

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 5th day of November, 2020, and that an agenda of said meeting was posted at the place of such meeting at 11:15 a.m. on the 5th day of August, 2021.



Cynthia J. Price, City of Durant

**MINUTES OF THE MEETING OF DURANT CITY COUNCIL
August 10, 2021 AT 6:00 PM, Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma**

CALL TO ORDER

Mayor Grube called the meeting to order at 6:02 p.m.

INVOCATION/FLAG SALUTE

Assistant City Manager James Dalton provided the invocation. Council Member Danny Sherrer led the flag salute.

ROLL CALL

Present:

Council Member Steve Brittingham
Council Member Humphrey Miller
Council Member Curtis Morris
Vice Mayor Danny Sherrer
Mayor Oden Grube
City Attorney Tom Marcum
City Manager John Dean
City Clerk Cynthia J. Price

Absent:

None

CITIZEN COMMENTS

There were no citizen comments.

ORDER OF BUSINESS

1. Consent Items

- a. Consider Approval of Regular Meeting Minutes of July 13, 2021

- b. Consider Award of Bid to Cole Craige in the Amount of \$5,000 for Fencing on the 20 Acre Property located at 1221 Hillcrest.
- c. Consider Approval of Loan Forgiveness in the Amount of \$233,333.33 for Bruce Packing Company.
- d. Consider the Appointment of Mike Davis to the Durant Industrial Authority.

Motion To: Approve Consent Items As Presented.

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

- a. Assistant City Manager Report - July 2021
- b. City Clerk Report - July 2021
- c. City Manager Monthly Report - July 2021
- d. Community Development Monthly Report - July 2021
- e. Economic Development Monthly Report - July 2021
- f. Emergency Management Monthly Report - July 2021
- g. Financial Reports - June 2021
- h. Fire Department Monthly Report - July 2021
- i. Human Resources Monthly Report- July 2021
- k. Neighborhood Services Monthly Report - July 2021
- l. Police Department Monthly Report - June 2021

4. Administration

- a. Consider and Take Action with Respect to a Resolution Authorizing the Calling and Holding of an Election in the City of Durant, State of Oklahoma (the "City") for the Purpose of Submitting to the Registered Qualified Electors of Said City the Question of Approval or Rejection of an Ordinance of the City, Which Amends Ordinance No. 1430 of the City and Ordinance No. 1431 of the City by Eliminating the Termination Date for the Collection of the Excise Tax (Sales Tax) Levied Pursuant to Said Ordinances and by Modifying the Purpose of Said Tax; and Containing Other Provisions Relating Thereto (R-2021-19)

Motion To: Approve Resolution Authorizing the Calling and Holding of an Election in the City of Durant, State of Oklahoma (the "City") for the Purpose of Submitting to the Registered Qualified Electors of Said City the Question of Approval or Rejection of an Ordinance of the City, Which Amends Ordinance No. 1430 of the City and Ordinance No. 1431 of the City by Eliminating the Termination Date for the Collection of the Excise Tax (Sales Tax) Levied Pursuant to Said Ordinances and by Modifying the Purpose of Said Tax; and Containing Other Provisions Relating Thereto (R-2021-19)

Motion By: Curtis Morris

Seconded By: Oden Grube

Ayes: Grube, Morris

Nays: Brittingham, Miller, Sherrer

Abstain: None

- b. Consider and Take Action with Respect to an Ordinance of the City of Durant, Oklahoma (the "City"), Amending Ordinance No. 1430 and 1431 of the City, by Eliminating the September 30, 2024 Termination Date for the Collection of the Excise Tax (Sales Tax) Levied Pursuant to Said Ordinances and by Modifying the Purpose of Said Tax Levied Pursuant to Said Ordinances; Providing for the Effective Date; Providing Remainder of Ordinances Remain Unchanged; Providing that the Provisions of This Ordinance are Cumulative and in Addition to Any and All Taxing Provisions of Other City Ordinances; Providing for Severability of Provisions; and Containing Other Provisions Related Thereto (O-2021-24)

No action taken.

- c. Discussion, Consideration and Possible Action on Ordinance O-2021-18 Amending the Code of Ordinances of the City of Durant, Oklahoma, Sections 32.123 Regarding Meetings of the Airport Advisory Board and Declaring an Emergency.

Motion To: Approve Ordinance O-2021-18, Section 1

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Ordinance O-2021-18, Section 2 (emergency clause)

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- d. Discussion, Consideration and Possible Action of Ordinance O-2021-19 Amending the Code of Ordinances of the City of Durant, Oklahoma, Section 32.030(F) Regarding Meetings of the Library Board and Declaring an Emergency

Motion To: Approve Ordinance O-2021-19, Section 1

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Ordinance O-2021-19, Section 2 (emergency clause)

Motion By: Steve Brittingham

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- e. Discussion, Consideration and Possible Action on Ordinance O-2021-20 Amending Chapter 156 Subdivision Regulations and Declaring an Emergency.

Motion To: Approve Ordinance O-2021-20, Section 1 and 2

Motion By: Curtis Morris

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Ordinance O-2021-20, Section 3 (emergency clause)

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- f. Discussion, Consideration and Possible Action on Ordinance O-2021-21, a Rezoning Request from R-3, General Residential District to I-1, Light Industrial District, PC2021-19.

Community Development Director Danielle Barker stated the purpose of the request is for a storage type facility. The Planning Commission recommended approval. The staff recommended denial based on what the future land use map shows.

Motion To: Approve Ordinance O-2021-21, Section 1

Motion By: Danny Sherrer

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Ordinance O-2021-21, Section 2 (emergency clause)

Motion By: Danny Sherrer

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- g. Discussion, Consideration and Possible Action on a Final Plat Request for Property Located at 4319 SE 3rd Avenue, PC2021-20.

Community Development Director Danielle Barker stated the Planning Commission did recommend approval contingent upon the driveway being a sealed surface, the correct signature blocks being placed on the plat and correction of an error on the warranty deed.

Motion To: Approve Final Plat Request for Property Located at 4319 SE 3rd Avenue, PC 2021-20

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- h. Discussion, Consideration and Possible Action on a Final Plat Request for Property Located Near the Intersection of West Main and State Highway 70, PC2021-21.

Community Development Director Danielle Barker stated the Planning Commission recommended approval and staff recommended approval.

Motion To: Approve Final Plat Request for Property Located Near the Intersection of West Main and State Highway 70, PC-2021-21

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- i. Discussion, Consideration and Possible Action on a Preliminary Plat Request for Property Located Near the Intersection of West Main Street and State Highway 70, PC2021-22.

Community Development Director Danielle Barker stated this request is for Phase 2, Lots 1-11 and 26-27. The Planning Commission recommended approval, however they do require the 25 foot setback per ordinance. Two staff members were unable to sign off because it did not meet current ordinances.

Motion To: Approve Contingent Upon Recommendation of Planning Commission for 25 Foot Setback

Motion By: Mike Morris

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- j. Discussion, Consideration and Possible Action on Ordinance O-2021-23 Repealing Ordinance 1987 and Section 32.210 of the Code of Ordinances Regarding the Regional Planning Commission and Declaring an Emergency.

Council Member Brittingham requested County Commissioner Ron Boyer be allowed the right for rebuttal. County Commissioner Boyer stepped forward and addressed council.

Motion To: Approve Ordinance O-2021-23, Section 1

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Ordinance O-2021-23, Section 2 (emergency clause)

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- k. Consider Award of Bid for Uniform Rental Services;
Consider Approval of Contract for Uniform Rental Services (C-2021-57).

Staff recommends the bid and contract be awarded to Clean.

Motion To: Award Bid for Uniform Rental Services to Clean

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Contract with Clean for Uniform Rental Services (C-2021-57)

Motion By: Steve Brittingham

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

5. Executive Session

- a. Consider Entering Executive Session. Confer on Matters Pertaining to Economic Development, Including the Transfer of Property, Financing, or the Creation of a Proposal to Entice a Business to Remain or to Locate Within Their Jurisdiction if Public Disclosure of the Matter Discussed Would Interfere with the Development of Products or Services or if Public Disclosure Would Violate Confidentiality of the Business. This Executive Session Authorized by Title 25, Section 307 (C)(11) of the Oklahoma State Statutes.

Motion To: Enter Into Executive Session

Motion By: Danny Sherrer

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Re-Enter Regular Session

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

b. Consider Action Pursuant to Item 5a.

Motion To: Authorize Executive Director of Durant Industrial Authority Lisa Taylor the Authority to Offer Project 40 a Forgivable Loan in the Amount of \$750,000

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

6. New Business

There was no new business.

ADJOURNMENT

Motion To: Adjourn Meeting

Motion By: Danny Sherrer

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None