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 9th day of November, 2021 and that an agenda of said meeting was posted at the place of such meeting at 5:30 p.m. on the 4th day of March, 2022.

Cynthia J. Price

_____

Cynthia J. Price, City of Durant

MINUTES OF THE MEETING OF DURANT CITY COUNCIL
March 8, 2022 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 6:05 p.m.

INVOCATION/FLAG SALUTE

Assistant City Manager James Dalton provided the invocation. Vice Mayor 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

PRESENTATIONS

1. Recognition of the Retirement of Durant Police Lieutenant Billy Jones

Police Chief David Houser recognized Lieutenant Billy Jones with an official letter and plaque commemorating 24 years of service to the City of Durant.

CITIZEN COMMENTS

Citizens 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 start time of the meeting. The sign-in

sheet will contain space for 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.

There were no citizen comments.

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 February 8, 2022

b. Consider Approval of Budget Supplements BA 22-6

c. Consider Approval of Easement from Tim Briscoe to City of Durant

Motion To: Consider Approval of 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 - February 2022

b. City Clerk Report - February 2022

c. City Manager Monthly Report - February 2022

d. Community Development Monthly Report - February 2022

e. Economic Development Monthly Report - February 2022

f. Emergency Management Monthly Report - February 2022

g. Financial Statements for January 2022 and Sales Tax Report For February 2022

h. Fire Department Monthly Report - February 2022

i. Grants Departmentt Report - February 2022

j. Human Resources Monthly Report- February 2022

k. Library Monthly Report - February 2022

l. Neighborhood Services Monthly Report - February 2022

m. Police Department Monthly Report - January 2022

n. Ron Cross Senior Citizen Activity Center Monthly Report - February 2022

o. Street Department Monthly Report - February 2022

4. Administration

a. Discussion on Beautification and Maintenance of Right of Way in the Vicinity of Main Street and Hwy 69/75.

Jim Thorpe, Durant Tourism Economic Development Authority Board Member, addressed council and stated the Durant Tourism Economic Development Authority is considering donating $100,000 to the City of Durant for beautification and maintenance of the right of way in the vicinity of Main Street and Highway 69/75. Mr. Thorpe further stated the Durant Tourism Economic Development Authority could possibly donate up to an additional $25,000 if necessary to complete the project.

b. Discussion, Consideration and Possible Action on Rodeo Road Modifications Regarding NBI Bridge No.: 00075 ; Local ID: DUR-4 (Humpback Bridge).

Discussion was held. There was a consensus to proceed with signage not including stop signs. This matter could be brought back before council at a future date to request any other modifications.

No Action Taken.

c. Discussion, Consideration and Possible Action for a Planned Unit Development (PUD) request for property located near South 9th Avenue and Highway 70 (PC 2022-04)

Motion To: Approve Planned Unit Development (PUD) request for property located near South 9th Avenue and Highway 70

Motion By: Curtis Morris

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

d. Consider Approval of Ordinance Amending Title III, Administration, Section 37.021 Bidding Requirements and Section 37.022 Bidding Procedures, and Declaring An Emergency (O-2022-08)

Motion To: Approve Ordinance O-2022-08, 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-2022-08, Section 2, Emergency Clause

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

e. Consider Approval of Ordinance Enacting A Code of Ordinances for the City of Durant, Oklahoma, Revising, Amending, Restating, Codifying and Compiling Certain Existing General Ordinances of the Political Subdivision Dealing with Subjects Embraced in Such Code of Ordinances, and Declaring an Emergency (O-2022-07)

Motion To: Approve Ordinance O-2022-07, Sections 1-5

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Ordinance O-2022-07, Section 6 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 List of City Streets to be Striped.

Motion To: Authorize City to Move Forward With Bidding Process to Stripe Streets As Listed

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 Certain Streets to be Improved.

Motion To: Authorize City to Proceed with Bidding Process for Commercial Lane, Peppernut Lane, Stonebriar Circle and Briarcreek Drive Improvements

Motion By: Curtis Morris

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

h. The C-Doppler Weather Radar System Funded Through the Oklahoma State Appropriation EMPG-2021-ARPA-1 (C-2021-68 GC) Awarded in the Amount of $1,600,000.

1). Discussion, Consideration, and Possible Action on the 2nd SEALED Proposal Received by Baron Weather, Inc. (C-2021-68 Baron Proposal) in the Amount of $1,035,000 for the C-Doppler Weather Radar System. (C-2021-68 GC)

2). Discussion, Consideration, and Possible Action to Approve the Agreement (C-2021-68 Extended Service) to Purchase 48 Months of Extended Service and Support in the Amount of $60,000 from Baron Weather, Inc. for the C-Doppler Weather Radar System. (C-2021-68 GC)

3). Discussion, Consideration, and Possible Action to Purchase Spare Parts in the Amount of $150,000 from Baron Weather, Inc. for the C-Doppler Weather Radar System. (C-2021-68 GC)

4). Discussion, Consideration, and Possible Action to Authorize the Mayor to Sign Contract Documents Related to the C-Doppler Weather Radar System EMPG-2021-ARPA-1 (C-2021-68 GC) Proposal Award Upon Completed Vendor Requirements, Legal Review and Approval.

Motion To: Accept 2nd Sealed Proposal Bid of Baron Weather, Inc. in the Amount of $1,035,000 for the C-Doppler Weather Radar System (C-2021-68 GC)

Motion By: Curtis Morris

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Agreement (C-2021-68 Extended Service) to Purchase 48 Months of Extended Service and Support in the Amount of $60,000 from Baron Weather, Inc. for the C-Doppler Weather Radar System (C-2021-68GC)

Motion By: Danny Sherrer

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Purchase of Spare Parts in the Amount of $150,000 from Baron Weather, Inc. for the C-Doppler Weather Radar System (C-2021-68GC)

Motion By: Danny Sherrer

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Authorize Mayor to Sign Contract Documents Related to the C-Doppler Weather Radar System EMPG-2021-ARPA-1 (C-2021-68GC) Proposal Award Upon Completed Vendor Requirements, Legal Review and Approval

Motion By: Danny Sherrer

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

i. Discussion, Consideration and Possible Action on Investigation and Report on the Location and Design of the Unity Monument.

Mayor Grube stated the Planning Commission has granted approval.

Motion To: Approve Location and Design of the Unity Monument

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

j. Discussion, Consideration and Possible Action on the Relocation of the Dixon Durant Statue to City Hall

The Planning Commission voted 5-0 to approve relocation of the Dixon Durant statue to Durant City Hall.

Motion To: Approve Relocation of the Dixon Durant Statue to Durant City Hall.

Motion By: Humphrey Miller

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

k. Discussion, Consideration, and Possible Action on a Lease Agreement with Intelligent Marking USA, Inc. dba Turf Tank.

Motion To: Approve Lease Agreement with Intelligent Marking USA, Inc. dba Turf Tank

Motion By: Danny Sherrer

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

l. Discussion, Consideration, and Possible Action on Change Order #1 for University Boulevard Improvements to Install a Parallel Sewer Main to Add Necessary Sewer Capacity.

No action.

m. Discussion, Consideration and Possible Action on an Ordinance of the City of Durant, Oklahoma; Detaching Certain Property from the Limits of the City of Durant, Oklahoma; Amending the Code of Ordinances of the City of Durant, Oklahoma, and Declaring an Emergency.

Motion To: Approve Ordinance O-2022-09, Section 1

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Grube

Nays: Sherrer

Abstain: None

Motion To: Approve Ordinance O-2022-09, Section 2, Emergency Clause

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Grube

Nays: Sherrer

Abstain: None

5. Executive Session

a. Consider Executive Session to Discuss the Employment, Demotion, Disciplining, or Resignation of City Manager as Permitted by Title 25, Section 307 B(1) of the Oklahoma State Statutes Allowing Discussion of the Employment of an Individual Salaried Public Officer

Mayor Grube declared 'No action'.

Motion To: Appeal 'No Action'

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Sherrer

Nays: Morris, Grube

Abstain: None

Motion To: Enter Into Executive Session

Motion By: Humphrey Miller

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Sherrer

Nays: Morris, Grube

Abstain: None

b. Consider Action Pursuant to Item 5(a)

Motion To: Terminate the Employment Contract Between John Dean and the City of Durant Effective Immediately

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller

Nays: Morris, Sherrer, Grube

Abstain: None

6. New Business

Council Member Steve Brittingham stated he has no recourse left other than to seek legal counsel to bring forth a possible federal lawsuit against the City of Durant for violation of 4th Amendment rights - search and seizure.

ADJOURNMENT

Motion To: Adjourn Meeting

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None