and understands that our role is to prepare financial statements in accordance with accounting principles generally accepted in the United States of America. Management has the following overall responsibilities that are fundamental to our undertaking the engagement to prepare your financial statements in accordance with SSARSs:

- a. The selection of accounting principles generally accepted in the United States of America as the financial reporting framework to be applied in the preparation of the financial statements
- b. The prevention and detection of fraud
- c. To ensure that the entity complies with the laws and regulations applicable to its activities
- d. The accuracy and completeness of the records, documents, explanations, and other information, including significant judgments, you provide to us for the engagement to prepare financial statements

e. To provide us with:

- i. Documentation, and other related information that is relevant to the preparation and presentation of the financial statements,
- ii. Additional information that may be requested for the purpose of the preparation of the financial statements, and
- iii. Unrestricted access to persons within the City of McAlester, Oklahoma, of whom we determine necessary to communicate.

The financial statements will not be accompanied by a report. However, you agree that the financial statements will clearly indicate that no assurance is provided on them.

#### **Other Requested and Available Services**

In conjunction with the other requested and available services (other than the preparation of the annual financial statements) as identified in the Scope of Services section of this letter, Crawford & Associates will be responsible for providing such services upon request in accordance with the applicable professional standards of the AICPA. It is anticipated that most if not all of these other services will be performed in accordance with the standards applicable to consulting services as prescribed by the AICPA.

Crawford & Associates, is not obligated to, but may report or otherwise communicate to management any recommendations, it determines necessary, resulting from the professional services provided.

Management and the governing body will be responsible for establishing the scope of our other professional services to be provided and for providing the necessary resources allocated to the work; such responsibility includes determining the nature, scope, and extent of the services to be performed, providing sufficient appropriation for the estimated cost of these services, providing overall direction and oversight for each service, and reviewing and accepting the results of the work.

#### **Access to Working Papers and Reports**

Any working papers prepared by Crawford & Associates in connection with performing the financial statement preparation and other professional services are the property of Crawford & Associates. Upon request, copies of any or all working papers and reports that we consider to be nonproprietary will be provided to management. Management may make such copies available to its external auditors and to certain regulators in the exercise of their statutory oversight responsibilities. Such copies may not be made available to any other third party without the prior written consent from Crawford & Associates.

#### **Fees and Costs**

Fees and out-of-pocket expenses for this engagement will be billed as the work progresses and payable upon receipt of our invoices. Out-of-pocket expenses include such costs incurred by Crawford & Associates in providing the services including travel, lodging, telecommunications, printing, document reproduction, and the like. Our fees for these services will be billed at our standard hourly rates, as follows, for the individual performing such services based on the actual number of hours of work, including travel time, performed by that individual.



Standard Hourly Rates:

- Firm President \$250
- Shareholders \$165
- Consulting Senior Managers \$150
- Consulting Managers \$125
- Consulting Staff \$110
- Clerical Staff \$45

Because Crawford & Associates has no direct control over the type and amount of services requested by the management or the governing body during the term of this engagement, nor does Crawford & Associates have direct control over the quality of your accounting system or records, potential turnover of your staff, or your staffing levels, resources, or capabilities, it is impractical for us to provide an accurate amount of hours that will be required for the services requested or a not-to-exceed limit on fees and expenses charged. We will rely on you to provide us with a copy of approved purchase orders, containing estimated fees and expenses, monitor the cumulative fees and expenses charged, and notify us if and when the cumulative amount approaches the total appropriated level estimated. You also agree to provide sufficient appropriation for all services requested prior to the services being performed. For purposes of purchase order preparation, we will be glad to provide you with an estimated range of fees and expenses upon request.

The term of this engagement is a period from July 1, 2020 through June 30, 2021. Crawford & Associates may perform additional services upon receipt of a formal request from management or the governing body with terms and conditions that are acceptable to both parties.

The agreements and undertakings contained in this engagement letter, shall survive the completion or termination of this engagement.

**Acceptance**

Please indicate your acceptance of this agreement by signing in the space provided below and returning this engagement letter to us. A duplicate copy of this engagement letter is provided for your records. We look forward to continuing our professional relationship with the City of McAlester.

Respectfully submitted and agreed to by,



Frank Crawford  
Crawford and Associates, P.C.

**Accepted and agreed to for the City of McAlester:**

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

Title: \_\_\_\_\_

Date: \_\_\_\_\_



# McAlester City Council

## AGENDA REPORT

Meeting Date: April 28, 2020 Item Number: Consent Agenda E  
Department: \_\_\_\_\_  
Prepared By: Jessica Gregg, Executive Director Account Code: \_\_\_\_\_  
Date Prepared: April 22, 2020 Budgeted Amount: \_\_\_\_\_  
Exhibits: 1

### Subject

Accept and place on file the McAlester Defense Support Association Third Quarter Report for FY19-20.

### Recommendation

To accept and place on file the McAlester Defense Support Association Performance Reports.

### Discussion

### Approved By

Department Head  
City Manager

P. Stasiak

*Initial*

*Date*



## Report to City Council – April 2020

Third quarter report for MDSA/MDSS.

A recap of some of the events/work which MDSA/MDSS have been involved with recently are:

- Main projects MDSA/MDSS continue to focus on in the first quarter include: The Rail Line, C-Line MilCon, and Direct Hire / Term to Perm, **Energy Security and Resiliency, and the Defense Community Infrastructure Program.**
- Rail line –MDSS/MDSA has been continuing to correspond with representatives from Senator Inhofe and Senator Lankford's offices regarding progress. **Update: Senator Lankford and the Oklahoma Department of Commerce are becoming more aggressive with the rail. Recently the Oklahoma pulled finance program changed to allow the state to make investments in public infrastructure; specifically, with the intention of renovating the rail line between McAlester and Shawnee.**
- C-Line Milcon project is expected to break ground in 2021 and is listed in the future year's development plan for DoD. MDSS/MDSA will continue to advocate for this Milcon project with our Oklahoma Delegation, so it does not slip through the next budget. **Project still on schedule.**
- As previously reported, McAAP has been awarded \$3.3M by DoD to improve the Haywood gate to allow truck access for shipping and receiving materials. McAAP has broken ground on the project and the expected completion date is estimated 2020. **Project still on schedule.**
- MDSA/MDSS received notification from John Ross, Director of Ammo Operations McAAP, that A-line is expected to be complete in December 2019. **Project Still on Schedule.**
- Direct Hire/ Term to Perm - MDSA/MDSS is continuously communicating with offices of Senator Inhofe, Senator Lankford and Congressman Mullin in regards to the benefits of Direct Hire/ Term to Perm for the installation. **Update: The National Defense Authorization Act for 2020 has passed and will allow the Direct Hire Authority to extended until 2025.**
- Defense Community Infrastructure Program (DCIP) – MDSA is in support of appropriating funds for the DCIP pilot. DCIP could assist us with supporting projects like updating Haywood Road/ Highway 270. Since Haywood Gate is being updated to allow truck traffic, the community will be impacted by the increased traffic. MDSA has worked closely with the Oklahoma Department of Transportation,



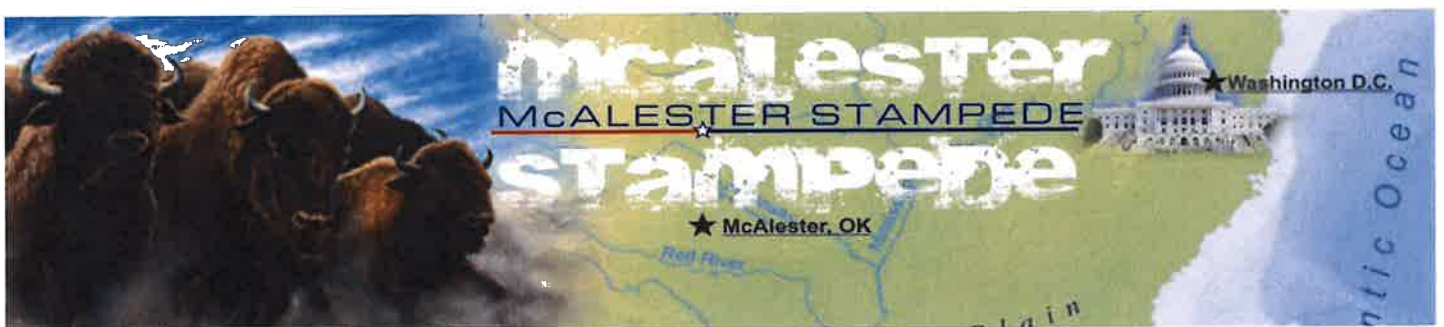
Pittsburg County and the City of McAlester in order to fund the project; however, even with sharing the responsibility of this project there is not enough funding to complete it. **Update: Congress has appropriated 50 Million to the Office of Economic Adjustment to manage the DCIP program, through the National Defense Authorization Act 2020.**

- Energy Security and Resiliency – MDSA is working closely with Senator Inhofe's office to promote a pilot drilling program on base to establish energy resiliency and security. We are proposing a memorandum of understanding between the Department of Defense and Department of the Interior, in order for MCAAP to collect some mineral rights to assist with increased security and infrastructure support needs. DoD is focused on installations becoming energy secure in order to continue the mission in the event of an attack. **Update: MDSA submitted proposed legislative language for Pilot Program to extract Natural Gas at MCAAP in order to establish energy security and resiliency on February 3<sup>rd</sup>, 2020.**
- Executive Director has attended the following public events/meetings:
  - January 6th – 10th, 2020 Executive Director updated Oklahoma congressional staff on intended 2020 Stampede dates: September 21<sup>st</sup> – 25<sup>th</sup>.
  - January 13th, 2020 Executive Director submitted a "Letter to the Editor" in support of MCAAP to Gideon Rogers, Public Affairs Officer at MCAAP, to review. We are working on a piece to help promote the base to publish with McAlester News Capital.
  - January 14th, 2020 Executive Director presented at the McAlester Rotary Club.
  - January 15th, 2020 Executive Director participated on conference call with Jason Self, Congressman Mullin's office. We discussed legislative goals for the NDAA 2021 and current situation with Iran.
  - January 15th, 2020 Executive Director received a request from Don Archer, MLA for Senator Inhofe, detailing our NDAA 21 needs. He requested a conference call before January 31st, 2019 and for the requests to be complete no later than February 10th.
  - January 16th, 2020 Executive Director presented a review of the 2019 Stampede at the Federal Managers Association meeting. Executive Director discussed the current status of the drilling pilot program with Brian Foris. There has been a tasker, from Mr. Jack Surash's office in Installations Energy and Environment, assigned to assist with providing information on the project. Brian Foris reported Steve Cox is currently working through the appropriate chain of command.
  - January 17th, 2020 Executive Director submitted a "Letter to the Editor" at McAlester News Capital. Jessica will notify board when article is published.
  - January 21st, 2020 Executive Director met with Sandra Henslee, Warren Clinic, to retain membership.
  - January 21st, 2020 Executive Director visited with Michelle Rovashaw, Raytheon, about McAlester's interest in recruiting Raytheon's Phoenix plant. Michelle disclosed they are looking at moving the plant to Oklahoma and have partnered with an aerospace company. Executive Director shared Kirk Ridenour's information and Michelle reached out to Kirk.





- January 22nd, 2020 Executive Director participated on two conference calls; one with Don Fix, Spectrum Group, and Brian Foris, MCAAP. We discussed legislative language request to submit to Senator Inhofe's office for pilot drilling program and ensuring C-Line is on task for FY 21.
- January 22, 2020 Executive Director submitted the quarterly city council report.
- January 28th, 2020 Executive Director attended the McAlester City Council meeting to ensure there were no questions regarding the previously submitted report.
- January 30th, 2020 Executive Director participated on a call with Don Fix, Spectrum Group, to discuss Legislative Request for Inhofe's office.
- January 31st, 2020 Executive Director submitted quarterly newsletter to board of directors, membership and McAlester City Council.
- January 31st, 2020 Executive Director a submitted legislative request to Don Fix, Spectrum Group, for final review.
- February 3rd, 2020 Executive Director submitted Legislative Request for pilot drilling program to Senator Inhofe's office.
- February 12th, 2020 Stigler Chamber of Commerce called to cancel their MCAAP tour for February 13th. Executive Director has requested available dates in April to reschedule, as requested.
- February 14th and 15th, 2020 Executive Director volunteered with the Chamber of Commerce's PRCA rodeo.
- February 20th, 2020 Executive Director hosted Leadership McAlester's class for Economic Development and Non-profit Day. Executive Director organized a panel of Economic Development Specialist and organized for participants to tour: Pride in McAlester, McAlester Main Street, McAlester Tourism, CASA, McAlester Chamber of Commerce, MDSA, Good Samaritan Outreach, Emergency Youth Shelter, Hope House of McAlester, and Shared Blessings.
- March 3<sup>rd</sup>, 2020, Jessica rescheduled MCAAP tour for Stigler Chamber of Commerce for April 21<sup>st</sup>, 2020.
- March 3<sup>rd</sup>, 2020 Jessica met with Colonel Upton, Brian Lott and John Ross for quarterly meeting. Takeaways include:
  - C-Line is on schedule and expected to break ground in spring of 2021.
  - MCAAP has received 14 MIL from the Airforce to invest in the pack and load facility project. This is in the special weapons area. When the project is complete, the Airforce will have invested around 60 MIL for MCAAP to pack and load assets.
  - Navy Special Weapons is looking to add 30-40 employees in the next 6 months.
  - We have a new talking point to add for the 2020 Stampede. With the Army's business reform, they are currently cutting obsolete/dated programs. This is to allow funding to invest in new innovative weapons systems, such as hyper sonics. Our question needs to be "where are they planning to store, pack/ship, or manufacture?" We need to know if we need to modernize facilities to accommodate new missions and how our community can support bringing on new missions.
  - We learned of some leadership changes. General Letcher, JMC Commander, has accepted a new leadership role. We do not know who her replacement will be at this time; however, Colonel



Upton shared he will keep us in the loop and will encourage the new command to attend the Stampede. There will also be a new PEO Ammo.

- March 6<sup>th</sup>, 2020 Jessica forwarded a legislative request from the Association of Defense Communities, asking members of Congress to support increasing the Defense Community Infrastructure Program to 100 million in the FY 21 NDAA. The request was sent to all Oklahoma Military Liaisons.
- March 6<sup>th</sup>, 2020 Jessica participated in a meeting with Krystal Bess, McAlester Chamber of Commerce, Jason Self, Congressman Mullin's office, Leasha Piltcher, Congressman Mullin's office and Caleb Cochran, Senator Lankford's office. We discussed current projects on base and new talking points identified. Jessica forwarded legislative request for Pilot Drilling Program on base to Jason Self, so the House side could replicate language submitted to Senator Inhofe's office.
- March 10<sup>th</sup>, 2020 Colonel Shane Upton, MCAAP Commander, presented at Rotary Club as a guest of MDSA.
- March 23, 2020 Jessica was scheduled to present at McIntosh County Commissioners office for membership. Due to COVID-19 this meeting has been canceled and will be rescheduled at a later date.
- March 26<sup>th</sup>, 2020 Jessica participated in a zoom meeting organized by Dana Huggle, Oklahoma Small Business Development Center, in order to prepare for funding assistance opportunities for small businesses.
- March 30<sup>th</sup>, 2020 Jessica participated on Congressman Markwayne Mullin's Town Hall meeting to discuss the CARES Act. The Congressman covered how they intended to distribute funds from the Stimulus package to assist individuals and businesses.
- April 1st, 2020 Jessica participated in a conference call held by the Oklahoma Department of Commerce reviewing how the CARES Act impacts the Aerospace and Defense Industries.
- April 2<sup>nd</sup>, 2020 Jessica participated on Senator Lankford's Town Hall meeting to discuss the CARES Act. Senator Lankford took questions from callers and reviewed how funds from the stimulus package will assist individuals and businesses.
- April 2<sup>nd</sup>, 2020 Jessica assisted in coordinating the town hall meeting for Senator Inhofe. Spencer Hall, Southeast Field Representative for Senator Inhofe's office, reached out inquiring who to speak with at the Chamber of Commerce and if I would assist in inviting additional participants for the call.
- April 8<sup>th</sup>, 2020 Jessica participated on the town hall meeting hosted by Senator Inhofe. Jessica submitted the following questions before the call (the Senator's responses are in red):
  - How do you anticipate the stimulus packages will impact McAlester Army Ammunition Plant? – Senator Inhofe indicated that because MCAAP is essential to DoD operations, the plant will need to continue operating in order to support the war fighter. He shared he is aware of the current operational changes MCAAP has made in order to maintain safety such as: sending those who are able home to work from home and checking temps and the questioner at the gate.
  - Do you anticipate the current events will impact the development of the FY 21 NDAA? It is our understanding the Senate markup is expected to take place 18-22 May. – Senator Inhofe indicated there could be a negative impact on the FY 21 NDAA because of COVID 19. They are currently holding the



Posture Hearings from the different Military branches on paper and are unable to meet in person. They are working over the phone and utilizing the paper hearings. They are currently on schedule, but most likely expect a delay in its completion. Senator Inhofe did share he knows they will get it done in enough time.

- Lastly, the Association of Defense Communities has reached out to its members to encourage all to ask our Members of Congress to support adding \$200 million to the Defense Communities Infrastructure Program and \$35 million to the Defense Supply Chain Resilience Support Program in the 4<sup>th</sup> stimulus package. (information provided below and letters of support attached). Will there be a 4<sup>th</sup> stimulus package? Also, there are no current guidelines for applying for either program. Is there a timeframe in which we can expect to receive guidance? We would like to know if there are potential projects listed for consideration and how we can ensure McAlester is among those considered? – **Senator Inhofe and Don Archer, Military Liaison**, addressed this issue. At this point, we do not know if there will be a 4<sup>th</sup> stimulus package. Don shared DoD was originally planning to release the grant information this month; however, the virus has caused delay. He did share they will continue to put pressure on DoD, as they are tracking multiple projects that have an interest in applying. We can expect the guidance to be released as early as May or as late as June. Don indicated he would keep us updated as that information is released.

➤ **New Members:** Coal County – Gold / \$1,000.00

➤ **Members considering membership:**

- City of Holdenville
- Hughes County
- City of Kiowa
- Chamber of Eufaula
- WE Alford Propane
- Yates Pest Control
- McAlester Home Store

➤ **Renewals:**

- City of Krebs – Silver / \$500.00
- Briggs Printing – Associate / \$250.00
- Edward Jones – Associate / \$250.00
- Eastern Oklahoma State College – Silver / \$500.00
- Kiamichi Technology Center – Gold / \$1000.00
- Shirley Donaldson Century 21 – Gold / \$1000.00







# McAlester City Council

## AGENDA REPORT

Meeting Date:	<u>April 28, 2020</u>	Item Number:	<u>Consent Agenda F</u>
Department:	<u>City Council</u>		
Prepared By:	<u>Mayor John Browne</u>	Account Code:	<u></u>
Date Prepared:	<u>April 23, 2020</u>	Budgeted Amount:	<u></u>
	<u></u>	Exhibits:	<u></u>

### Subject

Concur with the Mayor's reappointments of Dr. Michael Boyer, Stephen Otis, David Verner, Mike Hogan, Randy Walters, and Les Cashmere to the Airport Advisory Board for terms to expire April 30, 2022.

### Recommendation

Motion to approve the Mayor's reappointments of Dr. Michael Boyer, Stephen Otis, David Verner, Mike Hogan, Randy Walters, and Les Cashmere to the Airport Advisory Board.

### Discussion

### Approved By

	<i>Initial</i>	<i>Date</i>
Department Head		
City Manager	P. Stasiak <u></u>	<u></u>



# McAlester City Council

## AGENDA REPORT

**Meeting Date:** April 28, 2020 **Item Number:** Consent Agenda G  
**Department:** City Council  
**Prepared By:** Mayor John Browne **Account Code:** \_\_\_\_\_  
**Date Prepared:** April 23, 2020 **Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** \_\_\_\_\_

### Subject

Concur with the Mayor's appointment of John Alford as a replacement for Ben Kennedy to the Airport Advisory Board for a term to expire April 30, 2022.

### Recommendation

Motion to approve the Mayor's appointment of John Alford as a replacement for Ben Kennedy to the Airport Advisory Board.

### Discussion

### Approved By

**Department Head**

**City Manager**

P. Stasiak

*Initial*

*Date*



# McAlester City Council

## AGENDA REPORT

Meeting Date: April 28, 2020 Item Number: 1  
Department: City Manager  
Prepared By: Cora Middleton, City Clerk Account Code: \_\_\_\_\_  
Date Prepared: April 17, 2020 Budgeted Amount: \_\_\_\_\_  
Exhibits: 3

### Subject

Consider and act upon, an ordinance amending the City of McAlester Defined Contribution Retirement Plan.

### Recommendation

Motion to adopt and authorize the Mayor to sign an ordinance amending the City of McAlester Defined Contribution Retirement Plan and Joinder and to become effective April 1, 2020.

### Discussion

This amendment changes the vesting schedule from a 7 year graduated to a 5 year graduated schedule.

Exhibits:

1. Ordinance amending Plan.
2. Joinder – DC Retirement Plan
3. Email from Oklahoma Municipal Retirement Fund.

### Approved By

		Initial	Date
Department Head		CMM	04.17.20
City Manager	P. Stasiak	<i>PJS</i>	4-23-2020



# McAlester City Council

## AGENDA REPORT

Meeting Date: April 28, 2020  
Department: City Manager  
Prepared By: Cora Middleton, City Clerk  
Date Prepared: April 17, 2020

Item Number: 1  
Account Code: \_\_\_\_\_  
Budgeted Amount: \_\_\_\_\_  
Exhibits: 3

### Subject

Consider and act upon, an ordinance amending the City of McAlester Direct Contribution Retirement Plan.

### Recommendation

Motion to adopt and authorize the Mayor to sign an ordinance amending the City of McAlester Direct Contribution Retirement Plan and Joinder and to become effective April 1, 2020.

### Discussion

This amendment changes the vesting schedule from a 7 year graduated to a 5 year graduated schedule.

#### Exhibits:

1. Ordinance amending Plan.
2. Joinder – DC Retirement Plan
3. Email from Oklahoma Municipal Retirement Fund.

### Approved By

Department Head  
City Manager

P. Stasiak

Initial  
CMM

*PJS*

Date  
04.17.20

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

**AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE CITY OF MCALESTER, OKLAHOMA; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF MCALESTER, OKLAHOMA; PROVIDING FOR VESTING SCHEDULES; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA.**

Section 1. **AMENDATORY.** The Employee Retirement System, Defined Contribution Plan, of the **City of McAlester**, Oklahoma, is hereby amended as reflected on the attached Exhibit "A", which is incorporated herein and adopted by reference. These amendments shall become effective on **April 1, 2020**.

Section 2. **EXECUTION AUTHORIZATION.** The City Clerk and Mayor be and they are hereby authorized and directed to execute the amended Retirement System Plan documents and to do all the other acts necessary to put said amendment into effect and to maintain IRS qualification of the Plan. The executed amended document attached hereto as Exhibit "A" is hereby ratified and confirmed in all respects.

Section 3. **SEVERABILITY.** If, regardless of cause, any section, subsection, paragraph, sentence, or clause of this ordinance, including the System as set forth in Exhibit "A" is held invalid or to be unconstitutional, the remaining sections, subsections, paragraphs, sentences, or clauses shall continue in full force and effect and shall be construed thereafter as being the entire provisions of this ordinance.

Section 4. **REPEALER.** Any ordinance inconsistent with the terms and provisions of this ordinance is hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 5. **EMERGENCY.** Whereas, in the judgment of the City Council of the **City of McAlester**, Oklahoma, the public peace, health, safety, and welfare of the **City of McAlester**, Oklahoma, and the inhabitants thereof demand the immediate passage of this ordinance, an emergency is hereby declared, the rules are suspended, and this ordinance shall be in full force and effect on its passage and approval.

The foregoing ordinance duly adopted and approved by the Mayor and City Council on the 28th day of April , 2020, after compliance with notice requirements of the Open Meeting Law (25 OSA, Section 301, et seq.) and the McAlester City Charter.

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

Approved as to form and legality on \_\_\_\_\_ , \_\_\_\_\_ .

\_\_\_\_\_  
CITY ATTORNEY

**OKLAHOMA MUNICIPAL RETIREMENT FUND  
MASTER DEFINED CONTRIBUTION PLAN  
JOINDER AGREEMENT**

**City of McAlester**, a city, town, agency, instrumentality, or public trust located in the State of Oklahoma, with its principal office at McAlester, Oklahoma, hereby establishes a Defined Contribution Plan to be known as **City of McAlester Plan** (the "Plan") in the form of the Oklahoma Municipal Retirement Fund Master Defined Contribution Plan.

Except as otherwise provided herein, the definitions in Article II of the Plan apply.

**1. Dates.**

- ☐ This instrument is a new Plan effective \_\_\_\_ (date may not be prior to Plan Year of the date of execution).
- ☒ This instrument is an amendment, restatement and continuation of the Previous Plan, which was originally effective July 1, 2013. The effective date of this Joinder Agreement is April 1, 2020 (date may not be prior to Plan Year of the date of execution), except as otherwise stated in the Plan and the Joinder Agreement

**2. Employee.**

The word "Employee" shall mean:

- ☒ Any person, other than a Leased Employee, who, on or after the Effective Date, is considered to be a regular full-time employee in accordance with the Employer's standard personnel policies and practices, and is receiving remuneration for such services rendered to the Employer (including any elected official and any appointed officer or employee of any department of the Employer, whether governmental or proprietary in nature), including persons on Authorized Leave of Absence. Employees shall not include independent contractors. Elected members of the City Council shall not be considered to be Employees solely by reason of their holding such office.
- ☐ Any person, other than a Leased Employee, who, on or after the Effective Date, is considered to be a regular employee in accordance with the Employer's standard personnel policies and practices (including part-time, seasonal and temporary employees), and is receiving remuneration for such services rendered to the Employer (including any elected official and any appointed officer or employee of any department of the Employer, whether governmental or proprietary in nature), including persons on Authorized Leave of Absence. Employees shall not include independent contractors. Elected members of the City Council shall not be considered to be Employees solely by reason of their holding such office.
- ☐ Any person who, ☐ on or after the Effective Date, ☐ as of , holds the position of:
- ☐ City Manager, City or Town Administrator, President, Chief Executive Officer, General Manager, or District Manager, as applicable.
- ☐ Assistant City Manager                      ☐ Chief of Police                      ☐ Fire Chief
- ☐ Department Head or Department Manager
- ☐ Finance Director or Chief Financial Officer
- ☐ General Counsel or Municipal Attorney                      ☐ Municipal Judge
- ☐ (specify position)

The word "Employee" shall not include:

- ☒ Any person who is currently accruing benefits under any other state or local retirement system.
- ☒ Any person in the following position and who is covered under another retirement program or system approved by the City:
- ☒ City Manager, City or Town Administrator, President, Chief Executive Officer, General Manager, or District Manager, as applicable.
- ☐ Assistant City Manager                      ☐ Chief of Police                      ☐ Fire Chief
- ☐ Department Head or Department Manager
- ☐ Finance Director or Chief Financial Officer
- ☐ General Counsel or Municipal Attorney                      ☐ Municipal Judge
- ☐ (specify position)

**3. Entry Date.**

Eligible Employees shall commence participation in the Plan: (Select only one)

- ☐ **months** (any number of months up to twelve) after the later of the Employee's Employment Commencement Date or the date the definition of Employee in Section 2 hereof was met, provided that the individual has met the definition of Employee in Section 2 hereof throughout such period.
- ☒ On the Employee's Employment Commencement Date. (If the Employer has opted out of Old Age and Disability Insurance (OADI), this option must be elected).

**4. Definition of Compensation.**

Compensation shall exclude the item(s) listed below:

- ☐ No exclusions.
- ☐ Overtime pay.
- ☐ Bonuses.
- ☐ Commissions.
- ☐ Longevity Pay.
- ☒ Severance pay.
- ☐ Fringe benefits, expense reimbursements, deferred compensation and welfare benefits.
- ☒ Accrued vacation or sick leave paid upon termination of employment and moving expenses.
- ☐ Other:

**5. Plan Design.**

The Employer hereby elects the following Plan design:

- ☐ **Pick-up Option.** Each Employee shall be required to contribute to the Plan \_\_\_% of his or her Compensation. These contributions shall be picked up and assumed by the Employer and paid to the Fund in lieu of contributions by the Participant. No Participant shall have the option of receiving the contributed amounts directly as Compensation.

- ☐ **Thrift Plan Option.**

- ☐ A Participant may elect to contribute to the Plan for each Valuation Period an amount which is at least 1%, but no more than \_\_\_% of his Compensation ("Mandatory Contributions"). Mandatory Contributions shall be made by payroll deductions. A Participant shall authorize such deductions in writing on forms approved by and filed with the Committee.
- ☐ The Employer shall contribute to the Fund an amount equal to \_\_\_% of the total Mandatory Contributions contributed by Participants.

The Employer contribution shall be allocated in the proportion which the Mandatory Contributions of each such Participant for such Valuation Period bear to the total Mandatory Contributions contributed by all such Participants for such Valuation Period. Forfeitures attributable to Employer contributions under the Thrift Plan Option of this Section 5 shall be used to reduce Employer contributions under such Option.

- ☐ **Fixed Option.** The Employer shall contribute to the Fund an amount equal to \_\_\_% of the total covered Compensation of all Participants for the Valuation Period. The Employer contribution shall be allocated in the proportion which the Compensation of each such Participant for such Valuation Period bears to the Compensation paid to all such Participants for such Valuation Period.

- ☒ **Variable Option.**

- ☒ The Employer intends to make a contribution to the Plan for the benefit of the Participants for each Valuation Period. The contribution may be varied from year to year by the Employer. (Select one option below)
- ☐ **Option A:** The Employer contribution shall be allocated in the proportion that each such Participant's total points awarded bear to the total points awarded to all Participants with respect to such year. A Participant shall be awarded one point for each Year of Service.
- ☒ **Option B:** The Employer contribution shall be allocated in the proportion which the Compensation of each such Participant for such Valuation Period bears to the Compensation paid to all such Participants for such Valuation Period.
- ☐ **Option C:** A combination of Options A and B in the following ratios: \_\_\_% for Option A, and \_\_\_% for Option B.



- ☐ 401(k) Option.  
(This Option available only if elected prior to May 1, 1986)
- ☐ Participant Deferral Elections shall be allowed under the provisions of Section 4.8 of the Plan. Participants shall be allowed to defer no more than   %   of their Compensation for each election period.
- ☐ Section 4.8(d) of the Plan ("Roth Elective Deferrals") shall apply to contributions after \_\_\_\_\_ (enter a date later than January 1, 2006, but not earlier than the date the Roth option was initially adopted), and the Plan will accept a direct rollover from another Roth elective deferral account under an applicable retirement plan as described in Code Section 402A(e)(1).
- ☒ Matching Contribution Option. The Employer shall contribute to the Fund an amount equal to 50.00% of the Participant's contributions under the Employer's Section 457(b) Deferred Compensation Plan. The Employer matching contribution shall be limited to 6.00% of the Participant's Compensation. Forfeitures attributable to Employer matching contributions under this Matching Contribution Option of Section 5 shall be used to reduce Employer matching contributions under such Option.
- ☐ No Employer Contribution Option.
- 6. Other Participant Contribution Options.**
- ☒ Voluntary Nondeductible Contributions by Participants shall be allowed under the provisions of Section 4.4 of the Plan.
- ☐ A Participant may not withdraw Voluntary Nondeductible Contributions.
- ☐ Participants shall not contribute to the Plan.
- 7. Self-Directed Investments.**
- ☒ Are permitted.
- ☐ Are not permitted.
- 8. Allocation of Forfeitures Available.**
- Forfeitures of Employer contributions attributable to the Fixed Option or Variable Option under Section 5 hereof:
- ☐ Shall be added to Employer contribution under such Option.
- ☒ Shall reduce the Employer contribution under such Option.
- 9. Service for Worker's Compensation Period.**
- If a Participant is on an Authorized Leave of Absence and is receiving worker's compensation during such Authorized Leave of Absence, such Participant
- ☒ shall be credited with Service for such period for purposes of vesting only and not for purposes of allocations of Employer Contributions.
- ☐ shall not be credited with Service for such period.

**10. Vesting.**

For purposes of vesting under Section 6.4 of the Plan, the Employer hereby elects the following Option:

**[ ] Option A**

<u>Years of Service</u>	<u>Vested Percentage</u>	<u>Forfeited Percentage</u>
less than 1	0%	100%
at least 1 but less than 2	10%	90%
at least 2 but less than 3	20%	80%
at least 3 but less than 4	30%	70%
at least 4 but less than 5	40%	60%
at least 5 but less than 6	50%	50%
at least 6 but less than 7	60%	40%
at least 7 but less than 8	70%	30%
at least 8 but less than 9	80%	20%
at least 9 but less than 10	90%	10%
10 or more	100%	0%

**[ ] Option B**

<u>Years of Service</u>	<u>Vested Percentage</u>	<u>Forfeited Percentage</u>
Less than 3	0%	100%
at least 3 but less than 4	20%	80%
at least 4 but less than 5	40%	60%
at least 5 but less than 6	60%	40%
at least 6 but less than 7	80%	20%
7 or more	100%	0%

**[ ] Option C**

<u>Years of Service</u>	<u>Vested Percentage</u>	<u>Forfeited Percentage</u>
less than 5	0%	100%
at least 5 but less than 6	50%	50%
at least 6 but less than 7	60%	40%
at least 7 but less than 8	70%	30%
at least 8 but less than 9	80%	20%
10 or more	100%	0%

**[ ] Option D**

<u>Years of Service</u>	<u>Vested Percentage</u>	<u>Forfeited Percentage</u>
Immediate 100% Vesting	100%	0%

**[ X ] Option E**

The Schedule indicated below (the sum of the Vested Percentage and Forfeited Percentage at each Year of Service must equal 100%) the vesting schedule must be at least as favorable as one of the safe harbor pre-ERISA schedules. The safe harbor vesting schedules are:

- 15-year cliff vesting schedule: The plan provides that a participant is fully vested after 15 years of creditable service (service can be based on years of employment, years of participation, or other creditable years of service).
- 20-year graded vesting schedule: The plan provides that a participant is fully vested based on a graded vesting schedule of 5 to 20 years of creditable service (service can be based on years of employment, years of participation, or other creditable years of service).
- 20-year cliff vesting schedule for qualified public safety employees: The plan provides that a participant is fully vested after 20 years of creditable service (service can be based on years of employment, years of participation, or other creditable years of service). This safe harbor would be available only with respect to the vesting schedule applicable to a group in which substantially all of the participants are qualified public safety employees (within the meaning of Section 72(t)(10)(B)).

<u>Years of Service</u>	<u>Vested Percentage</u>	<u>Forfeited Percentage</u>
less than 1	0%	100%
at least 1 but less than 2	20%	80%
at least 2 but less than 3	40%	60%
at least 3 but less than 4	60%	40%
at least 4 but less than 5	80%	20%
5 or more	100%	0%

**[ ] Option F**

To comply with the Internal Revenue Service Regulations promulgated pursuant to the Code Section 3121(b)(7)(F), Participants who are part-time, seasonal or temporary Employees will have immediate vesting.

(If this Option F is elected, one of the other Options above must also be elected for Participants who are not part-time, seasonal or temporary Employees).

**11. Participant Loans.**

- ☐ Participant loans shall be offered pursuant to Section 6.14 of the Plan.
- ☒ Participant loans shall not be offered.

**12. Direct Transfer to Other Retirement Plan.**

- ☒ Direct transfer of a Participant's accounts to another defined contribution plan sponsored by the Employer is not permitted.
- ☐ The Accounts of any Participant who (i) is 100% vested in his Accounts in this Plan; (ii) has ceased to be eligible for participation in this Plan; and (iii) who becomes eligible for participation in another defined contribution retirement plan sponsored by the Employer (the "Other Retirement Plan"), shall be directly transferred to the Other Retirement Plan as soon as practicable after the Plan Administrator provides written direction to the Trustee to such effect in a form acceptable to the Trustee.

**13. Valuation Date.** Except with respect to any Special Valuation Date determined in accordance with Section 5.10, the Valuation Date for the Plan shall be:

- ☐ Monthly: Midnight on the last work day of the calendar month.
- ☐ Weekly: Midnight on the last work day of the calendar week.
- ☒ Daily: Beginning effective on the first date reasonably available to the Oklahoma Municipal Retirement Fund, on each business day of the Plan Year for which Plan assets are valued on an established market.

**14. The Employer has consulted with and been advised by its attorney concerning the meaning of the provisions of the Plan and the effect of entry into the Plan.**

IN WITNESS WHEREOF the **City of McAlester** has caused its corporate seal to be affixed hereto and this instrument to be duly executed in its name and behalf by its duly authorized officers this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

City of McAlester

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

Attest:

Title: \_\_\_\_\_

\_\_\_\_\_  
Title: \_\_\_\_\_

(SEAL)

**15. The foregoing Joinder Agreement is hereby approved by the Oklahoma Municipal Retirement Fund this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.**

OKLAHOMA MUNICIPAL RETIREMENT FUND

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

Title: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary

(SEAL)

**Required Disclosures.** This Joinder Agreement is to be used only with the Oklahoma Municipal Retirement Fund Master Defined Contribution Plan. Failure to properly complete this Joinder Agreement may result in failure of the Plan to qualify under Code Section 401(a). In accordance with IRS Rev. Proc. 2011-49, the Volume Submitter Practitioner who has obtained Internal Revenue Service approval of the Oklahoma Municipal Retirement Fund Master Defined Contribution Plan has authority under the Plan document to amend the Plan on behalf of adopting employers for certain changes in the Code, regulations, revenue rulings, other statements published by the Internal Revenue Service, including model, sample or other required good faith amendments. The Volume Submitter Practitioner will inform adopting employers of any such amendments or of the discontinuance or abandonment of the volume submitter plan document. The name, address and telephone number of the Volume Submitter Practitioner are: McAfee & Taft A Professional Corporation, 211 N. Robinson, Oklahoma City, OK 73102, telephone (405) 552-2231. Any inquiries by the adopting employer regarding the adoption of the Plan, the meaning of Plan provisions, or the effect of the Internal Revenue Service advisory letter on the volume submitter plan may be directed to the Volume Submitter Practitioner.

## Susan Hooper

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**From:** Michelle Whiting  
**Sent:** Friday, April 17, 2020 10:58 AM  
**To:** Cora Middleton  
**Subject:** FW: DC McAlester Plan Documents eff April 1, 2020 - Change vesting  
**Attachments:** DC McAlester Ordinance & Joinder (2020-04-01).pdf

Michelle Whiting  
HR Assistant  
City of McAlester  
918.423.9300 ext. 4989

---

**From:** Kari Baser <KBaser@okmrf.org>  
**Sent:** Monday, April 13, 2020 11:34 AM  
**To:** Michelle Whiting <michelle.whiting@cityofmcalester.com>  
**Subject:** RE: DC McAlester Plan Documents eff April 1, 2020 - Change vesting

Michelle, I just realized on the vesting schedule page, I didn't delete an "X" from your prior document. Attached is the corrected documents. I apologize, and it is so a Monday. 😊



**Kari M. Baser**  
**Distribution & Project Specialist**

---

**From:** Kari Baser  
**Sent:** Monday, April 13, 2020 11:03 AM  
**To:** [michelle.whiting@cityofmcalester.com](mailto:michelle.whiting@cityofmcalester.com)  
**Subject:** DC McAlester Plan Documents eff April 1, 2020 - Change vesting  
**Importance:** High

Michelle:  
Joe Ervin, the city attorney, called last week and stated that McAlester would like to change their vesting schedule from a 7 year graduated to a 5 year graduated schedule.  
Attached are the needed documents for the April 28<sup>th</sup> council meeting. Joe said you needed by April 21<sup>st</sup> to place on the agenda.

The new vesting schedule is:

	Vested	Forfeited
<u>Years of Service</u>	<u>Percentage</u>	<u>Percentage</u>
less than 1	0%	100%
at least 1 but less than 2	20%	80%
at least 2 but less than 3	40%	60%
at least 3 but less than 4	60%	40%
at least 4 but less than 5	80%	20%
5 or more	100%	0%

The pdf is the Ordinance and Joinder (Exhibit A).

The Joinder is an attachment to the Ordinance, which lists all of McAlester's particular plan parameters.

Please print 2 copies of the "Ordinance & Joinder" pdf document to take to your board for approval.

Both the Ordinance and Joinder have places to date and sign.

I have also included the Ordinance in Word format for your use in publishing, etc.

After your board approves the plan change, please return to our offices:

- One Original Ordinance
- Two Original Joinders (Exhibit A)

Please keep the other Original Ordinance for your files.

After our board approves the plan change and signs the Joinder, we will return one fully executed copy to you.

Please let me know if you have any questions.

"It does not matter how slowly you go as long as you do not stop." — Confucius



**Kari M. Baser**

**Project Specialist & Distribution Manager**

**Oklahoma Municipal Retirement Fund | 1001 NW 63<sup>rd</sup> Street, Suite 260 | Oklahoma City, OK 73116 | (405) 606-7880 x104 | (888) 394-6673 x104 | Cell (405) 833-4673 | Fax (405) 606-7879**

This information provided herein (including any attachments) is not intended to constitute legal, investment or tax advice. The information is offered solely in explanation of general concepts and principles which may be of assistance in your stated concerns. Legal, investment or tax information is not intended as advice. Although we have endeavored to provide accurate information, it is recommended that you consult your legal counsel, investment advisor or tax accountant if you want professional assurance that this information and your interpretation thereof are appropriate to your particular situation.

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# McAlester City Council

## AGENDA REPORT

Meeting Date:	<u>April 28, 2020</u>	Item Number:	<u>2</u>
Department:	<u>City Manager</u>		
Prepared By:	<u>Peter Stasiak</u>	Account Code:	<u></u>
Date Prepared:	<u>April 21, 2020</u>	Budgeted Amount:	<u></u>
		Exhibits:	<u>2</u>

### Subject

Consider and act upon, a Resolution to adopt the Capital Improvement Program 2020/2021-2024/2025.

### Recommendation

Motion to approve the Resolution adopting the Capital Improvement Program for 2020/2021-2024/2025.

### Discussion

As stated by the City Charter Section 5.12 (b) City Council Action on Capital Program, which states "The City Council by resolution shall adopt the capital program with or without amendment after the public hearing(s) on or before the last day of April of the current fiscal year. If the City Council fails to adopt the capital program by such date, the current capital program will continue in effect."

- 1) Resolution.
- 2) Summary Sheet

### Approved By

Department Head  
City Manager

P. Stasiak

Initial

*PJS*

Date

*4-23-2020*

RESOLUTION NO. \_\_\_\_\_

## **Capital Improvement Plan 2020/2021 – 2024/2025**

---

**WHEREAS**, a five-year Capital Improvement Plan has been prepared that takes into consideration the implementation of policies and programs previously established by the City Council, the urgent need and necessity for certain projects, the appropriate sequence of construction of projects in relationship to other projects, and the capital expenditures necessary to carry on a balanced program; and

**WHEREAS**, the five-year Capital Improvement Plan allows the City to construct improvements in accordance with predetermined priorities that help stabilize tax rates while revealing the source and extent of funds needed in future years; and

**WHEREAS**, the City Council intends to annually adopt a five-year Capital Improvement Plan after reviewing, amending and extending the plan an additional year; and

**WHEREAS**, the scheduling of capital improvement projects allows the public to become aware of long-range municipal needs and provides a mechanism for coordination of project both with one another and with the City's long-range comprehensive plan.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of McAlester, Oklahoma, hereby approves the Capital Improvement Plan 2020/2021-2024/2025.

**PASSED and APPROVED** at the regular meeting of the City Council of the City of McAlester, Oklahoma, and duly signed by the Mayor this 28th day of April, 2020.

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

By \_\_\_\_\_  
**John Browne, Mayor**

**ATTEST:**

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



# CITY OF MCALESTER

## FIVE YEAR CAPITAL OUTLAY PROGRAM SUMMARY

Division	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	TOTALS
Public Utilities	6,421,375	5,796,500	6,426,050	6,226,750	4,308,225	29,178,900
Public Works	2,235,000	2,702,000	4,250,000	2,605,555	1,705,000	13,497,555
Community Services	213,500	109,936	-	-	-	323,436
Police	393,750	309,000	318,270	327,816	337,650	1,686,486
Fire	842,000	136,500	806,000	40,000	40,000	1,864,500
Community & Economic Dev.	80,000	277,610	750,000	1,250,000	1,750,000	4,107,610
Administration/Finance	219,000	52,000	37,000	20,000	20,000	348,000
<b>TOTALS</b>	<b>\$ 10,404,625</b>	<b>\$ 9,383,546</b>	<b>\$ 12,587,320</b>	<b>\$ 10,470,121</b>	<b>\$ 8,160,875</b>	<b>\$ 51,006,487</b>

Project Type	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	TOTALS
Water	5,296,375	4,796,500	5,926,050	5,326,750	3,658,225	25,003,900
Vehicles/Equipment	1,609,500	1,715,046	1,674,270	437,816	452,650	5,889,282
Streets/Other	2,019,000	1,137,000	1,875,000	2,400,000	1,650,000	9,081,000
Wastewater	1,025,000	1,000,000	500,000	900,000	650,000	4,075,000
Miscellaneous	329,750	502,000	2,612,000	1,405,555	1,750,000	6,599,305
Parks/Related Projects	57,000	63,000	-	-	-	120,000
Buildings	68,000	170,000	-	-	-	238,000
<b>TOTALS</b>	<b>\$ 10,404,625</b>	<b>\$ 9,383,546</b>	<b>\$ 12,587,320</b>	<b>\$ 10,470,121</b>	<b>\$ 8,160,875</b>	<b>\$ 51,006,487</b>

### Funds Available from Other Programs and Sources

Stormwater	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	6,250,000
Landfill	85,000	85,000	85,000	85,000	85,000	425,000
County Tax	40,000	40,000	40,000	40,000	40,000	200,000
IT fund	96,000	96,000	96,000	96,000	96,000	480,000
Infrastructure Fund	2,000,086	2,002,586	2,005,086	2,008,554	2,011,969	10,028,281
<b>SUBTOTALS</b>	<b>\$3,471,086</b>	<b>\$3,473,586</b>	<b>\$3,476,086</b>	<b>\$3,479,554</b>	<b>\$3,482,969</b>	<b>\$17,383,281</b>
<b>DELTA</b>	<b>\$6,933,539</b>	<b>\$5,909,960</b>	<b>\$9,111,234</b>	<b>\$6,990,567</b>	<b>\$4,677,906</b>	<b>\$33,623,206</b>



# McAlester City Council

## AGENDA REPORT

**Meeting Date:** April 28, 2020 **Item Number:** 3  
**Department:** Community Services  
**Prepared By:** Mel Priddy **Account Code:** \_\_\_\_\_  
**Date Prepared:** April 17, 2020 **Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** Muliple

### Subject

Consider and act upon, authorizing the purchase of a new cardboard baler from Sebright Products Inc. of Hopkins, MI.

### Recommendation

Motion to approve and authorize the purchase of one new cardboard baler from Sebright Products, Inc. for the low bid of \$11,070.00.

### Discussion

The cardboard baler currently in use at the Recycle Center is 25 years old and needs to be replaced. The city's grant writer was able to secure a grant from the Oklahoma Department of Environmental Quality to purchase a new cardboard baler. The baler will be installed by the city's Facility Maintenance Department.

### Approved By

**Department Head**  
**City Manager**

P. Stasiak

*Initial*  
MWP

*PJS*

*Date*

*4-23-2020*

# BID TABULATION SHEET

## New Cardboard Baler

### Bid Opening

Thursday, April 16, 2020 at 2:00 P.M.

<u>Bidder</u>	<u>Amount</u>
1. <u>Sebright Products, Inc.</u> <u>P.O. Box 296; 127 N. Water Street</u> <u>Hopkins, MI 49328</u>	<u>\$11,070.00/</u>
2. <u>Technology Int'l, Inc.</u> <u>1349 S. International Pkwy, Ste. 2411</u> <u>Lake Mary, FL 32746</u>	<u>\$14,185.00/</u>
3. <u>Waste Equipment Rental &amp; Sales</u> <u>P.O. Box 05449</u> <u>Bryan, TX 77805</u>	<u>\$13,192.00/</u>
4. _____ _____ _____	_____ _____ _____
5. _____ _____ _____	_____ _____ _____
6. _____ _____ _____	_____ _____ _____



CITY OF MCALESTER  
28 EAST WASHINGTON  
MCALESTER, OK 74501

REQUEST FOR PROPOSAL  
FOR  
CARDBOARD BALER

## Table of Contents

INSTRUCTION TO BIDDERS .....	3
CONFLICTS BETWEEN DOCUMENTS.....	3
BID SUBMISSION .....	3
EQUAL OPPORTUNITY IN EMPLOYMENT .....	4
BID, AWARD AND CONTRACT .....	4
INSURANCE .....	5
HOLD HARMLESS.....	5
TECHNICAL SPECIFICATIONS .....	5
REFERENCES .....	6
COMMUNICATIONS .....	6
SUBCONTRACTOR.....	6
TERMINATION .....	6
PAYMENT OF CONTRACT .....	6
BID FORM .....	7
BUSINESS RELATIONSHIP AFFIDAVIT.....	9
NON-COLLUSION AFFIDAVIT .....	10
NOTICE OF AWARD .....	11

## INSTRUCTION TO BIDDERS

The City of McAlester, hereinafter referred to as the “City”, is seeking bids for the purchase of a new Cardboard Baler.

Sealed bids will be received until 2:00 PM, Thursday, April 16, 2020, through the mail at the address provided below or placed in the drop box located outside the Water Office at McAlester City Hall, 28 E Washington Ave., McAlester, Oklahoma 74501. All bids received at said time will be opened at 2:00 PM in the first floor Council Chambers room of City Hall. All bids shall remain on file at least forty-eight (48) hours thereafter before a contract will be made and entered into thereon. Bids received more than ninety-six (96) hours prior to the Bid Opening will be returned.

To request a full bid package please visit our website, [www.cityofmcalester.com](http://www.cityofmcalester.com), or contact the Central Purchasing Office using the information below.

Norma Dellinger  
Central Purchasing Agent  
(918) 423-9300 Ext. 4932  
[norma.dellinger@cityofmcalester.com](mailto:norma.dellinger@cityofmcalester.com)

All questions regarding this solicitation must be submitted through email by 5:00 pm Tuesday, April 10, 2020 to the City Clerk as follows:

City Hall  
Attn: Cora Middleton  
PO Box 578  
McAlester, OK 74502  
[cora.middleton@cityofmcalester.com](mailto:cora.middleton@cityofmcalester.com)

Questions submitted after this deadline may not be answered. Written responses to questions will be sent to potential bidders who have requested a bid package. Interested persons may be added to the list of potential bidders by emailing a request to the Central Purchasing Agent.

## CONFLICT BETWEEN DOCUMENTS

In the event of a conflict between the Plans and Specifications, the Specifications shall govern.

## BID SUBMISSION

Bids must be sealed. Each sealed envelope containing a bid must be plainly marked on the bottom left hand corner of the bid envelope “Bid for Cardboard Baler RFP# 2020-002”. The envelope must also bear on the outside the bidder’s name and address. If forwarded by mail, the sealed envelope containing the bid must be enclosed in another envelope addressed to the City of McAlester at the address above.

Bids shall consist of returning the following completed forms, all of which are found in this solicitation package:

**Bid Form  
Business Relationship Affidavit  
Non-Collusion Affidavit**

As soon as the bid prices have been compared and a bid is selected the successful bidder will receive a Notice of Award.

Each bidder shall accompany his bid with a sworn statement in writing that the Bidder has not directly or indirectly entered into an agreement, express or implied, with any other bidder concerning the price or amount of such bid or any bids, the limiting of the bids or bidders, the paying to anyone any money for promotion expenses, the parceling or farming out to any bidder or bidders or other persons of any part of the contract or any part of the subject matter of the bid or of the profits thereof.

**EQUAL OPPORTUNITY IN EMPLOYMENT**

All qualified applicants will receive considerations for employment without regard to race, color, religion, sex, national origin, age or physical handicap. Bidders on this work will be required to comply with the President's Executive Order No. 11246, as amended.

**BID, AWARD AND CONTRACT**

All bids must be made on the required bid form. All blank spaces for bid prices must be filled in, in ink or typewritten, and the bid form must be fully completed and executed when submitted. Only one (1) copy of the bid form is required.

Conditional bids shall not be accepted. Tie bids are non-restrictive: In order for a tied bid proposal to be accepted, it must be lower than the sum of low separate bids.

The City of McAlester may waive any informalities or minor defects or reject any and all bids. Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Bids received more than ninety-six (96) hours before time specified and bids received after the time set for opening bids will not be considered and will be returned unopened. No bidder may withdraw a bid within sixty (60) days after the actual date of the opening thereof. Should there be reasons why the contract cannot be awarded within the specified period, the time may be extended by mutual agreement between the City of McAlester and the bidder.

Bidders must satisfy themselves of the accuracy of the estimated quantities in the bid scheduled by examination of the site and a review of the drawings and specification, including Addenda. After bids have been submitted, the Bidder shall not assert that there was a misunderstanding concerning the quantities of work or the nature of the work to be done.

## INSURANCE

The Contractor shall purchase and maintain Workers' Compensation Insurance as subject to Oklahoma State Statute, General Liability Insurance with a \$200,000 per occurrence limit and a \$1,000,000.00 annual aggregate to protect the City of McAlester from claims which may arise out of or result from the Contractor's execution of the work, whether such execution be by himself or by any Subcontractor or by anyone directly or indirectly employed by any of them.

The Contractor shall furnish to the City of McAlester Certificates of Insurance prior to execution of the Agreement. These certificates shall contain a provision that coverages afforded under the policies will not be cancelled unless at least thirty (30) days prior written notice has been given to the City of McAlester. Only companies that have been approved by the Oklahoma Insurance Commission will be accepted.

## HOLD HARMLESS

The Contractor shall hold harmless the City of McAlester from all suits, actions or claims brought on account of any injuries or damages sustained by any person or property in consequence of any neglect or misconduct by the Contractor including any and all employees of the Contractor or City, and citizens coming in or out conducting their business.

## TECHNICAL SPECIFICATIONS

The Supplier shall furnish Cardboard Baler and complete instructions. The Baler must meet the below specifications or be equivalent to below specifications.

1. Bale size W x D x H (inches): 60 x 30 x 48
2. Bale weight OCC (lbs.): 800-1,200
3. Bale weight plastic (lbs.): 850-1,300
4. Feed opening W x H (inches): 60 x 24
5. Power Supply: 208/230/480V 3-Phase
6. Press force (lbs.): 66,200
7. Load height (inches): 50
8. Chamber height (inches): 71
9. Motor (HP): 5.5
10. Cycle time avg. (sec): 43
11. Dimensions W x D x H (inches): 83 x 50 x 132/93
12. Machine weight (lbs.): 4,000
13. Noise level (Db): 62-64
14. Stroke (inches): 41
15. GMS modem (excluding SIM card and data plan)
16. Number of ties: 6
17. Type of tying: Twine/Steel wire
18. Full bale indicator light
19. Bale Ejection: Automatic



20. Simple and safe operation via side control panel
21. Barbs inside chamber keep compacted materials down
22. Starter kit for binding
23. Easy to replace strap rolls
24. Knife for cutting the baling strap
25. Safe and efficient ejection system that allows easy output of bale onto pallet or skid
26. User friendly manual in English and Spanish
27. Delivery
28. Training

#### REFERENCES

All bidders must furnish references of a minimum of three (3) customers.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

#### COMMUNICATIONS

All notices, demands, requests, instructions, approvals, and claims must be submitted in writing.

#### SUBCONTRACTOR

The Contractor shall not award any part of the work to any subcontractor.

#### TERMINATION

The contract may be terminated by either party thirty (30) days subsequent to delivery of notification by certified mail.

#### PAYMENT OF CONTRACT

The Supplier shall submit an invoice for the product before 9 AM the first or third Monday of the month. This invoice shall be paid on the second or fourth Wednesday of the month, following the council meeting after the date of the invoice.

BID FORM

TO: City of McAlester  
PO Box 578  
McAlester, OK 74502

Date: \_\_\_\_\_

In compliance with your Invitation to Bid, we, the undersigned, hereby propose to furnish all labor, materials, equipment and incidentals necessary to perform and complete the work for:

**RFP# 2020-002-CARDBOARD BALER**

The Bidder hereby agrees that if the bid is awarded, he will process order for the City of McAlester within ten (10) calendar days from the date from date of Notice of Award.

Bidder acknowledges receipt of the following Addenda (if any):

Addendum No. \_\_\_\_\_ Date Issued: \_\_\_\_\_  
Addendum No. \_\_\_\_\_ Date Issued: \_\_\_\_\_

The Bidder agrees to provide the product listed in the specifications or the equivalent of herein described in the Bid Form for the fees entered into the Bid Schedule below.

By submitting this Bid, the Bidder acknowledges that he has had sufficient opportunity to review the Specifications and to familiarize himself with all of the requirements, limitations, conditions.

The Bidder agrees this Bid shall be good and may not be withdrawn for a period of thirty (30) calendar days following the date of the bid opening.

QTY	Description	Unit Price (words)	Unit Price (numbers)
	Cardboard Baler (see Technical Specifications for required features)		
	Delivery		
	Training		
	<b>TOTAL AMOUNT:</b>		

Additional Bid Information (as required by Bid Documents):

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**BUSINESS RELATIONSHIP AFFIDAVIT**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the bidder to submit the attached bid, affiant further states that the nature of any partnership, joint venture or other business relationship presently in effect or existed within 1 (one) year prior to the date of this statement with the architect, engineer, or other party to the project is as follows:

\_\_\_\_\_  
\_\_\_\_\_

Affiant further states that any such business relationship presently in effect or which existed within 1 (one) year prior to the date of this statement between any officer or director of the bidding company and any officer or director of the architectural or engineering firm or other party to the project is as follows:

\_\_\_\_\_  
\_\_\_\_\_

Affiant further states that the names of all persons having any such business relationships and the positions they hold with their respective companies or firms are as follows:

\_\_\_\_\_  
\_\_\_\_\_

none of the business relationships hereinabove mentioned exist, affiant should so state.)

(If

\_\_\_\_\_  
Affiant's Signature

\_\_\_\_\_  
Printed Name and Title

Subscribed to and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

(SEAL)

My Commission Expires: \_\_\_\_\_

My Commission Number: \_\_\_\_\_

NON-COLLUSION AFFIDAVIT

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the bidder to submit the attached bid. Affiant further states that the bidder has not been a party to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any state or city official or employee as to quantity, quality, or price in the prospective contract; or in any discussions between bidders and any state or city official concerning exchange of money or any other thing of value for special consideration in the letting of a contract.

\_\_\_\_\_  
Affiant's Signature

\_\_\_\_\_  
Printed Name and Title

Subscribed to and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

(SEAL)

My Commission Expires: \_\_\_\_\_

My Commission Number: \_\_\_\_\_

NOTICE OF AWARD

TO:

Project Description:

The OWNER has considered the BID submitted by you for the above described WORK in response to its ADVERTISEMENT for Bids dated \_\_\_\_\_ and information for Bidders.

You are hereby notified that your BID has been accepted for items/construction in the amount of:  
\$ \_\_\_\_\_.

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S PERFORMANCE BOND, STATUTORY BOND, MAINTENANCE BOND AND certificate of insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said Bonds within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy pf the NOTICE OF AWARD to the OWNER.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
City of McAlester  
OWNER

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

Title: \_\_\_\_\_ Mayor \_\_\_\_\_

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by \_\_\_\_\_  
\_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2020.

By: \_\_\_\_\_ Title: \_\_\_\_\_

## **CARDBOARD BALER BID PACKETS SENT**

### **EMAILED:**

**BRAMIDAN USA**

**BRAMIDAN BALERS US, INC**

**312-261-6006**

**USA@bramidan.com**

**Technology International, Inc.**

**brody@tti-usa.com**

**407-359-2373**

**WASTE EQUIPMENT RENTALS AND SALES**

**TODD SKROCKI**

**832-702-4390**

**todd@wasteequipmentrents.com**

**HARMONY ENTERPRISES**

**704 MAIN AVE. NORTH**

**HARMONY, MN 55939**

**800-658-2320**

**info@harmony1.com**

**SJF**

**ethovson@sjf.com**

**Sea Bright Products**

**Jean@sebrightproducts.com**

**Technology International, Inc.**

**bidteam@tii-usa.com**

**407-359-2373**

AFFP  
Bids \$29.00

# McAlester News-Capital

## Affidavit of Publication

STATE OF OKLAHOMA }  
COUNTY OF PITTSBURG } SS

(Published in the McAlester News-Capital March 26th & April 2nd, 2020.)

### BID NOTICE

I, Cindi Perez, of lawful age, being duly sworn upon oath, deposes and says that I am the authorized representative of McAlester News-Capital, a daily publication that is a "legal newspaper" as that phrase is defined in 25 O.S. § 106, as amended to date, for the city of McAlester, for the county of Pittsburg, in the State of Oklahoma. The attachment hereto contains a true and correct copy of what was published in the regular edition of said newspaper, and not in a supplement, in consecutive issues on the following dates:


March 26, 2020, April 02, 2020

The City of McAlester  
will be accepting sealed bids for a new  
Cardboard Baler.

Bids will be accepted until 2 PM, Wednesday April 16, 2020. At that time bids will be read aloud by the City Clerk or by her designated representative in the 1st Floor Council Chamber. Anyone interested in submitting a bid for this may obtain an RFP Package from the Purchasing Office by calling 918-423-9300, ext. 4932, or from our website [www.cityofmcalester.com](http://www.cityofmcalester.com).


That said newspaper was regularly issued and circulated on those dates.

SIGNED:

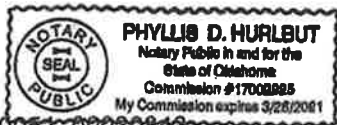


Sales Representative

Subscribed to and sworn to me this 2nd day of April 2020.

  
Phyllis D. Hurlbut, Notary, Pittsburg County, Oklahoma

My commission expires: March 26, 2021



03100051-00030843

MCALESTER, CITY OF (LI)  
PO Box 578  
MCALESTER, OK 74502

## INSURANCE

The Contractor shall purchase and maintain Workers' Compensation Insurance as subject to Oklahoma State Statute, General Liability Insurance with a \$200,000 per occurrence limit and a \$1,000,000.00 annual aggregate to protect the City of McAlester from claims which may arise out of or result from the Contractor's execution of the work, whether such execution be by himself or by any Subcontractor or by anyone directly or indirectly employed by any of them.

The Contractor shall furnish to the City of McAlester Certificates of Insurance prior to execution of the Agreement. These certificates shall contain a provision that coverages afforded under the policies will not be cancelled unless at least thirty (30) days prior written notice has been given to the City of McAlester. Only companies that have been approved by the Oklahoma Insurance Commission will be accepted.

## HOLD HARMLESS

The Contractor shall hold harmless the City of McAlester from all suits, actions or claims brought on account of any injuries or damages sustained by any person or property in consequence of any neglect or misconduct by the Contractor including any and all employees of the Contractor or City, and citizens coming in or out conducting their business.

## TECHNICAL SPECIFICATIONS

The Supplier shall furnish Cardboard Baler and complete instructions. The Baler must meet the below specifications or be equivalent to below specifications.

1. Bale size W x D x H (inches): 60 x 30 x 48
2. Bale weight OCC (lbs.): 800-1,200
3. Bale weight plastic (lbs.): 850-1,300
4. Feed opening W x H (inches): 60 x 24
5. Power Supply: 208/230/480V 3-Phase
6. Press force (lbs.): 66,200
7. Load height (inches): 50
8. Chamber height (inches): 71
9. Motor (HP): 5.5
10. Cycle time avg. (sec): 43
11. Dimensions W x D x H (inches): 83 x 50 x 132/93
12. Machine weight (lbs.): 4,000
13. Noise level (Db): 62-64
14. Stroke (inches): 41
15. GMS modem (excluding SIM card and data plan)
16. Number of ties: 6
17. Type of tying: Twine/Steel wire
18. Full bale indicator light
19. Bale Ejection: Automatic



20. Simple and safe operation via side control panel
21. Barbs inside chamber keep compacted materials down
22. Starter kit for binding
23. Easy to replace strap rolls
24. Knife for cutting the baling strap
25. Safe and efficient ejection system that allows easy output of bale onto pallet or skid
26. User friendly manual in English and Spanish
27. Delivery
28. Training

#### REFERENCES

All bidders must furnish references of a minimum of three (3) customers.

1. LAMP RECYCLERS: WES DAMRD (920) 413-0698
2. GREAT LAKE CHEESE: MARIL MAJERUS (920) 892-5220
3. GREENER VISION: JUSTIN RINGLER (920) 470-2563

#### COMMUNICATIONS

All notices, demands, requests, instructions, approvals, and claims must be submitted in writing.

#### SUBCONTRACTOR

The Contractor shall not award any part of the work to any subcontractor.

#### TERMINATION

The contract may be terminated by either party thirty (30) days subsequent to delivery of notification by certified mail.

#### PAYMENT OF CONTRACT

The Supplier shall submit an invoice for the product before 9 AM the first or third Monday of the month. This invoice shall be paid on the second or fourth Wednesday of the month, following the council meeting after the date of the invoice.

**BID FORM**

TO: City of McAlester  
PO Box 578  
McAlester, OK 74502

Date: 4/13/20

In compliance with your Invitation to Bid, we, the undersigned, hereby propose to furnish all labor, materials, equipment and incidentals necessary to perform and complete the work for:

**RFP# 2020-002-CARDBOARD BALER**

The Bidder hereby agrees that if the bid is awarded, he will process order for the City of McAlester within ten (10) calendar days from the date from date of Notice of Award.

Bidder acknowledges receipt of the following Addenda (if any):

Addendum No. \_\_\_\_\_ Date Issued: \_\_\_\_\_  
Addendum No. \_\_\_\_\_ Date Issued: \_\_\_\_\_

The Bidder agrees to provide the product listed in the specifications or the equivalent of herein described in the Bid Form for the fees entered into the Bid Schedule below.

By submitting this Bid, the Bidder acknowledges that he has had sufficient opportunity to review the Specifications and to familiarize himself with all of the requirements, limitations, conditions.

The Bidder agrees this Bid shall be good and may not be withdrawn for a period of thirty (30) calendar days following the date of the bid opening.

QTY	Description	Unit Price (words)	Unit Price (numbers)
1	Cardboard Baler (see Technical Specifications for required features)	NINE THOUSAND NINE HUNDRED NINETY-FIVE DOLLARS	9,995.00
1	Delivery	NINE HUNDRED FIFTY DOLLARS	950.00
1	Training	ONE HUNDRED TWENTY FIVE DOLLARS	125.00
	<b>TOTAL AMOUNT:</b>	<b>ELEVEN THOUSAND SEVENTY DOLLARS</b>	<b>11,070.00</b>

**Additional Bid Information (as required by Bid Documents):**

Mark N. Davis  
Regional Sales Manager

127 North Water Street  
Hopkins, MI 49328



Direct: 269-286-3037  
Phone: 269-793-7183  
Toll Free: 800-253-0532

www.sebrightproducts.com  
mdavis@sebrightproducts.com

BUSINESS RELATIONSHIP AFFIDAVIT

STATE OF Michigan )  
COUNTY OF Allegan ) ss.

David Sebright, of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the bidder to submit the attached bid, affiant further states that the nature of any partnership, joint venture or other business relationship presently in effect or existed within 1 (one) year prior to the date of this statement with the architect, engineer, or other party to the project is as follows:

None


Affiant further states that any such business relationship presently in effect or which existed within 1 (one) year prior to the date of this statement between any officer or director of the bidding company and any officer or director of the architectural or engineering firm or other party to the project is as follows:

None

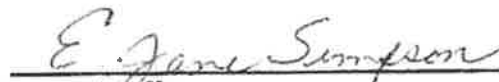
Affiant further states that the names of all persons having any such business relationships and the positions they hold with their respective companies or firms are as follows:

None

(If none of the business relationships hereinabove mentioned exist, affiant should so state.)

  
Affiant's Signature  
David Sebright, General Manager  
Printed Name and Title

Subscribed to and sworn to before me this 14th day of April, 2020.

  
Notary Public

(SEAL)

E. JANE SIMPSON  
NOTARY PUBLIC  
ALLEGAN CO., MI  
MY COMM. EXP. 7-06-2023  
My Commission Expires: \_\_\_\_\_  
My Commission Number: \_\_\_\_\_

NON-COLLUSION AFFIDAVIT

STATE OF Michigan )  
COUNTY OF Allegan ) ss.

David Sebright, of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the bidder to submit the attached bid. Affiant further states that the bidder has not been a party to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any state or city official or employee as to quantity, quality, or price in the prospective contract; or in any discussions between bidders and any state or city official concerning exchange of money or any other thing of value for special consideration in the letting of a contract.

David Sebright  
Affiant's Signature  
David Sebright, General Manager  
Printed Name and Title

Subscribed to and sworn to before me this 14th day of April, 2020.

E. Jane Simpson  
Notary Public

(SEAL)

My Commission Expires: \_\_\_\_\_ E. JANE SIMPSON  
NOTARY PUBLIC  
ALLEGAN CO., MI  
My Commission Number: \_\_\_\_\_ MY COMM. EXP. 7-06-2023

# Product details

## Baler B6030



Whisper

30 dB



Refrigerator

50 dB



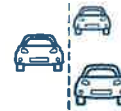
**B6030 baler**

62-64 dB



Other balers

75 dB



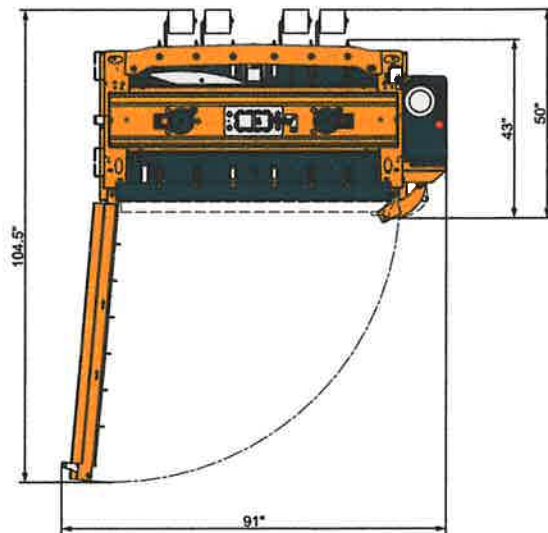
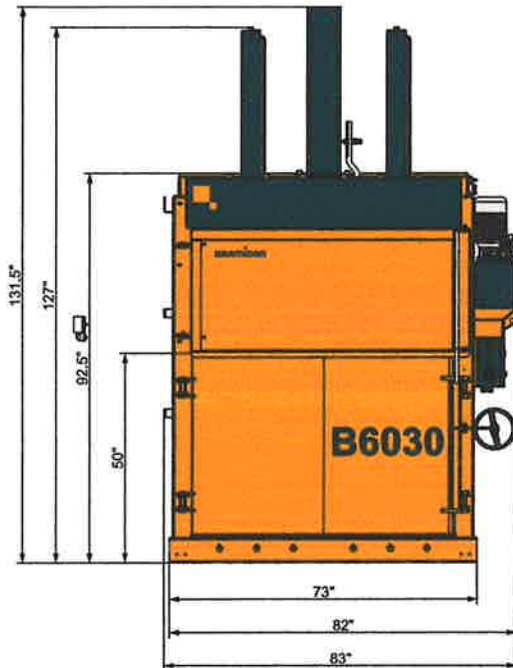
Cars on highway

100 dB



Turbojet engine

160 dB



### Technical specifications

Bale size WxDxH (inch)	60 x 30 x 48
Feed opening WxH (inch)	60 x 24
Power supply	208/230/480V 3-phase
Motor (HP)	5.5
Cycle time avg. (sec)	43
Dimensions WxDxH (inch)	83 x 50 x 132 / 93
Machine weight (lbs)	4,000
Stroke (inch)	41
Number of ties	6
Type of tying	Twine / Steel wire
Full bale light	Yes
Bale eject	Automatic



<b>Bale weight</b>	
Cardboard (lbs)	800-1,200
Plastic foil (lbs)	850-1,300



<b>Press force</b>	66,200 lbs
--------------------	------------



<b>Noise level</b>	62-64 dB
--------------------	----------



<b>Waste types</b>	
Cardboard, plastic foil, paper	



## Vertical balers

### B-series

## Baler B6030

#### Heavy bale weight

Compact cardboard, paper and soft plastic into 1,000 pound mill-size bales with the large 60 inch chamber.

#### High compaction ratio

An even amount of pressure applied to the material results in a compact and dense cardboard or plastic bale.

#### Highlights

- Extra wide chamber (>60 inches)
- Compacts large bulky materials
- Tie off finished bales with metal wire or polyblend strap-ping
- Lowest noise level in the market (<62 dB)
- Full bale light notification
- Automatic ejection of finished baler

## Optional Extras



With our monitoring system BRA-IN you can control and optimize your baler fleet.



Personalize your baler with a custom RAL colour of your choice.



A sliding door stays open by default and gives you hands-free waste filling.



CITY OF MCALESTER  
28 EAST WASHINGTON  
MCALESTER, OK 74501

**REQUEST FOR PROPOSAL**  
**FOR**  
**CARDBOARD BALER**

## Table of Contents

INSTRUCTION TO BIDDERS .....	3
CONFLICTS BETWEEN DOCUMENTS .....	3
BID SUBMISSION .....	3
EQUAL OPPORTUNITY IN EMPLOYMENT .....	4
BID, AWARD AND CONTRACT .....	4
INSURANCE .....	5
HOLD HARMLESS .....	5
TECHNICAL SPECIFICATIONS.....	5
REFERENCES.....	6
COMMUNICATIONS .....	6
SUBCONTRACTOR.....	6
TERMINATION.....	6
PAYMENT OF CONTRACT.....	6
BID FORM .....	7
BUSINESS RELATIONSHIP AFFIDAVIT .....	9
NON-COLLUSION AFFIDAVIT .....	10
NOTICE OF AWARD .....	11



## INSTRUCTION TO BIDDERS

The City of McAlester, hereinafter referred to as the “City”, is seeking bids for the purchase of a new Cardboard Baler.

Sealed bids will be received until 2:00 PM, Thursday, April 16, 2020, through the mail at the address provided below or placed in the drop box located outside the Water Office at McAlester City Hall, 28 E Washington Ave., McAlester, Oklahoma 74501. All bids received at said time will be opened at 2:00 PM in the first floor Council Chambers room of City Hall. All bids shall remain on file at least forty-eight (48) hours thereafter before a contract will be made and entered into thereon. Bids received more than ninety-six (96) hours prior to the Bid Opening will be returned.

To request a full bid package please visit our website, [www.cityofmcalester.com](http://www.cityofmcalester.com), or contact the Central Purchasing Office using the information below.

Norma Dellinger  
Central Purchasing Agent  
(918) 423-9300 Ext. 4932  
[norma.dellinger@cityofmcalester.com](mailto:norma.dellinger@cityofmcalester.com)

All questions regarding this solicitation must be submitted through email by 5:00 pm Tuesday, April 10, 2020 to the City Clerk as follows:

City Hall  
Attn: Cora Middleton  
PO Box 578  
McAlester, OK 74502  
[cora.middleton@cityofmcalester.com](mailto:cora.middleton@cityofmcalester.com)

Questions submitted after this deadline may not be answered. Written responses to questions will be sent to potential bidders who have requested a bid package. Interested persons may be added to the list of potential bidders by emailing a request to the Central Purchasing Agent.

## CONFLICT BETWEEN DOCUMENTS

In the event of a conflict between the Plans and Specifications, the Specifications shall govern.

## BID SUBMISSION

Bids must be sealed. Each sealed envelope containing a bid must be plainly marked on the bottom left hand corner of the bid envelope “Bid for Cardboard Baler RFP# 2020-002”. The envelope must also bear on the outside the bidder’s name and address. If forwarded by mail, the sealed envelope containing the bid must be enclosed in another envelope addressed to the City of McAlester at the address above.

Bids shall consist of returning the following completed forms, all of which are found in this solicitation package:

**Bid Form  
Business Relationship Affidavit  
Non-Collusion Affidavit**

As soon as the bid prices have been compared and a bid is selected the successful bidder will receive a Notice of Award.

Each bidder shall accompany his bid with a sworn statement in writing that the Bidder has not directly or indirectly entered into an agreement, express or implied, with any other bidder concerning the price or amount of such bid or any bids, the limiting of the bids or bidders, the paying to anyone any money for promotion expenses, the parceling or farming out to any bidder or bidders or other persons of any part of the contract or any part of the subject matter of the bid or of the profits thereof.

**EQUAL OPPORTUNITY IN EMPLOYMENT**

All qualified applicants will receive considerations for employment without regard to race, color, religion, sex, national origin, age or physical handicap. Bidders on this work will be required to comply with the President's Executive Order No. 11246, as amended.

**BID, AWARD AND CONTRACT**

All bids must be made on the required bid form. All blank spaces for bid prices must be filled in, in ink or typewritten, and the bid form must be fully completed and executed when submitted. Only one (1) copy of the bid form is required.

Conditional bids shall not be accepted. Tie bids are non-restrictive: In order for a tied bid proposal to be accepted, it must be lower than the sum of low separate bids.

The City of McAlester may waive any informalities or minor defects or reject any and all bids. Any bid may be withdrawn prior to the above scheduled time for the opening of bids or authorized postponement thereof. Bids received more than ninety-six (96) hours before time specified and bids received after the time set for opening bids will not be considered and will be returned unopened. No bidder may withdraw a bid within sixty (60) days after the actual date of the opening thereof. Should there be reasons why the contract cannot be awarded within the specified period, the time may be extended by mutual agreement between the City of McAlester and the bidder.

Bidders must satisfy themselves of the accuracy of the estimated quantities in the bid scheduled by examination of the site and a review of the drawings and specification, including Addenda. After bids have been submitted, the Bidder shall not assert that there was a misunderstanding concerning the quantities of work or the nature of the work to be done.

## INSURANCE

The Contractor shall purchase and maintain Workers' Compensation Insurance as subject to Oklahoma State Statute, General Liability Insurance with a \$200,000 per occurrence limit and a \$1,000,000.00 annual aggregate to protect the City of McAlester from claims which may arise out of or result from the Contractor's execution of the work, whether such execution be by himself or by any Subcontractor or by anyone directly or indirectly employed by any of them.

The Contractor shall furnish to the City of McAlester Certificates of Insurance prior to execution of the Agreement. These certificates shall contain a provision that coverages afforded under the policies will not be cancelled unless at least thirty (30) days prior written notice has been given to the City of McAlester. Only companies that have been approved by the Oklahoma Insurance Commission will be accepted.

## HOLD HARMLESS

The Contractor shall hold harmless the City of McAlester from all suits, actions or claims brought on account of any injuries or damages sustained by any person or property in consequence of any neglect or misconduct by the Contractor including any and all employees of the Contractor or City, and citizens coming in or out conducting their business.

## TECHNICAL SPECIFICATIONS

The Supplier shall furnish Cardboard Baler and complete instructions. The Baler must meet the below specifications or be equivalent to below specifications.

1. Bale size W x D x H (inches): 60 x 30 x 48
2. Bale weight OCC (lbs.): 800-1,200
3. Bale weight plastic (lbs.): 850-1,300
4. Feed opening W x H (inches): 60 x 24
5. Power Supply: 208/230/480V 3-Phase
6. Press force (lbs.): 66,200
7. Load height (inches): 50
8. Chamber height (inches): 71
9. Motor (HP): 5.5
10. Cycle time avg. (sec): 43
11. Dimensions W x D x H (inches): 83 x 50 x 132/93
12. Machine weight (lbs.): 4,000
13. Noise level (Db): 62-64
14. Stroke (inches): 41
15. GMS modem (excluding SIM card and data plan)
16. Number of ties: 6
17. Type of tying: Twine/Steel wire
18. Full bale indicator light
19. Bale Ejection: Automatic

20. Simple and safe operation via side control panel
21. Barbs inside chamber keep compacted materials down
22. Starter kit for binding
23. Easy to replace strap rolls
24. Knife for cutting the baling strap
25. Safe and efficient ejection system that allows easy output of bale onto pallet or skid
26. User friendly manual in English and Spanish
27. Delivery
28. Training

#### REFERENCES

All bidders must furnish references of a minimum of three (3) customers.

1. U.S. Navy China Lake, CA - Terry Mitchell - 760-939-1998 - [terryl.mitchell@navy.mil](mailto:terryl.mitchell@navy.mil)
2. Massachusetts Water Resource Authority (MWRA) - Boston, MA - Allan Cassasa - [Allan.Casassa@mwra.com](mailto:Allan.Casassa@mwra.com)
3. State of Alabama - Craig Jackson or Steven Wakefield - 256-389-1455 or 256-389-1460

#### COMMUNICATIONS

All notices, demands, requests, instructions, approvals, and claims must be submitted in writing.

#### SUBCONTRACTOR

The Contractor shall not award any part of the work to any subcontractor.

#### TERMINATION

The contract may be terminated by either party thirty (30) days subsequent to delivery of notification by certified mail.

#### PAYMENT OF CONTRACT

The Supplier shall submit an invoice for the product before 9 AM the first or third Monday of the month. This invoice shall be paid on the second or fourth Wednesday of the month, following the council meeting after the date of the invoice.

BID FORM

TO: City of McAlester  
PO Box 578  
McAlester, OK 74502

Date: 04/14/2020

In compliance with your Invitation to Bid, we, the undersigned, hereby propose to furnish all labor, materials, equipment and incidentals necessary to perform and complete the work for:

**RFP# 2020-002-CARDBOARD BALER**

The Bidder hereby agrees that if the bid is awarded, he will process order for the City of McAlester within ten (10) calendar days from the date from date of Notice of Award.

Bidder acknowledges receipt of the following Addenda (if any): None

Addendum No. \_\_\_\_\_ Date Issued: \_\_\_\_\_  
Addendum No. \_\_\_\_\_ Date Issued: \_\_\_\_\_

The Bidder agrees to provide the product listed in the specifications or the equivalent of herein described in the Bid Form for the fees entered into the Bid Schedule below.

By submitting this Bid, the Bidder acknowledges that he has had sufficient opportunity to review the Specifications and to familiarize himself with all of the requirements, limitations, conditions.

The Bidder agrees this Bid shall be good and may not be withdrawn for a period of thirty (30) calendar days following the date of the bid opening.

QTY	Description	Unit Price (words)	Unit Price (numbers)
	Cardboard Baler (see Technical Specifications for required features)	Fourteen Thousand One Hundred Eighty Five Dollars	\$14,185.00
	Delivery	Included in Line Item #1	
	Training	Included in Line Item #1	
	<b>TOTAL AMOUNT:</b>	Fourteen Thousand One Hundred Eighty Five Dollars	\$14,185.00

Additional Bid Information (as required by Bid Documents):

\*\*\*Please see our Equipment Proposal TII/OK/0420/13815 attached.

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BUSINESS RELATIONSHIP AFFIDAVIT

STATE OF Florida )  
 ) ss.  
COUNTY OF Seminole )

Rifat Habib, of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the bidder to submit the attached bid, affiant further states that the nature of any partnership, joint venture or other business relationship presently in effect or existed within 1 (one) year prior to the date of this statement with the architect, engineer, or other party to the project is as follows:

None

Affiant further states that any such business relationship presently in effect or which existed within 1 (one) year prior to the date of this statement between any officer or director of the bidding company and any officer or director of the architectural or engineering firm or other party to the project is as follows:

None

Affiant further states that the names of all persons having any such business relationships and the positions they hold with their respective companies or firms are as follows:

None

(If none of the business relationships hereinabove mentioned exist, affiant should so state.)

[Signature]  
Affiant's Signature

Rifat Habib Business Development Executive  
Printed Name and Title

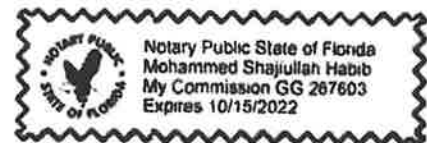
Subscribed to and sworn to before me this 15 day of April, 2020.

[Signature]  
Notary Public

(SEAL.)

My Commission Expires: 10/15/22

My Commission Number: 66267603



NON-COLLUSION AFFIDAVIT

STATE OF Florida )  
 ) ss.  
COUNTY OF Seminole )

\_\_\_\_\_, of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the bidder to submit the attached bid. Affiant further states that the bidder has not been a party to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any state or city official or employee as to quantity, quality, or price in the prospective contract; or in any discussions between bidders and any state or city official concerning exchange of money or any other thing of value for special consideration in the letting of a contract.



\_\_\_\_\_  
Affiant's Signature  
Rifat Habib Business Development Executive  
Printed Name and Title

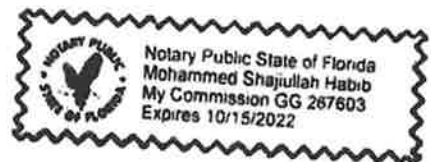
Subscribed to and sworn to before me this 15 day of April, 2020.



\_\_\_\_\_  
Notary Public

(SEAL)

My Commission Expires: 10/15/22  
My Commission Number: 66 267603





**Technology International, Inc.**  
1349 South International Pkwy, Suite 2411  
Lake Mary, FL 32746  
Tel: (407) 359-2373  
Fax: (407) 359-2372  
E-mail: [tii@tii-usa.com](mailto:tii@tii-usa.com)  
Website: [www.tii-usa.com](http://www.tii-usa.com)

## Equipment Proposal

**Description:** Bid for Cardboard Baler

**RFP #:** 2020-002

**Attention:** Norma Dellinger  
Water Office at McAlester City Hall,  
28 E Washington Ave.,  
McAlester, OK 74501  
Phone: 918-423-9300

**TII Ref:** TII/OK/0420/13815

**Date:** 04/14/2020

In response to your quote request for Bid for Cardboard Baler, Technology International, Inc. is pleased to submit the following for consideration:

ITEM NO.	QTY	DESCRIPTION/ MODEL NO.	UNIT PRICE	EXTD. PRICE
1	1	Hermony Enterprises Part # M60STD Baler	\$14,185.00	\$14,185.00
2	1	Delivery	Included	Included
3	1	Training	Included	Included
<b><u>Total.....\$14,185.00</u></b>				

**Warranty:** Manufacturer's standard warranty applies. 1-2-3 (1 Year labor and parts, 2 years major parts, 3 years structural)

**Delivery:**

- Estimated delivery is **12 Weeks** after receipt of order and approved submittal.
- Please note, due to COVID-19 there may be unanticipated disruptions and delays in the supply chains globally, for parts, components, equipment and internal manufacturing services such as



engineering, production allocation, and logistics. This may result in manufacturing & delivery delays out of our control. We will do our best to communicate all such impacts and reduce the effects of any such delays.

- All delivery dates quoted are subject to manufacturer's confirmation at time of order.
- Submittal data will be provided for approval after receipt of order (if applicable)
- Customer to provide equipment and personnel to unload
- TII will provide MSO at time of payment confirmation. Customer is responsible for all titling and registration of trailer (If Applicable)

**Freight:** Included to McAlester, OK 74502

**Payment Terms:** NET 30

**Prompt Payment discount:** 1/4 % 10 days

**Quote Validity:** 60 days.

**\*\*\* Notes:**

- Quoted price is not available on a line item basis. This is an offer for a lump sum contract.

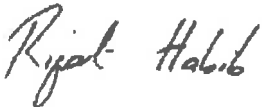
**Technology International, Inc. Corporate data:**

We are a small business and our Tax Payer Identification Number (TIN): 650342335. The price quoted does not include any sales, excise or similar taxes.

We trust that this proposal will meet your requirements and we look forward to hearing from you.

If you have any questions or need more information, please contact us by phone at 407-359-2373, fax at 407-359-2372 or email us at [tii@tii-usa.com](mailto:tii@tii-usa.com)

Respectfully submitted,



Rifat Habib  
Business Development Executive  
Technology International Inc.

20. Simple and safe operation via side control panel
21. Barbs inside chamber keep compacted materials down
22. Starter kit for binding
23. Easy to replace strap rolls
24. Knife for cutting the baling strap
25. Safe and efficient ejection system that allows easy output of bale onto pallet or skid
26. User friendly manual in English and Spanish
27. Delivery
28. Training

#### REFERENCES

All bidders must furnish references of a minimum of three (3) customers.

1. Marathon Equipment- Josh Guyton 205 695-9105
2. Ace Equipment- Carla Blumenberg 715 627-2400
3. Halpern's Seafood- Toby Starks 678 858-1404

#### COMMUNICATIONS

All notices, demands, requests, instructions, approvals, and claims must be submitted in writing.

#### SUBCONTRACTOR

The Contractor shall not award any part of the work to any subcontractor.

#### TERMINATION

The contract may be terminated by either party thirty (30) days subsequent to delivery of notification by certified mail.

#### PAYMENT OF CONTRACT

The Supplier shall submit an invoice for the product before 9 AM the first or third Monday of the month. This invoice shall be paid on the second or fourth Wednesday of the month, following the council meeting after the date of the invoice.



BID FORM

TO: City of McAlester  
PO Box 578  
McAlester, OK 74502

Date: April 16, 2020

In compliance with your Invitation to Bid, we, the undersigned, hereby propose to furnish all labor, materials, equipment and incidentals necessary to perform and complete the work for:

**RFP# 2020-002-CARDBOARD BALER**

The Bidder hereby agrees that if the bid is awarded, he will process order for the City of McAlester within ten (10) calendar days from the date from date of Notice of Award.

Bidder acknowledges receipt of the following Addenda (if any):

Addendum No. N/A \_\_\_\_\_ Date Issued: \_\_\_\_\_  
Addendum No. \_\_\_\_\_ Date Issued: \_\_\_\_\_

The Bidder agrees to provide the product listed in the specifications or the equivalent of herein described in the Bid Form for the fees entered into the Bid Schedule below.

By submitting this Bid, the Bidder acknowledges that he has had sufficient opportunity to review the Specifications and to familiarize himself with all of the requirements, limitations, conditions.

The Bidder agrees this Bid shall be good and may not be withdrawn for a period of thirty (30) calendar days following the date of the bid opening.

QTY	Description	Unit Price (words)	Unit Price (numbers)
1	Cardboard Baler (see Technical Specifications for required features)	Thirteen Thousand One Hundred Ninety Two Dollars	13,192.00
1	Delivery (Included)	Included	N/A
1	Training (Included)	Included	N/A
	<b>TOTAL AMOUNT:</b>		<b>13,192.00</b>

Additional Bid Information (as required by Bid Documents):

This is our sworn statement in writing that Waste Equipment has not directly or indirectly entered into an agreement, express or implied, with any other bidder concerning the price or amount of such bid or any bids, the limiting of the bids or bidders, the paying to anyone any money for promotion expenses, the parceling or farming out to any bidder or bidders or other persons of any part of the contract or any part of the subject matter of the bid or of the profits thereof.

## BUSINESS RELATIONSHIP AFFIDAVIT

STATE OF Texas )  
 ) ss.  
COUNTY OF Brazos )

Haley Isbell, of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the bidder to submit the attached bid, affiant further states that the nature of any partnership, joint venture or other business relationship presently in effect or existed within 1 (one) year prior to the date of this statement with the architect, engineer, or other party to the project is as follows:

N/A. No business relationship exists or existed with individuals listed above.

Affiant further states that any such business relationship presently in effect or which existed within 1 (one) year prior to the date of this statement between any officer or director of the bidding company and any officer or director of the architectural or engineering firm or other party to the project is as follows:

N/A. No business relationship exists or existed with individuals listed above.

Affiant further states that the names of all persons having any such business relationships and the positions they hold with their respective companies or firms are as follows:

N/A. No Business Relationships exist or existed. \_\_\_\_\_

(If none of the business relationships hereinabove mentioned exist, affiant should so state.)

Haley Isbell  
Affiant's Signature  
Haley Isbell  
Printed Name and Title

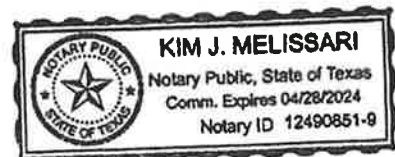
Subscribed to and sworn to before me this 9<sup>th</sup> day of APRIL, 2020.

K. J. Melissari  
Notary Public

(SEAL)

My Commission Expires: 04-28-2024

My Commission Number: \_\_\_\_\_



NON-COLLUSION AFFIDAVIT

STATE OF Texas )  
 ) ss.  
COUNTY OF Brazos )

Haley Isbell, of lawful age, being first duly sworn, on oath says that he/she is the agent authorized by the bidder to submit the attached bid. Affiant further states that the bidder has not been a party to any collusion among bidders in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding; or with any state or city official or employee as to quantity, quality, or price in the prospective contract; or in any discussions between bidders and any state or city official concerning exchange of money or any other thing of value for special consideration in the letting of a contract.

Haley Isbell  
Affiant's Signature  
Haley Isbell  
Printed Name and Title

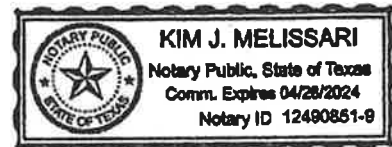
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K. J. Melissari  
Notary Public

(SEAL)

My Commission Expires: 04-28-2024

My Commission Number: \_\_\_\_\_





# McAlester City Council

## AGENDA REPORT

<b>Meeting Date:</b>	<u>April 28, 2020</u>	<b>Item Number:</b>	<u>4</u>
<b>Department:</b>	<u>City Council</u>	<b>Account Code:</b>	<u></u>
<b>Prepared By:</b>	<u>Councilman Cully Stevens, 2<sup>nd</sup> Ward</u>	<b>Budgeted Amount:</b>	<u>2 (2 versions of the same ordinance)</u>
<b>Date Prepared:</b>	<u>April 21, 2020</u>	<b>Exhibits:</b>	<u></u>

### Subject

Consider and act upon, a temporary reduction or suspension of the Stormwater Service Charge Fee to last until June 30, 2020, at 11:59pm.

### Recommendation

Motion to approve a temporary reduction or suspension of the Stormwater Service Charge Fee until June 30, 2020, 11:59 pm.

### Discussion

Two proposed versions of this ordinance amendment have been included for City Council to discuss and consider and act upon. The first version temporarily reduces the Stormwater Service Charge Fee to \$2.00, and the second version temporarily suspends the Stormwater Service Charge Fee. This act is to be in effect until June 30, 2020, 11:59 pm, unless Council acts to extend.

### Approved By

	<i>Initial</i>	<i>Date</i>
<b>Department Head</b>		
<b>City Manager</b>	P. Stasiak <u><i>PJS</i></u>	<u>4-23-2020</u>

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

**AN ORDINANCE OF THE CITY OF MCALESTER TEMPORARILY REDUCING CERTAIN FEES AUTHORIZED IN CHAPTER 106, UTILITIES, ARTICLE V, STORMWATER UTILITY PROGRAM, DIVISION 1, GENERALLY, THE MCALESTER CITY CODE; AMENDING CHAPTER 48, FEES FOR CHAPTER 106, UTILITIES, ARTICLE V, STORMWATER UTILITY PROGRAM, DIVISION 1, GENERALLY; TEMPORARILY REPEALING ALL CONFLICTING ORDINANCES, AND PROVIDING FOR SEVERABILITY; AND DECALRING AN EMERGENCY.**

\*\*\*\*\*

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

SECTION 1. That Chapter 106, Utilities, Article V, Stormwater Utility Program, Division 1, Generally, of the McAlester City Code, shall temporarily read as follows:

**Sec. 106-427. - Purpose.**

(a) It is the purpose of this article to address the mandates of the federal government and establish a stormwater utility to promote public health, safety and welfare by providing for studying, designing, operating, constructing, equipping, maintaining, acquiring and owning within the city a stormwater drainage system. The establishment of a stormwater utility program will:

- (1) Reduce flood and storm losses and inconveniences from uncontrolled stormwater runoff in the city.
- (2) Ensure that the movement of emergency vehicles is not prohibited nor inhibited during storm or flood periods.
- (3) Preserve the city's watercourses, improve and preserve water quality, minimize water quality degradation, and otherwise facilitate urban water resource management techniques, including both the reduction of pollution and the enhancement of the urban environment, including, but not limited to, the NPDES permit requirements and such other requirements of the city, state, and federal governments.

(b) There is hereby established a service charge for the city's stormwater drainage system at rates hereinafter established; provided, however, that the service charge shall not be imposed on the following types of property:

- (1) City streets, rights-of-way, parks and open space;
- (2) State highways or county rights-of-way;
- (3) Undeveloped parcels of land; or
- (4) Railroad rights-of-way

(c) The monthly service charge rate is hereby established at a rate as provided in chapter 48 for each equivalent service unit assigned to a lot, tract, or parcel of real estate.

Equivalent service unit is defined as 2,650 square feet of real estate. Each residential

property is hereby assigned one equivalent service unit and shall be charged a rate as provided in chapter 48.

(d) The service charge rate established in subsection (c) of this section is hereby reduced to \$2.00 until June 30, 2020, at 11:59 p.m., and at that time the reduction will expire and the \$4.25 service charge rate will resume. This section will increase automatically by \$0.75 increments on July 1 of 2017, and each subsequent fiscal year until reaching a service charge rate as provided in chapter 48 for each equivalent service unit in 2020-2021, the service charge rate shall then remain fixed as provided in chapter 48 per equivalent service unit until further action by the city council. The service charge rate in effect for each fiscal year shall be as provided in chapter 48.

(e) A separate fund shall be maintained for the purpose of identifying and controlling all revenues to stormwater drainage services. The costs of administering, data collection, planning, maintaining, operating, and improving drainage services and facilities shall be made from these revenues.

SECTION 2. That Chapter 48, Fees, Charges and Service Rates, of the McAlester City Code is hereby temporarily amended concerning Chapter 106, Utilities, Article V, Stormwater Utility Program, Division 1, Generally, Section 106-427, to read as follows:

<u>Code Section</u>	<u>Description</u>	<u>Amount</u>
<i>Article V. Stormwater Utility Program</i>		
<i>Division 1. Generally</i>		
106-427	Fee per equivalent service unit, per month	<del>\$4.00</del> <u>\$2.00</u>
	Minimum, per month	<del>\$4.00-</del> <u>\$2.00</u>
Service Charge Rate		
For each equivalent service unit in 2020-2021		
	Increase	\$5.00
	Fixed rate until action by council	\$5.00
For each fiscal year		
	2015/2016/2017	\$2.00
	2017-2018	\$2.75
	2018-2019	\$3.50
	2019-2020	<del>\$4.25-</del> <u>\$2.00</u>
	2020-2021	\$5.00



SECTION 3. That all other ordinances or parts of ordinances in conflict herewith are hereby temporarily repealed or suspended until the expiration of this ordinance to the extent of any such conflict or inconsistency and all other ordinances not in conflict herewith shall remain in full force and effect.

SECTION 4. The provisions of this Ordinance are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

SECTION 5. That this ordinance shall expire at 11:59 p.m. on June 30, 2020, and from that time on shall cease to be of any legal effect, and that upon said expiration SECTION 1. Chapter 106, Utilities, Article V, Stormwater Utility Program, Division 1, and SECTION 2. Chapter 48, Fees, Charges and Service Rates, of the McAlester City Code, Chapter 106, Utilities, Article V, Stormwater Utility Program, Division 1, Generally, Section 106-427, shall automatically revert to the language of said code provisions that existed immediately prior to enactment of this ordinance.

SECTION 6. Emergency Clause. That an emergency is hereby declared to exist, and for the preservation of the public peace, health and safety, by reason whereof it is necessary that all acts take effect immediately and be in full force and effect from, and after the passage and approval.

**PASSED AND APPROVED and the EMERGENCY CLAUSE ruled on separately this 28th day of April 2020.**

CITY OF McALESTER, OKLAHOMA  
A Municipal Corporation

ATTEST:

By: \_\_\_\_\_  
John Browne, Mayor

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

Approved as to form and legality this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

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

**AN ORDINANCE OF THE CITY OF MCALESTER TEMPORARILY SUSPENDING CERTAIN FEES AUTHORIZED IN CHAPTER 106, UTILITIES, ARTICLE V, STORMWATER UTILITY PROGRAM, DIVISION 1, GENERALLY, THE MCALESTER CITY CODE; AMENDING CHAPTER 48, FEES FOR CHAPTER 106, UTILITIES, ARTICLE V, STORMWATER UTILITY PROGRAM, DIVISION 1, GENERALLY; TEMPORARILY REPEALING ALL CONFLICTING ORDINANCES, AND PROVIDING FOR SEVERABILITY; AND DECALRING AN EMERGENCY.**

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- (1) Reduce flood and storm losses and inconveniences from uncontrolled stormwater runoff in the city.
- (2) Ensure that the movement of emergency vehicles is not prohibited nor inhibited during storm or flood periods.
- (3) Preserve the city's watercourses, improve and preserve water quality, minimize water quality degradation, and otherwise facilitate urban water resource management techniques, including both the reduction of pollution and the enhancement of the urban environment, including, but not limited to, the NPDES permit requirements and such other requirements of the city, state, and federal governments.

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Equivalent service unit is defined as 2,650 square feet of real estate. Each residential

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(d) The service charge rate established in subsection (c) of this section is hereby suspended until June 30, 2020, at 11:59 p.m., and at that time the suspension will expire and the service charge rate will resume. This section will increase automatically by \$0.75 increments on July 1 of 2017, and each subsequent fiscal year until reaching a service charge rate as provided in chapter 48 for each equivalent service unit in 2020-2021, the service charge rate shall then remain fixed as provided in chapter 48 per equivalent service unit until further action by the city council. The service charge rate in effect for each fiscal year shall be as provided in chapter 48.

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<i>Article V. Stormwater Utility Program</i>		
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	Minimum, per month	<del>\$4.00</del> <u>\$0.00</u>
<b>Service Charge Rate</b>		
<b>For each equivalent service unit in 2020-2021</b>		
	Increase	\$5.00
	Fixed rate until action by council	\$5.00
<b>For each fiscal year</b>		
	2015/2016/2017	\$2.00
	2017-2018	\$2.75
	2018-2019	\$3.50
	2019-2020	<del>\$4.25</del>
	2020-2021	\$5.00

SECTION 3. That all other ordinances or parts of ordinances in conflict herewith are hereby temporarily repealed or suspended until the expiration of this ordinance to the extent of any such conflict or inconsistency and all other ordinances not in conflict herewith shall remain in full force and effect.

SECTION 4. The provisions of this Ordinance are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

SECTION 5. That this ordinance shall expire at 11:59 p.m. on June 30, 2020, and from that time on shall cease to be of any legal effect, and that upon said expiration SECTION 1. Chapter 106, Utilities, Article V, Stormwater Utility Program, Division 1, and SECTION 2. Chapter 48, Fees, Charges and Service Rates, of the McAlester City Code, Chapter 106, Utilities, Article V, Stormwater Utility Program, Division 1, Generally, Section 106-427, shall automatically revert to the language of said code provisions that existed immediately prior to enactment of this ordinance.

SECTION 6. Emergency Clause. That an emergency is hereby declared to exist, and for the preservation of the public peace, health and safety, by reason whereof it is necessary that all acts take effect immediately and be in full force and effect from, and after the passage and approval.

**PASSED AND APPROVED and the EMERGENCY CLAUSE ruled on separately  
this 28th day of April 2020.**

CITY OF McALESTER, OKLAHOMA  
A Municipal Corporation

ATTEST:

By: \_\_\_\_\_  
John Browne, Mayor

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

Approved as to form and legality this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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



# McAlester City Council

## AGENDA REPORT

Meeting Date: April 28, 2020 Item Number: 5  
Department: \_\_\_\_\_  
Prepared By: Peter Stasiak, City Manager Account Code: \_\_\_\_\_  
Date Prepared: April 21, 2019 Budgeted Amount: \_\_\_\_\_  
Exhibits: 1

### Subject

Presentation and discussion of Fiscal Year 2020/2021 Budget.

### Recommendation

Presentation.

### Discussion

### Approved By

Department Head  
City Manager

P. Stasiak

Initial

*PS*

Date

*4-23-2020*



# McAlester City Council

## AGENDA REPORT

**Meeting Date:** April 28, 2020 **Item Number:** 6  
**Department:** City Council  
**Prepared By:** John Browne, Mayor **Account Code:** \_\_\_\_\_  
**Date Prepared:** April 23, 2020 **Budgeted Amount:** \_\_\_\_\_  
**Exhibits:** \_\_\_\_\_

### Subject

Discussion and possible action on the local modification of Governor Stitt's guidelines for re-opening the economy.

### Recommendation

Discussion and possible action.

### Discussion

### Approved By

**Department Head**

**City Manager**

P. Stasiak

*Initial*

*Date*

*PJS*

*4-23-2020*

Council Chambers  
Municipal Building  
April 14, 2020

The McAlester Airport Authority met in Regular session on Tuesday, April 14, 2020, at 6:00 P.M. after proper notice and agenda was posted April 9, 2020.

Present in Person: Weldon Smith, Maureen Harrison & John Browne  
Present via Telephone: Cully Stevens, Steve Cox, James Brown & Zach Prichard  
Absent: None  
Presiding John Browne, Chairman

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

- Approval of the Minutes from the March 25, 2020, Emergency Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item E, regarding claims ending April 7, 2020. *(Sherri Swift, Chief Financial Officer)* In the following amount: \$1,927.88
- Confirm action taken on City Council Agenda Item H, authorization for the Mayor to sign the Memorandum of Agreement (MOA) No. 697DCM-20-L-00083 between the City of McAlester and the US Federal Aviation Administration. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending Ordinance No. 2656 which established the budget for fiscal year 2019-2020; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Sherri Swift, Chief Financial Officer)*

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

AYE: Trustees Smith, Harrison, Brown, Prichard, Stevens, Cox & Chairman Browne  
NAY: None

Chairman Browne 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 Ms. Harrison.

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

AYE: Trustees Smith, Harrison, Brown, Prichard, Stevens, Cox & Chairman Browne  
NAY: None

Chairman Browne declared the motion carried.

ATTEST:

\_\_\_\_\_  
John Browne, Chairman

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



Council Chambers  
Municipal Building  
April 14, 2020

The McAlester Public Works Authority met in Regular session on Tuesday, April 14, 2020, at 6:00 P.M. after proper notice and agenda was posted April 9, 2020.

Present in Person: Weldon Smith, Maureen Harrison & John Browne  
Present via Telephone: Cully Stevens, Steve Cox, James Brown & Zach Prichard  
Absent: None  
Presiding: John Browne, Chairman

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

- Approval of the Minutes from the March 25, 2020, Emergency Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item E, regarding claims ending April 7, 2020. *(Sherri Swift, Chief Financial Officer)* In the following amount: \$144,075.69
- Confirm action taken on City Council Agenda Item F, receipt of the Permit No. SL000061200101 from the Oklahoma Department of Environmental Quality (ODEQ) for the construction of replacement of existing lift station with one (1) lift station with two (2) 200 GPM pumps and all appurtenances to serve the UPS Lift Station Improvements, Southside – Airport Area, Pittsburg County, Oklahoma. *(Dalton Carlton, Public Works Director)*
- Confirm action taken on City Council Agenda Item 2, an Ordinance amending Ordinance No. 2656 which established the budget for fiscal year 2019-2020; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Sherri Swift, Chief Financial Officer)*

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

AYE: Trustees Brown, Smith, Stevens, Cox, Harrison, Prichard & Chairman Browne.  
NAY: None

Chairman Browne declared the motion carried.

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

AYE: Trustees Brown, Smith, Stevens, Cox, Harrison, Prichard & Chairman Browne.  
NAY: None

Chairman Browne declared the motion carried.

ATTEST:

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John Browne, Chairman

---

Cora Middleton, Secretary

Council Chambers  
Municipal Building  
March 25, 2020

The McAlester Retirement Trust Authority met in Regular session on Wednesday, March 25, 2020, at 6:00 P.M. after proper notice and agenda was posted March 24, 2020.

Present in Person: Weldon Smith, Steve Cox, James Brown & Maureen Harrison  
Present via Telephone: Cully Stevens, Zach Prichard & John Browne  
Absent: None  
Presiding: John Browne, Chairman

A motion was made by Ms. Harrison and seconded by Mr. Cox to approve the following:

- Approval of the Minutes from the February 25, 2020, Regular Meeting of the McAlester Retirement Trust Authority. (*Cora Middleton, City Clerk*)
- Approval of Retirement Benefit Payments for the Period of March, 2020. (*Sherri Swift, Chief Financial Officer*) in the amount of \$104,243.27.

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

AYE: Trustees Brown, Smith, Harrison, Prichard, Stevens, Cox & Chairman Browne  
NAY: None

Chairman Browne 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. Brown.

The vote was taken as follows:

AYE: Trustees Brown, Smith, Harrison, Prichard, Stevens, Cox & Chairman Browne  
NAY: None

Chairman Browne declared the motion carried.

---

John Browne, Chairman

ATTEST:

---

Cora Middleton, Secretary

4/01/2020 4:09 PM  
BASE GROUP: M  
DEPT NO: ALL  
EMPLOYEE: ALL

BASE PAYROLL REPORT  
SORTED BY BASE #

PAGE: 1

GP	EMP NO#	NAME	CODE	RT	DESCRIPTION	G/L	ACCOUNT	ACCOUNT NAME	RATE	HOURS	AMOUNT
M	11-1135	AUTREY, ANNA	0	1	SALARY	11	5220102	RETIREEES			755.58
M	11-1136	PHIFER, EVERETT	0	1	SALARY	11	5220102	RETIREEES			962.80
M	11-1138	HOWARD, LEONARD A	0	1	SALARY	11	5220102	RETIREEES			1,614.27
M	11-1139	AUSTIN, MABLE J	0	1	SALARY	11	5220102	RETIREEES			55.38
M	11-1140	DOMINIC, ROBERT	0	1	SALARY	11	5220102	RETIREEES			1,170.09
M	11-1141	MARCANGELI, GEORGE	0	1	SALARY	11	5220102	RETIREEES			2,783.86
M	11-1142	ROE, GARY	0	1	SALARY	11	5220102	RETIREEES			1,375.58
M	11-1143	WINCHESTER, GARY	0	1	SALARY	11	5220102	RETIREEES			440.42
M	11-1145	PARKER, EDDIE D	0	1	SALARY	11	5220102	RETIREEES			1,870.26
M	11-1146	PETERS, GEORGIA H	0	1	SALARY	11	5220102	RETIREEES			1,371.72
M	11-1147	VANDYKE, WAYNE A	0	1	SALARY	11	5220102	RETIREEES			518.88
M	11-1148	MORRIS, RICHARD L	0	1	SALARY	11	5220102	RETIREEES			563.97
M	11-1149	ROWELL, DONNIE R	0	1	SALARY	11	5220102	RETIREEES			1,024.73
M	11-1150	FARIES, WILLIAM D	0	1	SALARY	11	5220102	RETIREEES			736.02
M	11-1151	THOMASON, JAMES	0	1	SALARY	11	5220102	RETIREEES			1,412.72
M	11-1152	MAULDIN, BEN	0	1	SALARY	11	5220102	RETIREEES			826.56
M	11-1153	MCCLAUGHREY, JAMES	0	1	SALARY	11	5220102	RETIREEES			1,952.97
M	11-1154	BIERMAN, HENRY	0	1	SALARY	11	5220102	RETIREEES			1,847.56
M	11-1155	DUVALL, JONNIE	0	1	SALARY	11	5220102	RETIREEES			1,510.85
M	11-1156	TADLOCK, ROZELLA C	0	1	SALARY	11	5220102	RETIREEES			346.51
M	11-1157	SMITH, ALVIE L	0	1	SALARY	11	5220102	RETIREEES			1,089.86
M	11-1158	DOBSON, THOMAS A	0	1	SALARY	11	5220102	RETIREEES			394.10
M	11-1159	WILLIAMS, DENNIS	0	1	SALARY	11	5220102	RETIREEES			810.33
M	11-1160	WATKINS, JEANNIE	0	1	SALARY	11	5220102	RETIREEES			963.26

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BASE GROUP: M  
DEPT NO: ALL  
EMPLOYEE: ALL

BASE PAYROLL REPORT  
SORTED BY BASE #

PAGE: 2

GP	EMP NO#	NAME	CODE	RT	DESCRIPTION	G/L	ACCOUNT	ACCOUNT NAME	RATE	HOURS	AMOUNT
M	11-1164	HOSAY, ELGIE	0	1	SALARY	11	5220102	RETIREEES			450.52
M	11-1165	SCHOGGINS, BENNY	0	1	SALARY	11	5220102	RETIREEES			1,123.20
M	11-1166	KERNS, GLEN	0	1	SALARY	11	5220102	RETIREEES			1,772.95
M	11-1167	BURNS, JANET L	0	1	SALARY	11	5220102	RETIREEES			1,617.03
M	11-1168	LALLI, DENNIS A	0	1	SALARY	11	5220102	RETIREEES			1,768.22
M	11-1169	THOMAS, WANDA ELAINE	0	1	SALARY	11	5220102	RETIREEES			1,612.25
M	11-1170	CARNAHAN, RICHARD	0	1	SALARY	11	5220102	RETIREEES			1,068.71
M	11-1171	NANCE, PATRICK	0	1	SALARY	11	5220102	RETIREEES			1,473.97
M	11-1172	GREEN, PATRICIA	0	1	SALARY	11	5220102	RETIREEES			1,051.89
M	11-1175	PITNER, JAMES C	0	1	SALARY	11	5220102	RETIREEES			1,693.74
M	11-1176	LYLES, JIMMIE	0	1	SALARY	11	5220102	RETIREEES			1,036.62
M	11-1177	CRITTENDEN, KARLA	0	1	SALARY	11	5220102	RETIREEES			875.10
M	11-1179	COTTON, RICHARD	0	1	SALARY	11	5220102	RETIREEES			787.02
M	11-1180	MATTHEWS, JERRY	0	1	SALARY	11	5220102	RETIREEES			1,496.86
M	11-1181	MEDLEY, DAVID	0	1	SALARY	11	5220102	RETIREEES			2,426.77
M	11-1182	BRYANT, PATRICIA A	0	1	SALARY	11	5220102	RETIREEES			1,098.54
M	11-1183	NEWMAN, HUGH	0	1	SALARY	11	5220102	RETIREEES			310.48
M	11-1184	BUTLER, FRANK	0	1	SALARY	11	5220102	RETIREEES			752.47
M	11-1185	MADDOX, JERRY	0	1	SALARY	11	5220102	RETIREEES			1,241.04
M	11-1187	KEMP, DANNY	0	1	SALARY	11	5220102	RETIREEES			322.78
M	11-1189	GILBERTSON, CHARLES W	0	1	SALARY	11	5220102	RETIREEES			1,638.74
M	11-1190	THOMPSON, LESA	0	1	SALARY	11	5220102	RETIREEES			1,313.68
M	11-1191	BOATNER, LESLEY D	0	1	SALARY	11	5220102	RETIREEES			256.28
M	11-1193	BOATRIGHT, BILLY J	0	1	SALARY	11	5220102	RETIREEES			1,264.92

4/01/2020 4:09 PM  
BASE GROUP: M  
DEPT NO: ALL  
EMPLOYEE: ALL

BASE PAYROLL REPORT  
SORTED BY BASE #

PAGE: 3

GP	EMP NO#	NAME	CODE	RT	DESCRIPTION	G/L	ACCOUNT	ACCOUNT NAME	RATE	HOURS	AMOUNT
M	11-1194	MARTIN, MICHAEL W	0	1	SALARY	11	5220102	RETIREEES			771.55
M	11-1195	HILL, JOYCE L	0	1	SALARY	11	5220102	RETIREEES			939.73
M	11-1196	PIERCE, ROSIE L	0	1	SALARY	11	5220102	RETIREEES			519.95
M	11-1197	STONE, TOM	0	1	SALARY	11	5220102	RETIREEES			1,328.51
M	11-1199	WHITE, STEVEN E	0	1	SALARY	11	5220102	RETIREEES			1,486.51
M	11-1200	WHITE, JUDY G	0	1	SALARY	11	5220102	RETIREEES			446.06
M	11-1201	CLIFTON, RUSSELL D	0	1	SALARY	11	5220102	RETIREEES			2,296.61
M	11-1202	GUTHRIE JR, DEWEY C	0	1	SALARY	11	5220102	RETIREEES			1,362.96
M	11-1203	MURRAY, TIMMY A	0	1	SALARY	11	5220102	RETIREEES			2,009.78
M	11-1204	MORRIS, JERRY W	0	1	SALARY	11	5220102	RETIREEES			1,519.80
M	11-1205	PACE, ROY	0	1	SALARY	11	5220102	RETIREEES			382.14
M	11-1206	HOLLOWAY, ALLEN D	0	1	SALARY	11	5220102	RETIREEES			1,176.57
M	11-1207	NORMAN, JAMES R	0	1	SALARY	11	5220102	RETIREEES			674.74
M	11-1208	NORMAN, SHEILA R	0	1	SALARY	11	5220102	RETIREEES			341.60
M	11-1210	BARKER, TERRY W	0	1	SALARY	11	5220102	RETIREEES			526.29
M	11-1211	ELIZABETH, GRAY L	0	1	SALARY	11	5220102	RETIREEES			714.87
M	11-1212	WILSON, JERRY L	0	1	SALARY	11	5220102	RETIREEES			854.31
M	11-1213	LINTON, PRESTON J	0	1	SALARY	11	5220102	RETIREEES			1,458.48
M	11-1214	SHAFFER, JOE	0	1	SALARY	11	5220102	RETIREEES			896.64
M	11-1215	JACKSON, SHARON A	0	1	SALARY	11	5220102	RETIREEES			99.46
M	11-1216	TEAFATILLER, JAMES E	0	1	SALARY	11	5220102	RETIREEES			340.16
M	11-1217	SENNETT, DIRK	0	1	SALARY	11	5220102	RETIREEES			1,297.22
M	11-1218	JANISCH, CAROL	0	1	SALARY	11	5220102	RETIREEES			1,427.71
M	11-1219	KETCHUM, JEFFREY T	0	1	SALARY	11	5220102	RETIREEES			489.29

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BASE GROUP: M  
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BASE PAYROLL REPORT  
SORTED BY BASE #

PAGE: 4

GP	EMP NO#	NAME	CODE	RT	DESCRIPTION	G/L	ACCOUNT	ACCOUNT NAME	RATE	HOURS	AMOUNT
M	11-1220	SANDERS, ROBBIE D	0	1	SALARY	11	5220102	RETIREEES			807.57
M	11-1221	SANDERS, SHAWNA D	0	1	SALARY	11	5220102	RETIREEES			194.87
M	11-2015	SUIT, ORVELLA	0	1	SALARY	11	5220102	RETIREEES			453.45
M	11-2017	EDWARDS, HAROLD M	0	1	SALARY	11	5220102	RETIREEES			648.15
M	11-2022	MACLACHLAN, HELENA	0	1	SALARY	11	5220102	RETIREEES			779.00
M	11-2025	RUSHING, MARY	0	1-1	SALARY	11	5220102	RETIREEES			136.21
M	11-2028	LITTLE, IMA	0	1	SALARY	11	5220102	RETIREEES			1,027.06
M	11-2031	WILSON, WALTER	0	1	SALARY	11	5220102	RETIREEES			450.65
M	11-2054	AUTREY, FRANKLIN	0	1	SALARY	11	5220102	RETIREEES			382.46
M	11-2056	NAVE, GLENN DALE	0	1	SALARY	11	5220102	RETIREEES			757.70
M	11-2057	GREEN, RANDY S	0	1	SALARY	11	5220102	RETIREEES			5,744.18
M	11-2059	PHILLIPS, JIMMY	0	1	SALARY	11	5220102	RETIREEES			405.18
M	11-2060	HEAROD, CAROLYN S	0	1	SALARY	11	5220102	RETIREEES			2,195.19
M	11-2061	HAWKINS, BETTY L	0	1	SALARY	11	5220102	RETIREEES			1,463.27
M	11-2062	LANZ, BOBBIE	0	1	SALARY	11	5220102	RETIREEES			2,235.46
M	11-2063	GILES, KENNETH W	0	1	SALARY	11	5220102	RETIREEES			2,132.78
M	11-2064	LEWIS, FREDDIE	0	1	SALARY	11	5220102	RETIREEES			1,320.18
M	11-2098	GREEN, BOBBY	0	1	SALARY	11	5220102	RETIREEES			948.24
M	11-2099	FREE, OLEN L	0	1	SALARY	11	5220102	RETIREEES			1,057.26
M	11-2100	NEATHERY, FURMAN	0	1	SALARY	11	5220102	RETIREEES			277.07
M	11-2101	PETERSON, MARSHALL T	0	1	SALARY	11	5220102	RETIREEES			1,696.54
M	11-2102	EVERETT, BEVERLY J	0	1	SALARY	11	5220102	RETIREEES			1,020.12
M	11-2105	JOHNSON, DONALD R	0	1	SALARY	11	5220102	RETIREEES			527.03
								** TOTAL **			4,872.6
								** GRAND TOTAL **		104,872.62	

TOTAL RECORDS: 95  
\*\* END OF REPORT \*\*

## **EMPLOYMENT AGREEMENT**

**THIS AGREEMENT** , made and entered on this 1<sup>st</sup> day of July, 2020, by and between the City of McAlester, State of Oklahoma, a Municipal Corporation, hereinafter called "Employer", and Peter J. Stasiak, hereinafter called "Employee", both of whom understand and agree as follows:

**WHEREAS**, it is the desire of the Employer to:

1. Secure and retain the services of Employee and to provide inducement for him to remain in such employment.
2. To make possible full work productivity by assuring Employee's morale and peace of mind with respect to future security; and
3. To provide a just means for terminating Employee's services at such time as he may be unable to fully discharge his duties due to age, disability, or when the Employer may desire to otherwise terminate his employment.

**AND WHEREAS**, Employee desires to continue employment as City Manager of said City.

**NOW THEREFORE**, in consideration of the mutual covenants herein contained, the parties here to agree as follows:

### **SECTION 1: DUTIES**

- A. The Employer hereby agrees to employ said Peter J. Stasiak, as City Manager of said organization, to perform the functions and duties specified in the City Charter, City Ordinances, the approved evaluation items, approved policies and applicable Oklahoma State Statutes and to perform other legally permissible and proper duties and functions as the City Council shall from time-to-time assign. Said duties of employee shall include notification (in writing) of absence when using paid leave for a period of one day or more and designation of an acting employee, hereinafter called Acting City Manager, whenever Employee is out of the City for longer than a twenty-four (24) hour period.

### **SECTION 2: TERM**

- A. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Employer to terminate the services of Employee at any time, subject only to the provisions of the City Charter, City Ordinances, Oklahoma State Statutes and as set forth in this Agreement herein.



- B. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Employee to resign at any time, from his position with the Employer, subject only to Section (5.B) herein.
- C. This Agreement shall become effective on the 1st day of July, 2020, and shall remain in effect until June 30, 2021, unless sooner terminated. At least 90 days prior to the end of the term of this Agreement, the parties shall consider any modifications or adjustments to this Agreement, and, if none, the Agreement shall be renewed for one additional year and remain in effect under the same terms and conditions.
- D. Employee agrees to remain in the exclusive employ of Employer until terminated, and neither accept other employment nor become employed by any other employer until said termination, unless said termination is affected as hereinafter provided.

### **SECTION 3: BASE SALARY, HEALTH INSURANCE AND OTHER BENEFITS**

- A. The Employer agrees to pay Employee \$138,000.00 for his services rendered pursuant hereto, as the annual base salary for the effective period of this Agreement and for each year thereafter until and unless modified as provided herein. Said annual base salary shall be paid on a bi-weekly basis. The Employer further agrees that Employee's salary be reviewed on an annual basis, with an appropriate salary adjustment provided, as approved by the Employer, based upon the Employee's performance.
- B. Employer agrees that Employee shall be entitled to medical, dental, vision, accidental death and life insurance which are presently provided to non-uniformed employees.
- C. Employer will pay a vehicle allowance to the Employee at a rate of \$500.00 per month. A City vehicle will be used, if available, for all out of town travel. If a City vehicle is not available, the Employer will reimburse the Employee at the standard mileage rate used by the City.
- D. Employee shall accrue, and have credited to his personal account, twenty (20) days of vacation leave each succeeding year of employment. Employee will be allowed to carry-over, from year to year, vacation leave as per other non-uniformed employees. Employee shall accrue twelve (12) days Sick Leave per annum. Employee will be allowed to carry-over Sick Leave as per other non-uniformed employees.
- E. Employee shall be provided holiday leave which is consistent with holiday leave provided to all other municipal employees.
- F. Employer shall provide employee with the use of a cellular telephone and Employee agrees to make the telephone number available to appropriate municipal officials.
- G. It is recognized that the employee must devote a great deal of time outside normal office hours on business for the Employer, and to that end, Employee shall be allowed

to establish an appropriate work schedule within the guidelines of the Administrative Policy of the City.

- H. The Employer agrees to contribute an amount equal to 10% of Employee's base pay into the retirement plan of Employee's choosing. All fees incurred by Employee's participation in a retirement plan shall be split equally between the Employer and the Employee.
- I. Employer agrees to immediately establish a deferred compensation fund for the benefit of the Employee, to be paid initially at the conclusion of three (3) consecutive years of service, and subsequently at the end of each consecutive year of service thereafter. The Employer shall cause to be accrued with the Employer as a liability in favor of Employee a sum equal to 3% of Employee's annual base salary, as a deferred compensation account for the Employee. Said fund shall be placed in a tax-deferred account subject to investment at the direction of the Employee, but payable only specifically subject to the terms and conditions of this Agreement. In the event Employee completes the required lengths of service as set forth in this Agreement, the Employee shall be entitled to and receive the entire balance of the account. If the Employee voluntarily leaves the employment of the Employer prior to completing any of the respective deferred compensation required lengths of service as set forth in this Agreement, wherein Employee's resignation is not the result of a constructive termination, then said Employee shall forfeit unto the Employer any and all right, title, or interest he may have in and to said account, not yet paid to Employee. If the Employee shall be entitled to receive the balance in the deferred compensation fund that is accrued up to the date of separation of service from the Employer; a pro-rata share of the current contract year's deferred annuity based on the number of days of service completed in the current contract term, in addition to all amounts already paid to Employee; and all other severance payments to which Employee would be otherwise entitled. In the event the Employer terminates the Employee for cause with cause being defined with regard to this Section (3.I), as the conviction of a felony, then said Employee shall forfeit unto the Employer any and all right, title, or interest he may have in and to said fund.

#### **SECTION 4: DUES AND EXPENSES**

- A. The Employer agrees to budget for and to pay the professional dues, subscriptions, travel and subsistence expenses of Employee for professional participation and travel, meetings and occasions adequate to continue his professional development.
- B. The Employer recognizes the desirability of representation in and before local civic organizations, and Employee is authorized to become a member of such civic clubs for which the City shall pay Employee's dues.

#### **SECTION 5: TERMINATION**

- A. In the event Employee is terminated or his contract is not renewed without cause by the Council during such time that Employee is willing and able to perform the duties

of his employment, an amount, equal to twelve (12) months' base salary and all accrued vacation and sick leave days subject to the limit applicable to non-uniformed employees shall be paid to Employee in equal monthly installments as severance as long as Employee remains unemployed or for twelve (12) months whichever is shorter. Provided should Employee become employed at a base pay rate less than that paid by Employer at the time of termination, Employer agrees to pay Employee the difference between the two base pay rates up to twelve (12) months. Following termination without cause, Employer will also pay COBRA benefits each month Employee verifies unemployment, up to and not to exceed six (6) months. In the event Employee is terminated for cause, Employer shall have no obligation to pay the severance sums designated in this paragraph and payment for unused vacation and sick leave shall be at the discretion of the Employer. The Employee's refusal of an offer to renew the Agreement or accept a new offer prior to, or after, its expiration does not constitute a non-renewal of the Agreement and therefore Employer is not obligated to pay the severance sums as identified in this paragraph.

- B. In the event Employee voluntarily resigns his position with the City, then Employee shall not be entitled to severance pay and benefits as set forth in Section A above. In such event, the Employee is requested to give the Employer sixty (60) days advance notice.
- C. Cause as used in this Agreement with the exception of Section (3.1), shall include but is not strictly limited to mean any action or inaction of Employee considered by Employer to constitute non-performance of any duty owed to Employer by Employee, whether gross or ordinary, excessive absence, as determined within the discretion of Employer, dishonesty or behavior of Employee which holds Employer up to public ridicule or distracts from Employer's or Employee's ability to perform its duties and any other actions recognized by law or equity, provided this definition shall not apply to Paragraph I above.

## **SECTION 6: OTHER**

- A. Except as otherwise provided in this Agreement, the Employee shall be entitled to the level of benefits that are enjoyed by other non-uniformed employees of the Employer as provided in the Code, Personnel Rules and Regulations.
- B. This Agreement constitutes the sole complete agreement between Employer and Employee. No modification hereof shall be binding on the parties unless in writing and signed by Employer and Employee.
- C. This agreement shall be binding on the Employer and the Employee, as well as, their heirs, assigns, executors, personal representatives and successors in interest.
- D. This agreement shall become effective up execution.
- E. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or

portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

- F. This Agreement shall be interpreted and enforced in accordance with the laws of the State of Oklahoma.

Approved by the City Council of McAlester, Oklahoma on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, signed and executed in its behalf by the Mayor and City Council, and the Employee has signed and executed this document both in duplicate.

\_\_\_\_\_  
John Browne, Mayor

\_\_\_\_\_  
Peter J. Stasiak, Employee

COUNCIL SIGNATURES:

Ward One – Weldon Smith

\_\_\_\_\_

Ward Two – Cully Stevens, Vice Mayor

\_\_\_\_\_

Ward Three – Steve Cox

\_\_\_\_\_

Ward Four – James Brown

\_\_\_\_\_

Ward Five – Maureen Harrison

\_\_\_\_\_

Ward Six – Zach Prichard

\_\_\_\_\_

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