

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 5:00 p.m. on the 9th day of September, 2021

Cynthia J. Price

Cynthia J. Price, City of Durant

**MINUTES OF THE MEETING OF DURANT CITY COUNCIL
September 14, 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 6:01 p.m.

INVOCATION/FLAG SALUTE

Assistant City Manager James Dalton provided the invocation. Council Member Curtis Morris 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

*Denotes partial attendance

CITIZEN COMMENTS

Citizens of the City of Durant wishing to address the council regarding matters which are not listed on the agenda will be required to sign up no later than 5 minutes prior to the scheduled starting time of the meeting. The sign-in sheet will contain space for the citizen's name, address, phone number, and topic to be discussed. In this way, city staff will be able to follow-up on any issues presented if necessary. (Limit: 3 minutes per person).

Charles Bachman – spoke in favor of hiring civil engineer.

PRESENTATIONS

1. Presentation of Letter of Retirement and Plaque for Lt. Jesse Petty Recognizing 21 Years of Service with the City of Durant Police Department

Police Chief David Houser presented a Letter of Retirement and Plaque to Lt. Jesse Petty for over 21 years of service to the City of Durant.

2. Present Proclamation for Walk and Roll to School Day - October 6, 2021

City Manager John Dean read and presented a proclamation to Blue Zone Project Coordinators Sarah Shores and Brandon Martin for Walk and Roll to School Day to be held October 6, 2021.

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Consider Approval of Regular Meeting Minutes of August 10, 2021
- b. Consider Approval of Budget Supplements BA 2021-13
- c. Consider Acceptance of Oklahoma Highway Safety Office Grant Contract PT-22-03-11-19 in the Amount of \$57,805
- d. Consider Mayoral Recommendation of Frankie Chalk to Cemetery Advisory Board
- e. Consider Award of Bid for Abatement of DIA property Located on Highway 70 West and Cardinal Parkway to True Grit Works in the Amount of \$19,500.
- f. Consider Approval of Expenditure of Economic Development Funds to Pay for Abatement of DIA-Owned Property

- g. Consideration to Approve Resolution R-2021-22 for City Manager Signatory Authority Related to Federal Aviation Administration (FAA) Grant Projects.

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 - August 2021
- b. City Clerk Monthly Report - August 2021
- c. City Manager Monthly Report - August 2021
- d. Community Development Monthly Report - August, 2021
- e. Economic Development Director Monthly Report - August 2021
- f. Emergency Management Monthly Report - August 2021
- g. Financial Reports - July 2021
- h. Fire Department Monthly Report - August 2021
- i. Grants Department Monthly Report - August 2021
- j. Human Resources Report- August 2021
- k. Library Monthly Report - August 2021
- l. Neighborhood Services Monthly Reports - August 2021
- m. Police Department Monthly Report - July 2021

4. Administration

- a. Discussion, Consideration and Possible Action on Resolution #R-2021-21, Adopting the Durant Emergency Operations Plan (EOP)

Motion To: Approve Resolution R-2021-21 Adopting the Durant Emergency Operations Plan (EOP)

Motion By: Steve Brittingham

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- b. Discussion, Consideration and Possible Action on Adopting the 2040 Comprehensive Plan and Future Land Use Map (PC2021-01)

Motion To: Adopt the 2040 Comprehensive Plan and Future Land Use Map

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- c. Discussion, Consideration and Possible Action on a Preliminary Plat for Property Located Near Larkspur Lane and Prairie Crossing (PC2021-17)

The public was allowed the opportunity to comment.

Craig Tignor - spoke in opposition

Brenda Hicks - spoke in opposition

Peggy Savage - spoke in opposition

Tasha Cummins - spoke in opposition

Charles Bachmann - spoke in opposition

Motion To: Approve Preliminary Plat for Property Located Near Larkspur Lane and
Prairie Crossing

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- d. Discussion, Consideration and Possible Action on Ordinance O-2021-25,
a Rezoning Request from R-2, Two-Family Residential to C-3, General Commercial
for Property Located near North 2nd Avenue and Cedar Street (PC2021-23)

- 1. Section 1 of Ordinance O-2021-25
- 2. Section 2, the Emergency Clause

Motion To: Approve Ordinance O-2021-25 Section 1

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Miller, Morris, Sherrer, Grube

Nays: Brittingham

Abstain: None

Motion To: Approve Ordinance O-2021-25, Section 2 Emergency Clause

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- e. Discussion, Consideration and Possible Action on Ordinance O-2021-26, a Rezoning request from R-3, General Residential to C-3, General Commercial for property located near North 2nd Avenue and Beech Street (PC2021-24)

- 1. Section 1 of Ordinance O-2021-26
- 2. Section 2, Emergency Clause

Motion To: Approve Ordinance O-2021-26 Section 1

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Miller, Morris, Grube

Nays: Brittingham, Sherrer

Abstain: None

Motion To: Approve Ordinance O-2021-26, Section 2 Emergency Clause

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Miller, Morris, Sherrer, Grube

Nays: Brittingham

Abstain: None

- f. Discussion, Consideration and Possible Action on Ordinance O-2021-27, a Rezoning request from I-1, Light Industrial to I-2, Medium Industrial for Property located near McLean Dr. and the Kiamichi Railroad (PC2021-26)

- 1. Section 1 of Ordinance 2021-27
- 2. Section 2, Emergency Clause

Motion To: Approve Ordinance O-2021-27, 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-2021-27, Section 2 Emergency Clause

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- g. Discussion, Consideration and Possible Action on a Plat Request for Property Located at 401 S. 9th Avenue (PC2021-27)

Motion To: Approve Plat Request for Property Located at 401 S. 9th Avenue

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- h. Discussion, Consideration and Possible Action on Ordinance O-2021-28, Updating Chapter 111 Pertaining to Tobacco Regulations

- 1. Sections 1 and 2 of Ordinance O-2021-28
- 2. Section 3 Emergency Clause

Motion To: Approve Ordinance O-2021-28 Sections 1 and 2

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Ordinance O-2021-28 Section 3 Emergency Clause

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 Acceptance of a Proposal for Excess Insurance with Arch Insurance Company.

Motion To: Accept Proposal for Excess Insurance with Arch Insurance Company

Motion By: Steve Brittingham

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- j. Discussion, Consideration and Possible Action to Accept the Federal Aviation Administration (FAA) Grant Award for the Airport Improvement Program (AIP) Project No. 3-40-0025-017-2021 in the Amount of \$194,220 for the Update

Airport Layout Plan (ALP) With Narrative Project to Support Continued
Development for the Durant Regional - Eaker Field Airport

Grants Coordinator Rebecca Payne stated there is no match required with this grant award. The funds would be used to update the Airport Layout Plan which is necessary to be able to seek other FAA funding to continue the development at the airport.

Motion To: Accept the Federal Aviation Administration (FAA) Grant Award for the Airport Improvement Program (AIP) Project No. 3-40-0025-017-2021 in the Amount of \$194,220 for the Update Airport Layout Plan (ALP) with Narrative Project to Support Continued Development for the Durant Regional - Eaker Field Airport

Motion By: Danny Sherrer

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- k. Discussion, Consideration and Possible Action to Accept the Federal Aviation Administration (FAA) Airport Rescue Grant Offer, Grant No. 3-40-0025-018-2021 in the Amount of \$ 59,000 (ARPA KW2021) for the Durant Regional - Eaker Field Airport in Response to the Coronavirus Pandemic.

Grants Coordinator Rebecca Payne stated there is no match required with the grant award.

Motion To: Accept the Federal Aviation Administration (FAA) Airport Rescue Grant Offer, Grant No. 3-40-0025-018-2021 in the Amount of \$59,000 (ARPA KW2021) for the Durant Regional-Eaker Field Airport in Response to the Coronavirus Pandemic

Motion By: Danny Sherrer

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- I. Discussion, Consideration, and Possible Action on the Airport Layout Plan with Narrative Update Agreement between City of Durant and KSA Engineering

Motion To: Approve Airport Layout Plan with Narrative Update Agreement Between City of Durant and KSA Engineering

Motion By: Steve Brittingham

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- m. Discussion, Consideration and Possible Action on a Contract Agreement Between the City of Durant and Bryan County for the Housing and Care of Municipal Prisoners (C-2021-65)

Motion To: Approve Contract Agreement Between the City of Durant and Bryan County for the Housing and Care of Municipal Prisoners (C-2021-65)

Motion By: Danny Sherrer

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

5. Executive Session

- a. Consider Entering into Executive Session to Discuss the Purchase or Appraisal of Real Property. This Executive Session is Authorized by Title 25, Section 307 (B)(3) of the Oklahoma State Statutes.

Motion To: Enter Into Executive Session

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Mayor Grube left the meeting.

Motion To: Re-Enter Regular Session

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Absent: Grube

b. Consider Action Pursuant to Item 5(a)

No action taken.

c. Consider Entering Into Executive Session to 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 the 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: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Mayor Grube left the meeting.

Motion To: Re-Enter Regular Session

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Absent: Grube

d. Consider Action Pursuant to Item 6(c)

Motion To: Authorize the Sale of 39.45 Acres Mentioned in Agenda Item 4(f) for
\$5,000 per Acre

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Absent: Grube

e. Consider Entering into Executive Session to Discuss Protected Information as it
Pertains to Levi Williamson's OKMRF Application for Death Benefit. This Executive
Session Authorized by Title 25, Section 307 B(7) of the Oklahoma State Statutes.

Motion To: Enter Into Executive Session

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Mayor Grube left the meeting.

Motion To: Re-Enter Regular Session

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Absent: Grube

f. Consider Action Pursuant to Item 5(e)

Motion To: Authorize the Distribution of Death Benefits to Levi Williamson

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Absent: Grube

6. New Business

There was no new business.

ADJOURNMENT

Motion To: Adjourn Meeting

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None