

The City of Durant encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged in order to make the necessary accommodations. The City of Durant may waive the 48-hour rule if interpreters for the deaf (signing) or translation services for limited English proficient (LEP) individuals are not the necessary accommodation.

## **DURANT CITY COUNCIL**

**6:00 PM**

**Roscoe J. Hatfield  
Council Chambers  
300 West Evergreen  
Durant, Oklahoma**

**April 12, 2022**

### **AGENDA**

#### **CALL TO ORDER**

#### **INVOCATION/FLAG SALUTE**

#### **ROLL CALL**

#### **PRESENTATIONS**

1. Presentation of Employee Service Awards - 1st Quarter 2022
2. Proclamation Recognizing April 2022 as Fair Housing Month

#### **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.

#### **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 March 8, 2022
- b. Consider Approval of Special Called Meeting Minutes of March 22, 2022
- c. Consider Approval of Budget Supplements BA 22-7

- d. Consider Approval of Easement for a Fiber Optic Line near Big Lots Water Tower
- e. Consider Recommendation for 2022 Election of Two Trustees for Oklahoma Municipal Assurance Group

## **2. Consider Items Removed from Consent**

### **3. Information Items**

- a. Assistant City Manager Report - March 2022
- b. City Clerk Monthly Report - March 2022
- c. City Manager Monthly Report - March 2022
- d. Community Development Monthly Report - March 2022
- e. Economic Development Director's Monthly Report - March 2022
- f. Emergency Management Monthly Report - March 2022
- g. Financial Statements-February 2022 and Sales Tax Breakdown-March 2022
- h. Fire Department Monthly Report - March 2022
- i. Grants Department Monthly Report - March 2022
- j. Human Resources Monthly Report - March 2022
- k. Library Monthly Report - March 2022
- l. Neighborhood Services Monthly Report - March 2022
- m. Parks and Recreation Department Monthly Report - March 2022
- n. Police Department Monthly Report - February 2022
- o. Ron Cross Senior Activity Center Monthly Report - March 2022
- p. Street Department Monthly Report - March 2022

### **4. Administration**

- a. Discussion, Consideration and Possible Acceptance of FY 2020-2021 Annual Financial Statements and Independent Auditor's Reports, including Single Audit Report
- b. Discussion, Consideration, and Possible Action on Ordinance O-2022-10 Amending Title III, Administration, Section 32.105 Composition, Appointment, and Terms of Members and Declaring An Emergency
- c. Discussion, Consideration and Possible Action on Ordinance O-2022-12 Regarding an Amendment to the City of Durant Plan Adopting the Revised and Restated OkMRF Master Defined Contribution Retirement Plan, and Declaring an Emergency
- d. Discussion, Consideration and Possible Action on Ordinance O-2022-13 Regarding an Amendment to the City of Durant CMO Plan Adopting the Revised and Restated OkMRF Master Defined Contribution Retirement Plan, and Declaring an Emergency



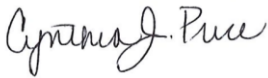
- e. Discussion, Consideration and Possible Action on Award of Bid for 2022 Street Improvement Project - Commercial Lane
- f. Discussion, Consideration and Possible Action on Street Striping by Action Safety Supply Company, LLC for the Estimated Amount of \$215, 443.64.
- g. Discussion, Consideration and Possible Action on a Preliminary Plat Request for Property Located Near Cale Switch Road and Orchard Road (PC 2022-03)
- h. Discussion, Consideration and Possible Action on a Re-Plat Request for Property Located Near North 4th Avenue and Willow Street (PC 2022-05)
- i. Discussion, Consideration and Possible Action on Ordinance O-2022-11, a Rezoning Request from A-1, General Agriculture District to C-0, Professional and Business Offices District for Property Located at 3202 W. University Boulevard (PC 2022-08)
- j. Discussion, Consideration and Possible Action on Resolution R-2022-03, a Conditional Use Permit to Place a Billboard Sign on Property Located at 4516 West Main Street (PC2022-09)

## **5. New Business**

### **ADJOURNMENT**

#### **CERTIFICATE:**

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 3:00 p.m. on the 7th day of April, 2022.



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Cynthia J. Price, City of Durant

# *City of Durant* **P**roclamation

## *A Proclamation Declaring the Month of April as Fair Housing Month in the City of Durant*

*Whereas, The City of Durant decrees that all citizens affirm to follow the concepts, practices, and intent embodied by the laws of the United States of America, the State of Oklahoma, and the City of Durant in regard to Fair Housing; and*

*Whereas, The City of Durant has designated the month of April annually as Fair Housing Month and encourages each citizen to implement the provisions of those acts; and*

*Whereas, The Mayor of the City of Durant designates the Community Development Director as the Fair Housing Activities Coordinator and requests that any person, or group of persons, planning activities to promote Fair Housing to inform the Fair Housing Activities Coordinator of said activities; and*

*Whereas, It is the desire of the City of Durant to recognize those persons or groups who best create an awareness of the need for Fair Housing practices or otherwise promotes Fair Housing practices;*

*Now, Therefore, I, Oden Grube, Mayor of the City of Durant, do hereby proclaim the month of April 2022, as*

### *Fair Housing Month*

*Witness my Hand this 12<sup>th</sup> day of April 2022 in the office of  
the Mayor, Durant City Hall.*

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*Oden Grube, Mayor*

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*Cynthia Price, City Clerk*



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Cynthia Price, City Clerk  
**Re:** Consider Approval of Regular Meeting Minutes of March 8, 2022

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### **Council Information / Action Requested**

Approval of Regular Meeting Minutes of March 8, 2022

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. Durant City Council Minutes 03082022 cjp

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.



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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

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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

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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 2<sup>nd</sup> 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

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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

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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

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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

- I. 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

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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

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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



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Cynthia Price, City Clerk  
**Re:** Consider Approval of Special Called Meeting Minutes of March 22, 2022

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### **Council Information / Action Requested**

Approval of Special Called Meeting Minutes of March 22, 2022

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. Durant City Council Special Called Meeting Minutes 03222022 cjp

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 17th day of March, 2022 and that an agenda of said meeting was posted at the place of such meeting at 2:30 p.m. on the 18th day of March, 2022.



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Cynthia J. Price, City of Durant

## **MINUTES OF THE SPECIAL CALLED MEETING OF DURANT CITY COUNCIL**

**March 22, 2022 AT 9:00 AM**

**Roscoe J. Hatfield Council Chambers**

**300 West Evergreen**

**Durant, Oklahoma**

### **CALL TO ORDER**

Mayor Grube called the meeting to order at 9:03 a.m.

### **INVOCATION/FLAG SALUTE**

Assistant City Manager James Dalton provided the invocation. Council Member Mike 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

### **ORDER OF BUSINESS**

#### **1. Administration**

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

1) Declare an emergency under 61 O.S. § 130. F., Public Competitive Bidding Act of 1974 due "to conditions resulting from a sudden unexpected happening or unforeseen occurrence".

2) Consider Action on Change Order #1 with Schiralli Construction Corp for the amount of \$581,397.98.

Motion To: Declare Emergency Under 61 O,S, Section 130(F) Public Competitive Bidding Act of 1974

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

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Motion To: Approve Change Order #1 with Schiralli Construction Corporation in the Amount of \$581,397.98.

Motion By: Steve Brittingham

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- b. Consider Approval of Mayoral Appointment of Billy Gene Sudderth to the Keep Durant Beautiful Executive Board

Motion To: Approve Mayoral Appointment of Billy Gene Sudderth to the Keep Durant Beautiful Executive Board

Motion By: Curtis Morris

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None



## **ADJOURNMENT**

Motion To: Adjourn Meeting

Motion By: Humphrey Miller

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** An chen Lai, Finance Director/Treasurer  
**Re:** Consider Approval of Budget Supplements BA 22-7

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Consider Approval of Budget Supplements BA 22-7

#2185 FOR ADJUST DONATION, OPERATION EXPENSES & OK DOC GRANT REIMBURSEMENT & EXPENSES

#2186 FOR CEMETERY BEAUTIFICATION ROLLOVER REMAINING AMOUNT & ADDITION FUND.

#2187 FOR OPERATION ADJUSTMENT & AUCTION FOR OUTDATED PC, LAPTOP, TIMECLOCK & DCUA  
WATERSMART SOFTWARE

#2188 FOR WORKER'S COMP TRANSFER TO COVER THE EXPENSES

#2189 FOR PD VEHICLE EQUIPMENT & CANINE, EM VEHICLE TO LANDFILL

#2190 FOR DIA EAA SPONSORSHIP

#2191 FOR ADJUST AIRPORT OPERATION REVENUE & EXPENSES

#2192 FOR ROLLOVER OMAG TOOL GRANT, CI VEHICLE FROM EM TO LANDFILL & TRANSFER TO IT FOR  
WATERSMART PAYMNET

#2193 FOR ADJUST DMSC OPERATION EXPENSES & TURF TANK LEASE

### **Council Information / Action Requested**

Approve the Budget Supplements BA 22-7

**City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. BA 22-7-04122022

PACKET: 00442-BA 22-7 54-62

BUDGET CODE: CB-Current Budget

| FUND ACCOUNT                                                                         | DATE      | DESCRIPTION         | ADJUSTMENT | ORIGINAL<br>BUDGET | PREVIOUS<br>ADJUSTMENTS | NEW<br>BUDGET | BUDGET<br>BALANCE |
|--------------------------------------------------------------------------------------|-----------|---------------------|------------|--------------------|-------------------------|---------------|-------------------|
| Budget Adj. # 002185 -----                                                           |           |                     |            |                    |                         |               |                   |
| 001 000-361.57-00<br>DONATIONS TO PD - GENERAL                                       | 4/12/2022 | BA22-7 DONAT T PD U | 500.00     | 0.00               | 0.00                    | 500.00-       | 0.00              |
| 001 000-362.81-00<br>OK DOC GRANT REIMB.                                             | 4/12/2022 | BA22-7 OK DOC GRANT | 24,000.00  | 0.00               | 0.00                    | 24,000.00-    | 24,000.00-        |
| 001 005-521.50-54<br>UNIFORMS<br>DEPT: POLICE - LAW ENFORCEMENT                      | 4/12/2022 | BA22-7DONAT T PD UN | 500.00     | 23,000.00          | 0.00                    | 23,500.00     | 9,224.94          |
| 001 005-521.10-11<br>SALARIES AND WAGES<br>DEPT: POLICE - LAW ENFORCEMENT            | 4/12/2022 | BA22-7 TRS RM       | 45,000.00- | 3,241,853.29       | 238,718.00-             | 2,958,135.29  | 730,608.43        |
| 001 019-569.99-13<br>XFER TO RISK MGMNT FUND<br>DEPT: GENERAL GOVERNMENT             | 4/12/2022 | BA22-7 TRS RM       | 45,000.00  | 0.00               | 143,350.00              | 188,350.00    | 45,000.00         |
| 001 008-522.70-72<br>TRAINING AND TRAVEL<br>DEPT: FIRE DEPARTMENT                    | 4/12/2022 | BA22-7 TRAIN MATR M | 1,100.00-  | 47,416.00          | 608.00-                 | 45,708.00     | 10,912.05         |
| 001 008-522.70-75<br>TRAINING MATERIALS<br>DEPT: FIRE DEPARTMENT                     | 4/12/2022 | BA22-7 TRAIN MATR M | 200.00     | 1,500.00           | 0.00                    | 1,700.00      | 54.66             |
| 001 008-522.20-24<br>MEDICAL/PHYSICALS<br>DEPT: FIRE DEPARTMENT                      | 4/12/2022 | BA22-7 TRAIN MATR M | 900.00     | 3,240.00           | 0.00                    | 4,140.00      | 2,140.00          |
| 001 009-532.50-70<br>PARK FURN & EQUIP & MAINT<br>DEPT: PARKS, REC. & GEN. SVCS.     | 4/12/2022 | BA22-7 UNIFORM      | 500.00-    | 30,000.00          | 0.00                    | 29,500.00     | 12,004.20         |
| 001 009-532.50-54<br>UNIFORMS<br>DEPT: PARKS, REC. & GEN. SVCS.                      | 4/12/2022 | BA22-7 UNIFORM      | 500.00     | 8,000.00           | 700.00                  | 9,200.00      | 845.78            |
| 001 009-532.50-66<br>IRRIGATION SUPPLIES<br>DEPT: PARKS, REC. & GEN. SVCS.           | 4/12/2022 | BA22-7 MMBERSHIP    | 200.00-    | 2,500.00           | 900.00-                 | 1,400.00      | 1,400.00          |
| 001 009-532.50-57<br>MMBRSHIP/LCNSE/CRTFCATION/ECT<br>DEPT: PARKS, REC. & GEN. SVCS. | 4/12/2022 | BA22-7 MMBERSHIP    | 200.00     | 200.00             | 0.00                    | 400.00        | 90.00             |
| 001 017-537.30-51<br>CONTRACT LABOR<br>DEPT: ECONOMIC DEVELOPMENT                    | 4/12/2022 | BA22-7 OK DOC GRANT | 24,000.00  | 2,000.00           | 5,000.00                | 31,000.00     | 7,000.00          |

PACKET: 00442-BA 22-7 54-62

BUDGET CODE: CB-Current Budget

| FUND ACCOUNT                    | DATE      | DESCRIPTION         | ADJUSTMENT | ORIGINAL<br>BUDGET | PREVIOUS<br>ADJUSTMENTS | NEW<br>BUDGET | BUDGET<br>BALANCE |
|---------------------------------|-----------|---------------------|------------|--------------------|-------------------------|---------------|-------------------|
| -----                           |           |                     |            |                    |                         |               |                   |
| Budget Adj. # 002186 -----      |           |                     |            |                    |                         |               |                   |
| 008 019-569.70-17               | 4/12/2022 | BA22-7 CEMETRY BEAU | 3,274.00-  | 112,600.00         | 72,000.00-              | 37,326.00     | 37,326.00         |
| FUND RESERVE                    |           |                     |            |                    |                         |               |                   |
| DEPT: GENERAL GOVERNMENT        |           |                     |            |                    |                         |               |                   |
| 008 019-569.70-20               | 4/12/2022 | BA22-7 CEMETRY BEAU | 274.00     | 0.00               | 0.00                    | 3,274.00      | 124.01            |
| CEMETERY BEAUTIFICATION         |           |                     |            |                    |                         |               |                   |
| DEPT: GENERAL GOVERNMENT        |           |                     |            |                    |                         |               |                   |
| 008 019-569.70-20               | 4/12/2022 | BA22-7 CEMETRY BEAU | 3,000.00   | 0.00               | 0.00                    | 3,274.00      | 124.01            |
| CEMETERY BEAUTIFICATION         |           |                     |            |                    |                         |               |                   |
| DEPT: GENERAL GOVERNMENT        |           |                     |            |                    |                         |               |                   |
| -----                           |           |                     |            |                    |                         |               |                   |
| Budget Adj. # 002187 -----      |           |                     |            |                    |                         |               |                   |
| 010 000-361.40-00               | 4/12/2022 | BA22-7 IT AUCTION   | 2,047.00   | 0.00               | 3,746.00                | 5,793.00-     | 0.35              |
| MISC. REVENUE                   |           |                     |            |                    |                         |               |                   |
| 010 020-560.50-69               | 4/12/2022 | BA22-7 PRINTER SUPP | 2,000.00-  | 52,105.00          | 10,286.00               | 34,046.00     | 15,856.21         |
| OTHER EQUIP PARTS & MAINT       |           |                     |            |                    |                         |               |                   |
| DEPT: INFO. TECH. SERVICE DEPT. |           |                     |            |                    |                         |               |                   |
| 010 020-560.50-49               | 4/12/2022 | BA22-7 PRINTER SUPP | 2,000.00   | 7,000.00           | 0.00                    | 9,000.00      | 1,539.59          |
| NETWORK PRINTER SUPPLIES        |           |                     |            |                    |                         |               |                   |
| DEPT: INFO. TECH. SERVICE DEPT. |           |                     |            |                    |                         |               |                   |
| 010 020-560.80-99               | 4/12/2022 | BA22-7 IT AUCTION   | 2,047.00   | 3,301.00           | 23,556.00               | 28,904.00     | 28,904.00         |
| FUND RESERVE FOR CAP. EXP.      |           |                     |            |                    |                         |               |                   |
| DEPT: INFO. TECH. SERVICE DEPT. |           |                     |            |                    |                         |               |                   |
| 010 000-364.27-00               | 4/12/2022 | BA22-7 WATERSMART S | 12,978.00  | 0.00               | 0.00                    | 12,978.00-    | 12,978.00-        |
| TRSF. FROM DCUA                 |           |                     |            |                    |                         |               |                   |
| 010 020-560.30-50               | 4/12/2022 | BA22-7 WATERSMART S | 12,978.00  | 42,529.14          | 44,269.00               | 99,776.14     | 67,555.93         |
| SOFTWARE/SERVER MAINT           |           |                     |            |                    |                         |               |                   |
| DEPT: INFO. TECH. SERVICE DEPT. |           |                     |            |                    |                         |               |                   |
| 010 020-560.30-90               | 4/12/2022 | BA22-7 TIMECLOCK    | 49,960.00  | 102,852.00         | 89,688.00               | 242,500.00    | 637.49            |
| ACCOUNTING SOFTWARE & MAINT     |           |                     |            |                    |                         |               |                   |
| DEPT: INFO. TECH. SERVICE DEPT. |           |                     |            |                    |                         |               |                   |
| 010 020-560.50-69               | 4/12/2022 | BA22-7 TIMECLOCK    | 26,345.00- | 52,105.00          | 10,286.00               | 34,046.00     | 15,856.21         |
| OTHER EQUIP PARTS & MAINT       |           |                     |            |                    |                         |               |                   |
| DEPT: INFO. TECH. SERVICE DEPT. |           |                     |            |                    |                         |               |                   |
| 010 020-560.80-01               | 4/12/2022 | BA22-7 TIMECLOCK    | 23,615.00- | 131,872.63         | 37,211.00-              | 71,046.63     | 35,322.43         |
| HARDWARE PURCHASES - PC's       |           |                     |            |                    |                         |               |                   |
| DEPT: INFO. TECH. SERVICE DEPT. |           |                     |            |                    |                         |               |                   |

Budget Adj. # 002188 -----

PACKET: 00442-BA 22-7 54-62

BUDGET CODE: CB-Current Budget

| FUND ACCOUNT                                                                       | DATE      | DESCRIPTION         | ADJUSTMENT | ORIGINAL<br>BUDGET | PREVIOUS<br>ADJUSTMENTS | NEW<br>BUDGET | BUDGET<br>BALANCE |
|------------------------------------------------------------------------------------|-----------|---------------------|------------|--------------------|-------------------------|---------------|-------------------|
| Budget Adj. # 002188 -----                                                         |           |                     |            |                    |                         |               |                   |
| 012 000-364.11-00<br>TRSF FROM GENERAL FUND                                        | 4/12/2022 | BA22-7 FOR WC PAYMN | 45,000.00  | 0.00               | 143,350.00              | 188,350.00-   | 45,000.00-        |
| 012 090-596.19-02<br>DISABILITY PAYMENTS<br>DEPT: WORKERS' COMPENSATION            | 4/12/2022 | BA22-7 FOR WC PAYMN | 30,000.00  | 50,000.00          | 167,850.00              | 247,850.00    | 6,805.52          |
| 012 090-596.19-05<br>OTHER PROFESSIONAL FEES<br>DEPT: WORKERS' COMPENSATION        | 4/12/2022 | BA22-7 FOR WC PAYMN | 15,000.00  | 35,000.00          | 0.00                    | 50,000.00     | 10,043.64         |
| Budget Adj. # 002189 -----                                                         |           |                     |            |                    |                         |               |                   |
| 015 000-361.40-00<br>MISC. REVENUE                                                 | 4/12/2022 | BA22-7 AUCTION CANI | 28,952.00  | 0.00               | 220,724.00              | 249,676.00-   | 28,896.17-        |
| 015 000-364.27-00<br>TRSF FROM UTILITY AUTHORITY                                   | 4/12/2022 | BA22-7 TRS EM TRCK  | 10,000.00  | 1,000,000.00-      | 1,000,000.00-           | 10,000.00-    | 10,000.00-        |
| 015 005-521.61-34<br>CHEVY TAHOE(S)<br>DEPT: POLICE - LAW ENFORCEMENT              | 4/12/2022 | BA22-7 AUCTION & EQ | 2,789.00   | 150,000.00         | 0.00                    | 152,789.00    | 0.39              |
| 015 005-521.61-26<br>LAW ENFORCEMENT EQUIPMENT<br>DEPT: POLICE - LAW ENFORCEMENT   | 4/12/2022 | BA22-7 AUCTION CANI | 26,163.00  | 0.00               | 0.00                    | 26,163.00     | 26,163.00         |
| 015 018-519.61-04<br>VEHICLES & EQUIPMENT<br>DEPT: CIVIL EMERGENCY MGMT.           | 4/12/2022 | BA22-7 TRS EM TRCK  | 10,000.00  | 25,000.00          | 0.00                    | 35,000.00     | 1,308.01          |
| Budget Adj. # 002190 -----                                                         |           |                     |            |                    |                         |               |                   |
| 020 017-537.30-36<br>CONSULTING FEES<br>DEPT: ECON. DEV. ADMINISTRATION            | 4/12/2022 | BA22-7 EAA SPONSORS | 5,000.00-  | 55,000.00          | 0.00                    | 50,000.00     | 100.98-           |
| 020 017-537.30-38<br>PUBLICATIONS & ADVERTISING<br>DEPT: ECON. DEV. ADMINISTRATION | 4/12/2022 | BA22-7 EAA SPONSORS | 5,000.00   | 15,000.00          | 19,417.00               | 39,417.00     | 9,790.00          |
| Budget Adj. # 002191 -----                                                         |           |                     |            |                    |                         |               |                   |
| 206 000-361.14-00<br>AIRPORT JET FUEL SALES                                        | 4/12/2022 | BA22-7 ADJ OPERAT R | 12,000.00  | 530,000.00-        | 0.00                    | 542,000.00-   | 78,915.60         |
| 206 000-361.15-00<br>AIRPORT AV-GAS SALES                                          | 4/12/2022 | BA22-7 ADJ OPERAT R | 20,000.00  | 124,000.00-        | 15,000.00               | 159,000.00-   | 5,706.27          |

PACKET: 00442-BA 22-7 54-62

BUDGET CODE: CB-Current Budget

| FUND ACCOUNT                  | DATE      | DESCRIPTION         | ADJUSTMENT | ORIGINAL<br>BUDGET | PREVIOUS<br>ADJUSTMENTS | NEW<br>BUDGET | BUDGET<br>BALANCE |
|-------------------------------|-----------|---------------------|------------|--------------------|-------------------------|---------------|-------------------|
| Budget Adj. # 002191 -----    |           |                     |            |                    |                         |               |                   |
| 206 065-503.30-78             | 4/12/2022 | BA22-7 ADJ OPERAT R | 1,450.00-  | 7,600.00           | 0.00                    | 6,150.00      | 6,150.00          |
| EXTERNAL LEGAL SERVICES       |           |                     |            |                    |                         |               |                   |
| DEPT: EAKER FIELD             |           |                     |            |                    |                         |               |                   |
| 206 065-503.50-69             | 4/12/2022 | BA22-7 ADJ OPERAT R | 3,250.00-  | 25,000.00          | 0.00                    | 21,750.00     | 7,008.39          |
| EQUIPMENT & GROUNDS MAINT.    |           |                     |            |                    |                         |               |                   |
| DEPT: EAKER FIELD             |           |                     |            |                    |                         |               |                   |
| 206 065-503.50-51             | 4/12/2022 | BA22-7 ADJ OPERAT R | 3,000.00   | 1,000.00           | 1,000.00                | 5,000.00      | 3,548.70          |
| OFFICE SUPPLIES               |           |                     |            |                    |                         |               |                   |
| DEPT: EAKER FIELD             |           |                     |            |                    |                         |               |                   |
| 206 065-503.50-54             | 4/12/2022 | BA22-7 ADJ OPERAT R | 200.00     | 400.00             | 0.00                    | 600.00        | 4.45              |
| UNIFORMS                      |           |                     |            |                    |                         |               |                   |
| DEPT: EAKER FIELD             |           |                     |            |                    |                         |               |                   |
| 206 065-503.50-61             | 4/12/2022 | BA22-7 ADJ OPERAT R | 500.00     | 7,000.00           | 1,500.00                | 9,000.00      | 344.14            |
| MINOR TOOLS AND EQUIPMENT     |           |                     |            |                    |                         |               |                   |
| DEPT: EAKER FIELD             |           |                     |            |                    |                         |               |                   |
| 206 065-503.70-71             | 4/12/2022 | BA22-7 ADJ OPERAT R | 300.00     | 0.00               | 65.00                   | 365.00        | 4.51              |
| MISC. EXPENDITURES            |           |                     |            |                    |                         |               |                   |
| DEPT: EAKER FIELD             |           |                     |            |                    |                         |               |                   |
| 206 065-503.70-72             | 4/12/2022 | BA22-7 ADJ OPERAT R | 700.00     | 1,200.00           | 1,065.00-               | 835.00        | 22.50             |
| TRAINING AND TRAVEL           |           |                     |            |                    |                         |               |                   |
| DEPT: EAKER FIELD             |           |                     |            |                    |                         |               |                   |
| 206 065-503.70-84             | 4/12/2022 | BA22-7 ADJ OPERAT R | 12,000.00  | 15,000.00          | 2,000.00                | 29,000.00     | 10,976.49         |
| CREDIT CARD EXPENSE           |           |                     |            |                    |                         |               |                   |
| DEPT: EAKER FIELD             |           |                     |            |                    |                         |               |                   |
| 206 065-503.70-87             | 4/12/2022 | BA22-7 ADJ OPERAT R | 20,000.00  | 100,000.00         | 15,000.00               | 135,000.00    | 7,878.56          |
| AVIATION GASOLINE PURCHASES   |           |                     |            |                    |                         |               |                   |
| DEPT: EAKER FIELD             |           |                     |            |                    |                         |               |                   |
| Budget Adj. # 002192 -----    |           |                     |            |                    |                         |               |                   |
| 405 030-555.70-17             | 4/12/2022 | BA22-7 ADJ MINOR TO | 3,000.00-  | 710,143.00         | 463,500.00-             | 228,293.00    | 228,293.00        |
| CONTINGENCY RESERVE           |           |                     |            |                    |                         |               |                   |
| DEPT: UTILITY GENERAL ADMIN.  |           |                     |            |                    |                         |               |                   |
| 405 026-551.50-61             | 4/12/2022 | BA22-7 ADJ MINOR TO | 3,000.00   | 15,000.00          | 0.00                    | 18,000.00     | 7,950.46          |
| MINOR TOOLS AND EQUIPMENT     |           |                     |            |                    |                         |               |                   |
| DEPT: WATER/SEWER LINE MAINT. |           |                     |            |                    |                         |               |                   |
| 405 028-553.30-36             | 4/12/2022 | BA22-7 ADJ CHEMICAL | 80,000.00- | 120,000.00         | 0.00                    | 40,000.00     | 800.00-           |
| SLUDGE DISPOSAL               |           |                     |            |                    |                         |               |                   |
| DEPT: WWTP                    |           |                     |            |                    |                         |               |                   |

PACKET: 00442-BA 22-7 54-62

BUDGET CODE: CB-Current Budget

| FUND ACCOUNT               | DATE      | DESCRIPTION                                                                              | ADJUSTMENT | ORIGINAL<br>BUDGET | PREVIOUS<br>ADJUSTMENTS | NEW<br>BUDGET | BUDGET<br>BALANCE |
|----------------------------|-----------|------------------------------------------------------------------------------------------|------------|--------------------|-------------------------|---------------|-------------------|
| Budget Adj. # 002192 ----- |           |                                                                                          |            |                    |                         |               |                   |
| 405 028-553.50-53          | 4/12/2022 | BA22-7 ADJ CHEMICAL<br>CHEMICALS, DRUGS, AND LAB<br>DEPT: WWTP                           | 40,000.00  | 40,000.00          | 0.00                    | 80,000.00     | 40,686.22         |
| 405 028-553.50-55          | 4/12/2022 | BA22-7 ADJ CHEMICAL<br>LAB & EQUIPMENTS<br>DEPT: WWTP                                    | 40,000.00  | 20,000.00          | 0.00                    | 60,000.00     | 45,533.09         |
| 405 030-555.99-16          | 4/12/2022 | BA22-7 TO CI EM TRU<br>TRSF TO CAPITAL IMPROVE. FUND<br>DEPT: UTILITY GENERAL ADMIN.     | 10,000.00  | 0.00               | 0.00                    | 10,000.00     | 10,000.00         |
| 405 030-555.70-17          | 4/12/2022 | BA22-7 TO CI EM TRU<br>CONTINGENCY RESERVE<br>DEPT: UTILITY GENERAL ADMIN.               | 15,350.00- | 710,143.00         | 463,500.00-             | 228,293.00    | 228,293.00        |
| 405 049-554.30-51          | 4/12/2022 | BA22-7 TO LF REPORT<br>CONTRACT LABOR<br>DEPT: DISPOSAL - SOLID WASTE                    | 5,350.00   | 15,607.00          | 35,000.00               | 55,957.00     | 3,927.00          |
| 405 025-550.30-55          | 4/12/2022 | BA22-7 WATERSMT PY<br>MAINTENANCE CONTRACTS<br>DEPT: UTILITY BILLING                     | 12,978.00- | 56,000.00          | 0.00                    | 43,022.00     | 43,022.00         |
| 405 030-555.99-10          | 4/12/2022 | BA22-7 WATERSMT PY<br>TRSF.TO I.T. SERVICE FUND 010<br>DEPT: UTILITY GENERAL ADMIN.      | 12,978.00  | 0.00               | 0.00                    | 12,978.00     | 12,978.00         |
| Budget Adj. # 002193 ----- |           |                                                                                          |            |                    |                         |               |                   |
| 500 000-301.10-00          | 4/12/2022 | BA22-7 TURF TANK LE<br>BEGINNING UNENCUMBERED                                            | 10,000.00  | 0.00               | 10,500.00               | 20,500.00-    | 20,500.00-        |
| 500 010-534.55-01          | 4/12/2022 | BA22-7 TURF TANK LE<br>CONCESSION PRODUCT INVENTORY<br>DEPT: RECREATIONAL MARKETING      | 15,000.00- | 40,000.00          | 0.00                    | 25,000.00     | 12,974.41         |
| 500 011-535.30-33          | 4/12/2022 | BA22-7 TURF TANK LE<br>UTILITIES EXPENSE<br>DEPT: DURANT MULTI-SPORTS CMLPX              | 15,000.00- | 15,000.00          | 0.00                    | 0.00          | 0.00              |
| 500 011-535.50-58          | 4/12/2022 | BA22-7 TURF TANK LE<br>BUILDING & GROUNDS MAINTENANCE<br>DEPT: DURANT MULTI-SPORTS CMLPX | 25,000.00- | 50,000.00          | 5,000.00-               | 20,000.00     | 6,744.05          |
| 500 011-535.61-04          | 4/12/2022 | BA22-7 TURF TANK LE<br>MACHINERY, VEHICLES & EQUIP<br>DEPT: DURANT MULTI-SPORTS CMLPX    | 25,000.00- | 100,000.00         | 0.00                    | 75,000.00     | 986.00            |

PACKET: 00442-BA 22-7 54-62

BUDGET CODE: CB-Current Budget

| FUND ACCOUNT                                                 | DATE      | DESCRIPTION         | ADJUSTMENT | ORIGINAL<br>BUDGET | PREVIOUS<br>ADJUSTMENTS | NEW<br>BUDGET | BUDGET<br>BALANCE |
|--------------------------------------------------------------|-----------|---------------------|------------|--------------------|-------------------------|---------------|-------------------|
| -----                                                        |           |                     |            |                    |                         |               |                   |
| Budget Adj. # 002193                                         |           |                     |            |                    |                         |               |                   |
| 500 011-535.50-71                                            | 4/12/2022 | BA22-7 TURF TANK LE | 90,000.00  | 3,500.00           | 1,000.00                | 94,500.00     | 621.72            |
| RECREATION EQUIPMENT & MAINT                                 |           |                     |            |                    |                         |               |                   |
| DEPT: DURANT MULTI-SPORTS CMPLX                              |           |                     |            |                    |                         |               |                   |
| PACKET NOTES:                                                |           |                     |            |                    |                         |               |                   |
| #2185 FOR ADJUST DONATION, OPERATIONE EXPENS, & OK DOC GRANT |           |                     |            |                    |                         |               |                   |
| #2186 FOR CEMETERY BEAUTIFICATION ROLLOVER AND ADDIT'L FUND  |           |                     |            |                    |                         |               |                   |
| #2187 FOR OPERATION ADJUSTMENT AND AUCTION OUTDATE PC&       |           |                     |            |                    |                         |               |                   |
| LAPTOP & TIMECLOCK & WATERSMART SOFTWARE ANNUAL PAYMENT      |           |                     |            |                    |                         |               |                   |
| #2188 FOR WORKER'S COMP TRASFER TO COVER THE EXPENSES        |           |                     |            |                    |                         |               |                   |
| #2189 FOR PD VEHICLE EQUIPMENT & CANINE, EM VEHICLE TO LF    |           |                     |            |                    |                         |               |                   |
| DEPT.                                                        |           |                     |            |                    |                         |               |                   |
| #2190 FOR DIA EAA SPONSORSHIP                                |           |                     |            |                    |                         |               |                   |
| #2191 FOR ADJUST AIRPORT OPERATION REVENUE AND EXPENSES      |           |                     |            |                    |                         |               |                   |
| #2192 FOR ROLLOVER OMAG TOOL GRANT, CI VEHICLE FROM EM TO LF |           |                     |            |                    |                         |               |                   |
| & OPERATION EXPENSES & TRSF WATERSMART EXP TO IT FUND        |           |                     |            |                    |                         |               |                   |
| #2193 FOR ADJUST DMSC OPEATION EXPENSES & TURF TANK LEASE    |           |                     |            |                    |                         |               |                   |
| TOTAL NO. ADJUSTMENTS--REVENUE:                              |           |                     |            |                    | 10                      | 165,477.00    |                   |
| TOTAL NO. ADJUSTMENTS--EXPENSE:                              |           |                     |            |                    | 52                      | 165,477.00    |                   |
| TOTAL IN PACKET--                                            |           |                     |            |                    |                         | 330,954.00    |                   |

\*\*\* BUDGET DEFICIT WARNINGS \*\*\*

| FUND ACCOUNT      | NAME            | BALANCE |
|-------------------|-----------------|---------|
| 020 017-537.30-36 | CONSULTING FEES | 100.98- |
| 405 028-553.30-36 | SLUDGE DISPOSAL | 800.00- |

TOTAL WARNINGS: 2

\*\*\* NO ERRORS \*\*\*

\*\*\* END OF REPORT \*\*\*





# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Brenton Rucker, Director  
**Re:** Consider Approval of Easement for a Fiber Optic Line near Big Lots Water Tower

---

Zayo has requested an easement for fiber to the Big Lots water tower for the purpose of servicing Rise Broadband due to Rise Broadband relocating from Cardinal Glass water tower due to the weather radar.

### **Council Information / Action Requested**

Requesting Approval for Fiber Optic Line Easement rights and easements - Attachments: Exhibit A and Exhibit B

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

After Approval, we will follow up with an order for the appointed contractor on the construction site and the easement recorded at the Bryan County Clerk's Office.

### **ATTACHMENTS:**

1. Fiber Optic Line easement
2. Exhibit A - LEGAL DESCRIPTIONS 4-6-22
3. Exhibit B - BIG LOTS EASEMENT 4-6-22

STATE OF OKLAHOMA

UTILITY EASEMENT

COUNTY OF BRYAN

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, City of Durant a Municipal Corporation, having an address as 300 W Evergreen St Durant, OK 74701 hereinafter referred to as Grantor (whether one or more), for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), does hereby grant, bargain, sell, and convey unto Zayo, hereinafter referred to as Grantee, easements through, over, under and across the following described parcels of land, to-wit:

Attachments: Exhibit A and Exhibit B

With the right of ingress and egress to and from the same for any and all purposes necessary or convenient to the exercise by the Grantee of the rights and easements herein granted through, over, under and across said land and adjacent lands of the Grantor.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns so long as any one or more of said rights or privileges are exercised or useful to Grantee. Grantee hereby agrees to pay any reasonable damages to lawns, shrubs, timber, fences or appurtenances, above or underground which may immediately and directly result from the exercise of the rights and privileges granted herein except for those damages caused by maintaining and clearing the easements as hereinafter provided.

The easements and privileges herein granted are divisible, assignable or transferable in whole or in part by the Grantee. This agreement can be signed in counterparts with the same effect as if all parties signed one agreement.

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_ 2022

\_\_\_\_\_  
CITY OF DURANT  
GRANTOR

\_\_\_\_\_  
ZAYO  
GRANTEE

ACKNOWLEDGEMENT

This instrument was acknowledged before me, a Notary Public on this day personally appeared \_\_\_\_\_, well known to me to be the persons whose names are subscribed to the foregoing instrument and stated to me that they executed the same for the consideration and purposes therein mentioned and set forth.

In testimony thereof, I have hereunto set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2022

\_\_\_\_\_  
My commission expires: \_\_\_\_\_ Notary Public

**LEGAL DESCRIPTION:**

I, David L. Page Jr., hereby certify that this legal description, prepared under my direct supervision, accurately represents the following tract of land to wit:

**EASEMENT NO. 1**

A parcel of land situated in a part of Government Lot 1 ( LOT 1) of Section 7, Township 7 South, Range 9 East of the Indian Meridian and Base line, Bryan County, Oklahoma being a portion of that parcel of land described in Book 1033, Page(s) 65-66, filed July 14, 2003, in the office of the Bryan County Clerk, being more particularly described by metes and bounds with a base grid bearing being North 88°48'54" East, along the line between Sections 6 and 7, Township 7 South, Range 9 East, more particularly described as follows:

**COMMENCING** at the corner of Sections 1, 6, 7 and 12, marked with a 5/8" diameter steel pin with an aluminum cap stamped, MORRIS LS 1477, filed with the Oklahoma Department of Libraries on January 8, 2015;

**THENCE**, North 88°48'54" East, along the line between sections 6 and 7, a distance of 43.31 feet to a point;

**THENCE**, South 01°10'42" East, a distance of 59.87 feet to a point and the POINT OF BEGINNING of the herein described parcel;

**THENCE**, North 88°49'18" East, a distance of 364.72 feet to a point;

**THENCE**, South 33°57'53" East, a distance of 23.90 feet to a point on the south line of a parcel of land described in Book 1033, Page(s) 65-66, filed July 14, 2003, in the office of the Bryan County Clerk;

**THENCE**, South 88°48'54" West, along the south line of a parcel of land described in Book 1033, Page(s) 65-66, filed July 14, 2003, in the office of the Bryan County Clerk a distance of 17.84 feet to a point;

**THENCE**, North 33°57'53" West, a distance of 6.06 feet to a point;

**THENCE**, South 88°49'18" West, a distance of 347.78 feet to a point;

**THENCE**, South 28°15'00" West, a distance of 5.89 feet to a point on the south line of a parcel of land described in Book 1033, Page(s) 65-66, filed July 14, 2003, in the office of the Bryan County Clerk;

**THENCE**, South 88°48'54" West, along the south line of a parcel of land described in Book 1033, Page(s) 65-66, filed July 14, 2003, in the office of the Bryan County Clerk, a distance of 17.22 feet to a point;

**THENCE**, North 28°15'00" East, a distance of 23.12 feet back to the **POINT OF BEGINNING**, containing 0.13 acres of land.

**Basis of Bearings:** North 88°48'54" East, along the line between Sections 6 and 7, Township 7 South, Range 9 East, by R.T.K G.P.S. observation, referenced to the Oklahoma state plane coordinate system (NAD83). The aforesaid parcel of land described by David L. Page Jr., PLS No. 1566, on April 6, 2022.

**LEGAL DESCRIPTION:**

I, David L. Page Jr., hereby certify that this legal description, prepared under my direct supervision, accurately represents the following tract of land to wit:

**EASEMENT NO. 2**

A parcel of land situated in a part of Government Lot 1 ( LOT 1) of Section 7, Township 7 South, Range 9 East of the Indian Meridian and Base line, Bryan County, Oklahoma being a portion of that parcel of land described in Book 1033, Page(s) 65-66, filed July 14, 2003, in the office of the Bryan County Clerk, being more particularly described by metes and bounds with a base grid bearing being North 88°48'54" East, along the line between Sections 6 and 7, Township 7 South, Range 9 East, more particularly described as follows:

**COMMENCING** at the corner of Sections 1, 6, 7 and 12, marked with a 5/8" diameter steel pin with an aluminum cap stamped, MORRIS LS 1477, filed with the Oklahoma Department of Libraries on January 8, 2015;

**THENCE**, North 88°48'54" East, along the line between sections 6 and 7, a distance of 43.31 feet to a point;

**THENCE**, South 01°10'42" East, a distance of 59.87 feet to a point and the POINT OF BEGINNING of the herein described parcel;

**THENCE**, North 88°49'18" East, a distance of 364.72 feet to a point;

**THENCE**, South 33°57'53" East, a distance of 23.92 feet to a point on the north line of a parcel of land described in Book 1089, Page(s) 685, filed July 11, 2005, in the office of the Bryan County Clerk and the POINT OF BEGINNING of the herein described parcel;

**THENCE**, South 33°57'53" East, a distance of 142.55 feet to a point;

**THENCE**, South 56°02'07" West, a distance of 15.00 feet to a point;

**THENCE**, North 33°57'53" West, a distance of 152.21 feet to a point on the north line of a parcel of land described in Book 1089, Page(s) 685, filed July 11, 2005, in the office of the Bryan County Clerk;

**THENCE**, North 88°48'54" East, along the north line of a parcel of land described in Book 1089, Page(s) 685, filed July 11, 2005, in the office of the Bryan County Clerk, a distance of 17.84 feet back to the **POINT OF BEGINNING**, containing 0.06 acres of land.

**Basis of Bearings:** North 88°48'54" East, along the line between Sections 6 and 7, Township 7 South, Range 9 East, by R.T.K G.P.S. observation, referenced to the Oklahoma state plane coordinate system (NAD83). The aforesaid parcel of land described by David L. Page Jr., PLS No. 1566, on April 6, 2022.



EASEMENT EXHIBIT

CITY OF DURANT  
SECTION 7, TOWNSHIP 7 SOUTH, RANGE 9 EAST  
BRYAN COUNTY, STATE OF OKLAHOMA.



124 SOUTH 8th AVENUE  
DURANT, OKLAHOMA 74701  
(580) 920-9101 OR (580) 259-0176  
FAX (580) 920-9121

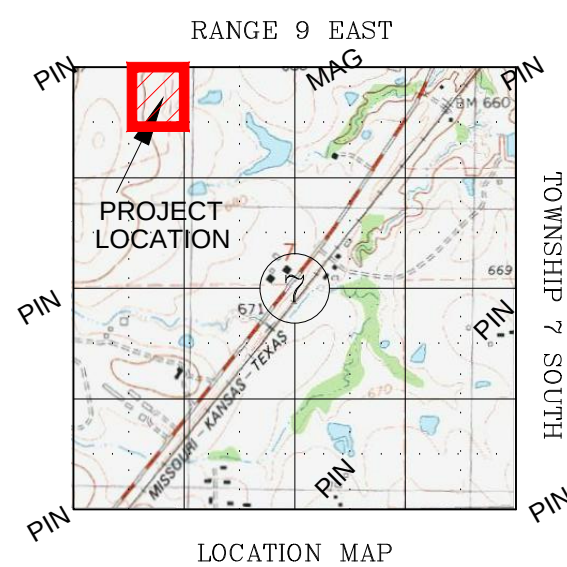
DAVID L. PAGE JR. © 2022  
PROFESSIONAL LAND SURVEYOR #1566  
C.A. # 1991, EXPIRES 6-30-2023

Surveyor's Seal



4-6-22  
DATE SIGNED

David L. Page Jr.  
DAVID L. PAGE, JR. P.L.S. #1566



SECTION 7  
TOWNSHIP 7 SOUTH, RANGE 9 EAST  
BRYAN COUNTY



BASIS OF BEARINGS  
STATE PLANE BEARINGS (NAD83)  
BEARING LINE BEING THE NORTH LINE OF THE NW1/4  
OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 9 EAST,  
BRYAN COUNTY, OKLAHOMA.  
BEARING BEING N 88°48'54" E

GENERAL NOTES

SUBJECT TO EASEMENTS AND/OR RIGHTS-OF-WAY, EITHER  
RECORDED, OR IMPLIED, THEREOF.

NO UTILITIES OF ANY KIND HAVE BEEN LOCATED EXCEPT THOSE  
SHOWN ON THE ABOVE PLAT.

CONTROLLING CORNERS FOR THIS EASEMENT EXHIBIT ARE  
AS SHOWN ON THE PLAT.

THIS IS NOT A VALID EASEMENT EXHIBIT WITHOUT THE SURVEYORS  
ORIGINAL SIGNATURE AND ORIGINAL SEAL.

PORTIONS OF THIS PLAT ARE IN COLOR, PHOTO AND ELECTRONIC  
COPIES OF THIS PLAT MAKE IT INVALID AND MAY ALTER ITS  
MEANING.

THIS EASEMENT EXHIBIT PLAT MEETS THE OKLAHOMA MINIMUM  
STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED  
BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS.



| NO. | REVISION/ISSUE | DATE |
|-----|----------------|------|
|     |                |      |
|     |                |      |
|     |                |      |
|     |                |      |
|     |                |      |

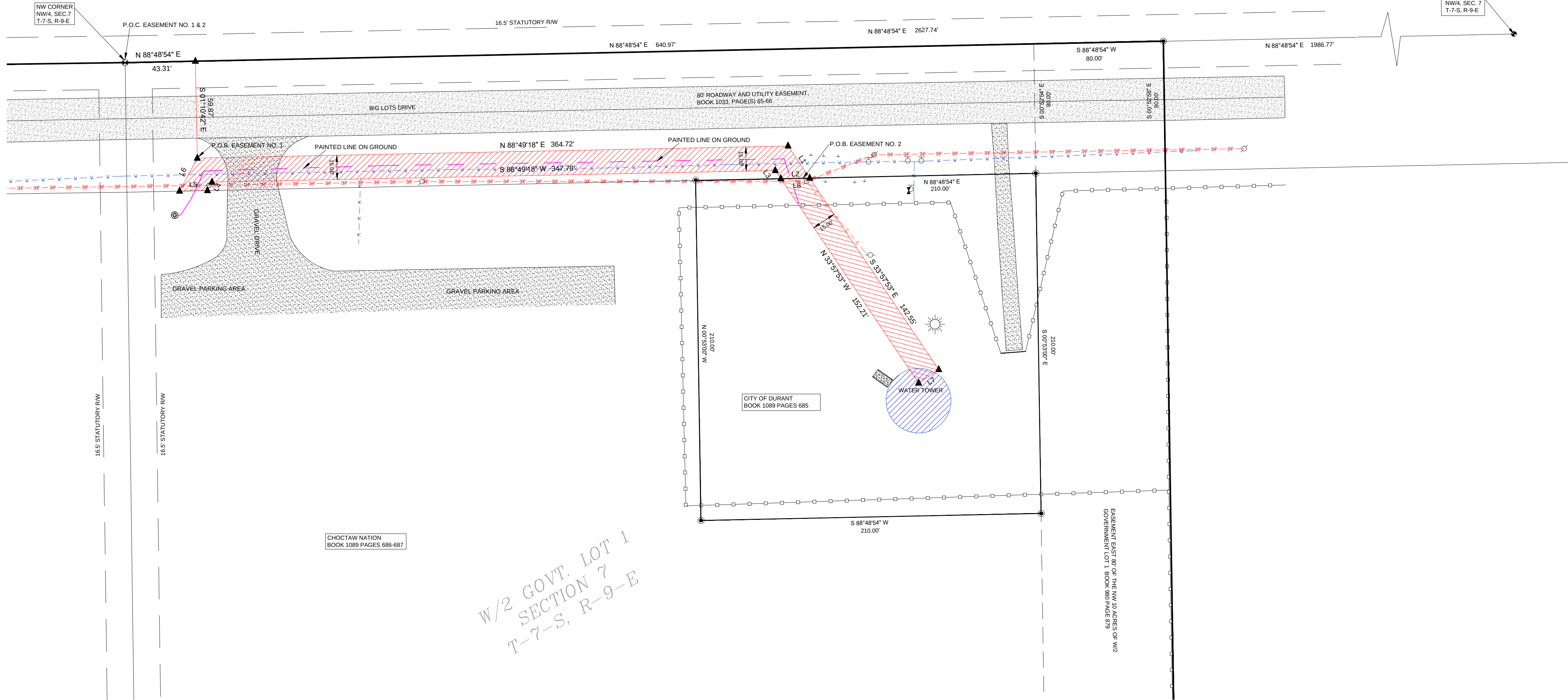
SURVEY INFORMATION  
FIELD WORK PERFORMED: 2-28-22 & 4-6-22  
DATE OF LAST SITE VISIT: 4-6-22  
PLAT COMPLETED: 4-6-22

Project Name and Address  
CITY OF DURANT  
BIG LOTS DRIVE EASEMENT  
DURANT, OKLAHOMA  
BRYAN COUNTY

DATE  
4-6-22

SCALE  
1" = 40'

SHEET NO.  
1 OF 1



SURVEYOR'S NOTES:

1. THIS EASEMENT EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT  
ABSTRACT, COMMITMENT OR TITLE OPINION, NO EASEMENTS OR RIGHTS-OF-WAY  
WERE PROVIDED TO THE SURVEYOR.

2. ALL MEASUREMENTS AS SHOWN ARE IN GRID BEARINGS AND GROUND DISTANCES  
UNLESS OTHERWISE NOTED.

3. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY  
INFORMATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND  
UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR  
ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE  
UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED  
ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS  
POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY  
LOCATED THE UNDERGROUND UTILITIES.

FLOOD STATEMENT

SUBJECT PROPERTY LIES WITHIN ZONE X OTHER  
AREAS (AREAS DETERMINED TO BE OUTSIDE THE 0.2%  
ANNUAL CHANCE FLOOD PLAIN), AS DEFINED BY F.E.M.A.  
MAP# 46013C0310E. DATED: JUNE 2, 2011.

SITE UTILITY NOTES:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN  
LOCATED FROM FIELD SURVEY INFORMATION AND  
EXISTING DRAWINGS. THE SURVEYOR MAKES NO  
GUARANTEE THAT THE UNDERGROUND UTILITIES  
SHOWN COMPRISE ALL SUCH UTILITIES IN THE  
AREA, EITHER IN SERVICE OR ABANDONED. THE  
SURVEYOR FURTHER DOES NOT WARRANT THAT  
THE UNDERGROUND UTILITIES SHOWN ARE IN THE  
EXACT LOCATION INDICATED ALTHOUGH HE DOES  
CERTIFY THAT THEY ARE LOCATED AS  
ACCURATELY AS POSSIBLE FROM THE  
INFORMATION AVAILABLE. THE SURVEYOR HAS  
NOT PHYSICALLY LOCATED THE UNDERGROUND  
UTILITIES.

G.P.S. BASE POINT INFORMATION:

NAD 83 COORDINATE  
NORTHING: 235729.7169  
EASTING: 2452789.3240  
ELEV. 688.844'

WGS 84 DATA  
LAT: 33°58'13.98696" N  
LONG: 96°24'09.66759" W  
HT. 591.876'

LEGAL DESCRIPTION:

I, David L. Page Jr., hereby certify that this legal description, prepared under my direct supervision, accurately  
represents the following tract of land to wit:

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of the Indian Meridian and Base line, Bryan County, Oklahoma being a portion of that parcel of land described in  
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**COMMENCING** at the corner of Sections 1, 6, 7 and 12, marked with a 3/4" diameter steel pin with an aluminum  
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**THENCE**, North 88°48'54" East, along the line between sections 6 and 7, a distance of 43.31 feet to a point;

**THENCE**, South 01°10'42" East, a distance of 59.87 feet to a point and the POINT OF BEGINNING of the herein  
described parcel;

**THENCE**, North 88°49'18" East, a distance of 364.72 feet to a point;

**THENCE**, South 33°57'53" East, a distance of 23.90 feet to a point on the south line of a parcel of land  
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**THENCE**, South 88°48'54" West, along the south line of a parcel of land described in Book 1033, Page(s) 65-66,  
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**THENCE**, South 88°49'18" West, a distance of 347.78 feet to a point;

**THENCE**, South 28°15'00" West, a distance of 5.89 feet to a point on the south line of a parcel of land described  
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**THENCE**, South 88°48'54" West, along the south line of a parcel of land described in Book 1033, Page(s) 65-66,  
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East, by R.T.K.G.P.S. observation, referenced to the Oklahoma state plane coordinate system (NAD83). The  
aforesaid parcel of land described by David L. Page Jr., PLS No. 1566, on April 6, 2022.

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 33°57'53" E | 23.90'   |
| L2   | S 88°48'54" W | 17.84'   |
| L3   | N 33°57'53" W | 6.06'    |
| L4   | S 28°15'00" W | 5.89'    |
| L5   | S 88°48'54" W | 17.22'   |
| L6   | N 28°15'00" E | 23.12'   |
| L7   | S 56°02'07" W | 15.00'   |
| L8   | N 88°48'54" E | 17.84'   |

LEGEND

These standard symbols will  
be found in the drawing.

- STEEL PIN FOUND CA 2906
- ▲ CALCULATED POINT (NOT MONUMENTED)
- STEEL PIN FOUND LS1198
- ⊕ EXISTING ALLUM CAP
- IRON PIN FOUND CA5975
- ⊗ MAG NAIL
- ✕ CUT X ON CONC. (BM)
- Ⓢ CONCRETE ELECTRIC BOX
- Ⓣ TELEPHONE PEDESTAL
- ☀ LIGHT POLE
- ⚡ POWER POLE
- Ⓜ METER POLE
- ⓧ BENCH MARK "X"
- Ⓢ EXISTING NO 4 REBAR WITH CAP LS1566
- Ⓢ COMMUNICATIONS MANHOLE
- ⓧ CUT "X" WITH MAG NAIL
- Ⓢ GUY ANCHOR
- Ⓢ WATER VALVE
- Ⓢ FIRE HYDRANT
- Ⓢ BARBED WIRE FENCE
- Ⓢ UNDERGROUND ELECTRIC
- Ⓢ WATER LINE
- Ⓢ EASEMENT
- Ⓢ INDICATES A LINE NOT TO SCALE
- Ⓢ 6" CHAIN LINK FENCE
- Ⓢ 6" SUCKER ROD FENCE
- Ⓢ 16.5 STATUTORY RIGHT OF WAY
- Ⓢ RIGHT OF WAY
- Ⓢ UNDERGROUND TELEPHONE LINES
- Ⓢ OVERHEAD ELECTRIC
- Ⓢ PAINTED LINE
- Ⓢ CONCRETE DITCH LINER
- Ⓢ DIRT/GRAVEL DRIVE
- Ⓢ CONCRETE STREET



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** John Dean, City Manager  
**Re:** Consider Recommendation for 2022 Election of Two Trustees for Oklahoma Municipal Assurance Group

---

Biographical sketches of nominees are attached for your review. City Manager John Dean recommends Lindsey Grigg-Moak and Vickie Patterson for three-year terms starting July 1, 2022. Introductory letters from each recommended nominee are also attached.

### **Council Information / Action Requested**

Recommendation for 2022 Election of Two Trustees for Oklahoma Municipal Assurance Group

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. Ballot - 2022 OMAG Trustee Election
2. Lindsey Grigg-Moak
3. Vickie Patterson



# BALLOT

## OKLAHOMA MUNICIPAL ASSURANCE GROUP

### 2022 Election of Two Trustees

### For a three-year term starting July 1, 2022

The biographical sketch on the next page for each nominee was written by the person who made the nomination. YOU MAY VOTE FOR TWO (2) NOMINEES.

- \_\_\_\_\_ LINDSEY GRIGG-MOAK, City Clerk, City of El Reno (Incumbent)
- \_\_\_\_\_ VICKIE PATTERSON, City Manager, City of Broken Bow (Incumbent)
- \_\_\_\_\_ JUSTIN BATTLES, Assistant City Manager, City of Mustang
- \_\_\_\_\_ CHUCK RALLS, City Manager, City of Comanche
- \_\_\_\_\_ CHAD WILLIAMS, Council Member, City of Choctaw

## SIGN AND ATTEST

Ballot cast by the governing body of the municipality of

\_\_\_\_\_  
Signed: \_\_\_\_\_  
Mayor

Attested: \_\_\_\_\_ Date: \_\_\_\_\_, 2022  
Clerk

**FAILURE TO PROPERLY SUBMIT THIS BALLOT WILL INVALIDATE THE BALLOT.**

**Your Ballot must be received by the OMAG no later than *May 31, 2022*, by:**

- (1) emailing the ballot to [elections@omag.org](mailto:elections@omag.org);
- (2) sending the ballot to OMAG by mail to 3650 S. Boulevard, Edmond, OK 73013; or
- (3) sending a facsimile of the ballot to OMAG at (405) 657-1401.

**SEE REVERSE FOR BIOGRAPHICAL SKETCHES**

## BIOGRAPHICAL SKETCHES

**LINDSEY GRIGG-MOAK (Incumbent)** Lindsey Grigg-Moak has been with the City of El Reno for 14 years. Lindsey holds a BA in Communication and an MS in Management. She is currently serving on the OMAG Board of Trustees. She also serves on the OMCTFOA board and the National APT USC board. **(El Reno participates in the Municipal Liability Protection Plan and the Municipal Property Protection Plan.)**

**VICKIE PATTERSON (Incumbent)** Vickie has served on the OMAG Board since 2018 and is currently serving as the secretary since June of 2021. Vickie has 25 years of Municipal Government experience. **(Broken Bow participates in the Municipal Property Protection Plan, the Municipal Liability Protection Plan, and the Workers' Compensation Plan.)**

**JUSTIN BATTLES** Justin Battles is passionate about communities, working with others, and the organizations that support them. As the Assistant City Manager in Mustang, he understands the demands that cities and towns face on a daily basis. With 20 years of experience, he knows together we can thrive. **(Mustang participates in the Municipal Liability Protection Plan and the Municipal Property Protection Plan.)**

**CHUCK RALLS** Chuck has been City Manager of Comanche for over six (6) years. He is a visionary leader focusing on establishing new revenue streams for Oklahoma municipalities. We feel Chuck's insight and leadership will bring added value to the OMAG organization. **(Comanche participates in the Municipal Liability Protection Plan and the Municipal Property Protection Plan.)**

**CHAD WILLIAMS** Chad Williams is a veteran, entrepreneur, and political activist from Choctaw, Oklahoma. He and his wife Kendra raise their 15 year old son, Kyle who has Cerebral Palsy. Chad was instrumental in growing the Libertarian Party, started his own residential technology business, and serves on the Choctaw City Council. **(Choctaw participates in the Municipal Liability Protection Plan, the Municipal Property Protection Plan, and the Workers' Compensation Plan.)**





The City of

*El Reno*

*Where History Meets the Future*

March 28, 2022

Dear Mayors, Council Members, City Managers, and City Clerks of OMAG Member Cities and Towns:

I would like to take the opportunity to introduce myself. My name is Lindsey Grigg-Moak, City Clerk for the City of El Reno and I am a candidate for the OMAG Board of Trustees.

I began my career with the City of El Reno in April of 2008 as the Deputy City Clerk and became City Clerk in 2011. I oversee our court and utility offices and handle insurance for the city. I am a member of the state and national clerk and treasurer associations having the master/advanced accreditations that the national Association of Public Treasurers and International Institute of Municipal Clerks offer. I have a Master of Science in Management from Southwestern Oklahoma State University.

I was selected as City Employee of the Year in 2015, the OMCTFOA Member of the Year in 2018, and was extremely excited to just be nominated as Woman of the Year through OML in 2021. I married my best friend Chris in December of 2021 and am now able to call his twin daughters, Kylie and Shelby, my own.

I have been on two state boards serving Clerks and Treasurers since 2016. I volunteer at each OML conference and am an OMAG board member, appointed in August of 2021 by your current OMAG board members. I love to serve my state and community. I would be honored to continue serving as your advocate on the OMAG Board of Trustees. The opportunity to represent cities and towns across the State of Oklahoma is a dream and I would greatly appreciate your vote of support.

Respectfully,



Lindsey Grigg-Moak  
City Clerk



*City of Broken Bow*  
*Public Works Authority*  
*Kulli Chito Environmental Authority*



April 1, 2022

Re: Vickie Patterson, **Candidate for OMAG Board of Trustees**

Dear Mayor, Council Members, City Manager and City Clerk:

Hello, my name is Vickie Patterson. I have served on the Oklahoma Municipal Assurance Group's Board of Trustees since August 2018. I currently serve as the OMAG board secretary. My term expires in June, and I would greatly appreciate your vote to continue working for you and your city.

I began my career with the City of Broken Bow in 1997. I worked my way up the ladder over the past 25 years, starting out as the Landfill Secretary, the Public Works Billing Clerk, City Clerk for 6 years, and for the past 10 years as City Manager. It has been an honor to get to know and work with OMAG's team the past 16 years for our city's insurance needs. Broken Bow participates in OMAG's general liability, property, and workers compensation plans.

My experience as City Manager and as City Clerk has taught me that municipal budgets are tight. That is why I fully support OMAG's grant programs. They help municipalities purchase much needed equipment, such as police body worn cameras and public works safety equipment. OMAG also provides scholarships to many conferences and educational opportunities allowing our municipal employees access to education that city and town budgets might not permit.

I would be honored to continue serving as your advocate on the OMAG board. I will continue to work hard for all of us and would genuinely appreciate your vote of confidence.

Respectfully,

Vickie Patterson  
City Manager, Broken Bow  
[www.cityofbrokenbow.com](http://www.cityofbrokenbow.com)  
[citymgr@pine-net.com](mailto:citymgr@pine-net.com)  
1-580-580-2282 office  
1-580-236-0352 cell



210 N. Broadway Street • Broken Bow, OK 74728  
Phone: (580) 584-3407 • (580) 584-2282 • (580) 584-2885 • Fax: (580) 584-6898  
TDD 800-722-0353 • TTY 800-522-8506/voice or 711 • Web: [www.cityofbrokenbow.com](http://www.cityofbrokenbow.com)  
The City of Broken Bow is an Equal Opportunity Provider and Employer.

In accordance with Federal law and the U. S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S. W. Washington, D. C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD)



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** James Dalton, Assistant City Manager  
**Re:** Assistant City Manager Report - March 2022

---

Assistant City Manager Report - March 2022

### **Council Information / Action Requested**

**City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. ACM Report - March 2022





# THE CITY OF DURANT

## Assistant City Manager

**TO:** Durant City Council  
**FROM:** James Dalton, Assistant City Manager  
**DATE:** April 1, 2022  
**SUBJECT:** Monthly Report for March 2022

### Airport

We're continuing to work through various items at the Airport in an effort to maximize the full potential of our airport. Below is a list of some tasks in March.

1. We have identified the solution to the 100LL tank water drainage and partial corrections have been made to the base. Jesse Lewis of Green Oaks Landscaping has been contracted by the tank supplier, Innovative Fuels, to complete the drainage project. John Wyatt confirmed the contract with Green Oaks, but they are behind.
2. We are continuing to work with our airport consults, KSA, OAC, and the FAA on developing an Airport Layout Plan with Narrative that will identify future growth at the airport. As a result of this planning we submitted a revised 5-year Capital Improvement Plan to the FAA, that shows the following projects.
  1. Relocation and updating of the AWOS (Automated Weather Observation Station) out of the proposed apron expansion area. Estimated cost share would be \$25,000.
  2. Design of the new Terminal Apron Phase 1 Estimated cost share would be \$25,000.In 2024 there is one project; Terminal Apron Expansion Construction – Phase 1. The estimated local cost share would be \$325,000., but could be less depending on OAC participation in the project, which is expected.  
In 2025 there is one project; New 12,000 gal. Jet A Fuel Tank with Self Service Pump and the relocation of the old Jet A Fuel Tank, provided that the tank is still in good condition. The estimated local cost share would be \$49,400.  
In 2026 FAA project money would be banked for future projects.  
In 2027 FAA project money would be banked for future projects.  
**NOTE: These numbers are estimates based on the current pricing and could vary.**
3. We're also working with KSA to have a Strength Analysis Study done on the new runaway overlay and addition. Our application has already been submitted and KSA thinks we may receive authorization to proceed in April. This effects whether or not larger aircraft can use the runway on a regular basis. The price for this initial study is \$98,730. Depending on the results of the initial study, an Environmental Analysis may also be required by FAA at a cost of \$46,470. It will be a 90 / 10 cost share with the FAA paying the 90%. The City's maximum out of pocket cost is \$14,547, and there is money in the Airport Engineering GL to cover these cost.
4. We are continuing to have contact from various aerospace related companies that area interested in locating at the airport. We have a standard lease agreement that has been adopted by Council that will be used for long term ground leases.

## **Senior Center**

The City with funding from the DCFA continues remodeling the new Senior Center Building located at 1401 Chuckwa. Work during March, includes the following:

1. Coordinating with Cavins Construction and Architect Shane Knight to finish the punch list on the building.
2. Commercial Kitchen equipment has been installed. Farris Electric, Cavins, and the Equipment Suppliers have been working on connection issues with the equipment.
3. We're still waiting on kitchen countertops, and finishing punch list items to hopefully be able to get the Temporary Certificate of Occupancy in April.
4. The Street Department is helping pour a ramp at the back of the hallway in the kitchen area and one near the refrigeration and pantry to make those areas more accessible.

## **9-1-1**

1. 9-1-1 personnel are continuing to transition to our new 9-1-1 Computer Aided Dispatch (CAD) system. I. T. Director Brenton Rucker is helping with the transition and training. We're waiting on a couple of pieces of software, due to the backlog of electronic items. We're also looking at having Motorola come back and do some more in house training with officers and dispatchers to better use the system to its fullest. The system has proven more difficult to use than was initially thought.
2. Currently we have 5 FTE Dispatchers, 2 FTE Dispatcher Trainee's and 1 PTE Dispatcher. Counting the 9-1-1 Manager, we have 13 full time positions, and we will continue testing and interviewing until we have a full crew. Our goal is to be completely staffed and trained by the end of 2022. We will be testing again with the next two weeks.
3. We continue to meet regularly with BCSO, OHP, BCEMS, Durant Fire, 9-1-1, and OHP to discuss the future of the 9-1-1 center, along with the conversion to a digital radio format. We're planning on switching to a digital radio format by January 2023. We're currently looking at a numbering system so that each radio will have it's on ID number. This will help dispatch know who the calling radio is. This will help us identify if someone's is having radio issues or help identify a first responder needing assistance.

## **Police Department**

1. Chief Houser and staff are continuing to take applications, do testing, and reviewing background for potential new officers every two weeks. Currently we have 5 police officer vacancies, with 1 officer on administrative leave, and 1 officer that is leaving in the middle of April for OHP. Also, PD is expecting to lose 4 more officers by years end to retirement.
2. We have still not been informed on the status of the License Plate Recognition Grant for cameras and software that will help identify stole vehicles, vehicles that were used in the commission of crimes, Amber Alerts, Silver Alerts, and Blue Alerts. The grant would equip 7 patrol vehicles, plus a portable trailered unit, with the cameras and software. This will be an outstanding tool and will increase officer safety dramatically, especially with the volume of traffic on US 69/75.
3. In March the Police Department auctioned off 7 older high mileage units and received almost \$29,000 from the auction.
4. Chief Houser is in the process of acquiring two new K9's, as we have had to retire 2 K9's due to age of the dogs.
5. Chief Houser is looking at additional training on the new CAD (Computer Aided Dispatch) system to help officers get the most benefit from the system.
6. Chief Houser and Administration met regarding next year's budget needs.

## **Emergency Management**

Emergency Management continues to be vigilant as the Point of Contact for COVID information and supplies. Durant Emergency Management Warehouse is the local distribution site for PPE to schools and governmental agencies. The EM warehouse is at 5542 Piper.

1. The weather radar project is again on track. Baron Weather received the bid for just slightly over 1 million. They have secured their bond, signed the contract, and received a notice to proceed. EM is in the process of securing a list of additional replacement parts that will be purchased as part of the grant, that was not included in the original bid. EM is also looking at placing a generator, fuel storage tank, additional lighting, and fencing at the location to make it more secure.
2. OEMA (Oklahoma Emergency Management Association) Conference and Training was held in Durant at the Choctaw Resort from March 29-31. Reports are that the attendees were pleased with the Durant location, and would like to have the event here again.
3. Work continues on the EOC and the EM Warehouse. It has been difficult getting tradesmen to finish the project due to the amount of construction in the area.
4. EM and Administration met regarding next year's budget needs.

## **Fire Department**

1. DFD has purchased some new radios for some of the older trucks for digital capabilities. They're also replacing their old handheld radios. The new radios will allow the DFD to go to digital transmissions later this year. The digital radios have improved clarity and range. The truck radios have arrived, but the handhelds have not.
2. Chief Langford and Becca Payne have completed and submitted the AFG grant for 2022. DFD is asking for new SCBA (Self Contained Breathing Apparatus) equipment. The awards will be announced later this year.
3. DFD has ordered a new brushtruck, but due to the microchip shortage and COVID, it has been delayed. Chief Langford was notified that the cab and chassis will be built in June. The bed will be added in the summer and should be operational by fall.
4. Chief Langford, Chief Houser, EM, and myself will be meeting every two weeks to enhance our response plan in the event of a weather or catastrophic event that could occur in Durant.
5. Chief Langford and Administration met regarding next year's budget needs.

## **Facilities**

1. EM and Facilities have identified all of the generators that are owned by the City at various locations for the purpose of securing a Generator Maintenance Contract to service all of the various generators. We are also identifying critical infrastructure that currently doesn't have generators and evaluating the size requirements for those facilities to become generated. Generators at critical infrastructure sites are eligible for FEMA Hazard Mitigation Grant Funds. FEMA will pay 75% of the cost, leaving only 25% for the City.
2. Facilities worker Mark Pierce is continuing to do the building inspections for the City.
3. Mark Pierce has been coordinating with Maggie Southerland to get the Temporary Certificate of Occupancy at the new Senior Center. Our main issue is the Ansil Fire Suppression system in the Kitchen, that is waiting on a part before it can be completed.

*James Dalton*



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Cynthia Price, City Clerk  
**Re:** City Clerk Monthly Report - March 2022

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### **Council Information / Action Requested**

Information only.

**City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. CITY CLERK REPORT 04122022 cjp

## **CITY CLERK MONTHLY INFORMATION REPORT**

**APRIL 2022**

### **MUNICIPAL COURT -**

I have created the attached spreadsheet which will allow you to track the various municipal court categories as the calendar year progresses.

I have also created and attached a second spreadsheet based on monthly reports provided by Perdue Law Firm which provides collection services for municipal court.

### **SPECIAL EVENT PERMIT APPLICATIONS -**

There were four (4) Special Event Permit Applications received in March 2022.

#### **Events Held in City of Durant in March 2022:**

Virtual Run - Be a Hero 5k and Fun Run – March 5, 2022.

#### **Events To Be Held in City of Durant in April 2022:**

None requiring a Special Event Permit.

### **RECORD REQUESTS -**

There were nineteen (19) record requests received and processed in March 2022.

### **CEMETERY ADMINISTRATION/3B GRAVE SERVICE –**

I have created the attached spreadsheets, which will allow you to track burials and sales (through the city and private seller) as the calendar year progresses.

The 2022 mowing season began April 1, 2022. Green Belt Turf Management began mowing on April 4, 2022.

Phase II of the Cemetery Circle Landscaping Project will begin April 8, 2022 and be completed no later than April 9, 2022. This project is made possible through funding by the Keep Durant Beautiful Committee.

Gravel was applied in front of the garage doors and around the side of the cemetery maintenance building to prevent further soil erosion.

A dumpster has been placed in front of the cemetery maintenance building as a courtesy for visitors to place old flowers or deteriorated grave decorations. Visitors are respectfully requested not to place these items on the roadside within the cemetery. The city sanitation trucks do not travel up and down the roads within the cemetery. Please stop by the dumpster provided as you exit the cemetery and dispose of these items at that location. Your cooperation in this effort is greatly appreciated and contributes to the overall appearance of the cemetery grounds for the benefit of all families, friends and loved ones who enter its gates.



**BIDS** -

There were three bids processed in March 2022:

2022 Street Improvement Project – Peppernut Lane and Commercial Lane  
Deadline: April 5, 2022

Municipal Design and Landscaping – Deadline: April 18, 2022

Independent Audit Services Request for Qualifications – Deadline: April 21, 2022

Open Ended:

Call Service Providers for Health Nuisance Abatements

**BOARD SECRETARY** -

I served functions of the secretary for the following council, authorities, and advisory boards in the month of March 2022:

Durant City Council;

Durant City Utility Authority;

Durant Airport Authority;

Durant Community Facilities Authority.

# CITY OF DURANT MUNICIPAL COURT

| 2022 | Total Violations Issued |           |                | Total Cases Heard By Judge |           |                | Warrants Issued |           |                | Warrants Cleared |           |                |
|------|-------------------------|-----------|----------------|----------------------------|-----------|----------------|-----------------|-----------|----------------|------------------|-----------|----------------|
| Jan  | 265                     | 20        | 39             | 202                        | 13        | 10             | 118             | 17        | 20             | 147              | 21        | 16             |
| Feb  | 323                     | 33        | 36             | 178                        | 10        | 19             | 139             | 18        | 35             | 135              | 20        | 24             |
| Mar  | 261                     | 32        | 44             | 247                        | 17        | 29             | 291             | 37        | 59             | 161              | 19        | 33             |
| Apr  |                         |           |                |                            |           |                |                 |           |                |                  |           |                |
| May  |                         |           |                |                            |           |                |                 |           |                |                  |           |                |
| Jun  |                         |           |                |                            |           |                |                 |           |                |                  |           |                |
| Jul  |                         |           |                |                            |           |                |                 |           |                |                  |           |                |
| Aug  |                         |           |                |                            |           |                |                 |           |                |                  |           |                |
| Sep  |                         |           |                |                            |           |                |                 |           |                |                  |           |                |
| Oct  |                         |           |                |                            |           |                |                 |           |                |                  |           |                |
| Nov  |                         |           |                |                            |           |                |                 |           |                |                  |           |                |
| Dec  |                         |           |                |                            |           |                |                 |           |                |                  |           |                |
|      | Traffic                 | State Law | City Ordinance | Traffic                    | State Law | City Ordinance | Traffic         | State Law | City Ordinance | Traffic          | State Law | City Ordinance |

| 2022 | Transfer to County |           |                | Uncollectable Fees & Fines |           |                | Fine Suspended |           |                |
|------|--------------------|-----------|----------------|----------------------------|-----------|----------------|----------------|-----------|----------------|
| Jan  | 0                  | 0         | 0              | 10                         | 5         | 4              | 5              | 0         | 1              |
| Feb  | 0                  | 0         | 0              | 4                          | 1         | 0              | 7              | 0         | 3              |
| Mar  | 0                  | 0         | 0              | 0                          | 0         | 0              | 6              | 2         | 8              |
| Apr  |                    |           |                |                            |           |                |                |           |                |
| May  |                    |           |                |                            |           |                |                |           |                |
| Jun  |                    |           |                |                            |           |                |                |           |                |
| Jul  |                    |           |                |                            |           |                |                |           |                |
| Aug  |                    |           |                |                            |           |                |                |           |                |
| Sep  |                    |           |                |                            |           |                |                |           |                |
| Oct  |                    |           |                |                            |           |                |                |           |                |
| Nov  |                    |           |                |                            |           |                |                |           |                |
| Dec  |                    |           |                |                            |           |                |                |           |                |
|      | Traffic            | State Law | City Ordinance | Traffic                    | State Law | City Ordinance | Traffic        | State Law | City Ordinance |

# CITY OF DURANT MUNICIPAL COURT

| DISMISSED CASES |                     |           |                |                    |           |                |                          |           |                |                     |           |                |
|-----------------|---------------------|-----------|----------------|--------------------|-----------|----------------|--------------------------|-----------|----------------|---------------------|-----------|----------------|
| 2022            | Prosecutor's Motion |           |                | Completed Deferred |           |                | Dismissed by Complainant |           |                | Presented Insurance |           |                |
| Jan             | 2                   | 0         | 0              | 7                  | 0         | 0              | 0                        | 0         | 0              | 0                   | 0         | 0              |
| Feb             | 0                   | 0         | 0              | 0                  | 0         | 0              | 0                        | 0         | 0              | 0                   | 0         | 0              |
| Mar             | 1                   | 0         | 0              | 41                 | 1         | 3              | 0                        | 0         | 0              | 0                   | 0         | 0              |
| Apr             |                     |           |                |                    |           |                |                          |           |                |                     |           |                |
| May             |                     |           |                |                    |           |                |                          |           |                |                     |           |                |
| Jun             |                     |           |                |                    |           |                |                          |           |                |                     |           |                |
| Jul             |                     |           |                |                    |           |                |                          |           |                |                     |           |                |
| Aug             |                     |           |                |                    |           |                |                          |           |                |                     |           |                |
| Sep             |                     |           |                |                    |           |                |                          |           |                |                     |           |                |
| Oct             |                     |           |                |                    |           |                |                          |           |                |                     |           |                |
| Nov             |                     |           |                |                    |           |                |                          |           |                |                     |           |                |
| Dec             |                     |           |                |                    |           |                |                          |           |                |                     |           |                |
|                 | Traffic             | State Law | City Ordinance | Traffic            | State Law | City Ordinance | Traffic                  | State Law | City Ordinance | Traffic             | State Law | City Ordinance |

| 2022 | Dismissed by Judge's Order |           |                | Dismissed Compliance |           |                |
|------|----------------------------|-----------|----------------|----------------------|-----------|----------------|
| Jan  | 33                         | 1         | 5              | 0                    | 0         | 0              |
| Feb  | 26                         | 7         | 9              | 0                    | 0         | 0              |
| Mar  | 23                         | 4         | 3              | 0                    | 0         | 0              |
| Apr  |                            |           |                |                      |           |                |
| May  |                            |           |                |                      |           |                |
| Jun  |                            |           |                |                      |           |                |
| Jul  |                            |           |                |                      |           |                |
| Aug  |                            |           |                |                      |           |                |
| Sep  |                            |           |                |                      |           |                |
| Oct  |                            |           |                |                      |           |                |
| Nov  |                            |           |                |                      |           |                |
| Dec  |                            |           |                |                      |           |                |
|      | Traffic                    | State Law | City Ordinance | Traffic              | State Law | City Ordinance |

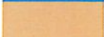
## PERDUE LAW FIRM COLLECTION REPORT

| 2022  | Letters | Address Correction | Phone Number Changes | Phone Contacts | New Accounts | New Accounts Total | Amount Collected |
|-------|---------|--------------------|----------------------|----------------|--------------|--------------------|------------------|
| Jan   | 1,274   | 32                 | 20                   | 645            | 81           | \$12,103.75        | \$11,454.15      |
| Feb   | 23      | 33                 | 0                    | 224            | 0            | \$0.00             | \$2,473.00       |
| Mar   | 277     | 25                 | 98                   | 0              | 283          | \$55,677.43        | \$25,001.95      |
| April |         |                    |                      |                |              |                    |                  |
| May   |         |                    |                      |                |              |                    |                  |
| June  |         |                    |                      |                |              |                    |                  |
| July  |         |                    |                      |                |              |                    |                  |
| Aug   |         |                    |                      |                |              |                    |                  |
| Sept  |         |                    |                      |                |              |                    |                  |
| Oct   |         |                    |                      |                |              |                    |                  |
| Nov   |         |                    |                      |                |              |                    |                  |
| Dec   |         |                    |                      |                |              |                    |                  |

| 2022  | Adjustment Total Disposed | Adjustment Amount Disposed | Discharged Case at Court Total | Discharged Case at Court Amount Total | Amount Outstanding |
|-------|---------------------------|----------------------------|--------------------------------|---------------------------------------|--------------------|
| Jan   | 152                       | \$18,314.88                | 8                              | \$3,352.50                            | \$1,111,106.01     |
| Feb   | 0                         | \$0.00                     | 5                              | \$1,556.25                            | \$1,106,785.76     |
| Mar   | 167                       | \$14,899.65                | 0                              | 0                                     | \$1,122,561.59     |
| April |                           |                            |                                |                                       |                    |
| May   |                           |                            |                                |                                       |                    |
| June  |                           |                            |                                |                                       |                    |
| July  |                           |                            |                                |                                       |                    |
| Aug   |                           |                            |                                |                                       |                    |
| Sept  |                           |                            |                                |                                       |                    |
| Oct   |                           |                            |                                |                                       |                    |
| Nov   |                           |                            |                                |                                       |                    |
| Dec   |                           |                            |                                |                                       |                    |

**2022 GRAVE OPENINGS/CLOSINGS  
HIGHLAND CEMETERY**

|    | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC |
|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 17 |     |     |     |     |     |     |     |     |     |     |     |     |
| 16 |     |     |     |     |     |     |     |     |     |     |     |     |
| 15 |     |     |     |     |     |     |     |     |     |     |     |     |
| 14 |     |     |     |     |     |     |     |     |     |     |     |     |
| 13 |     |     |     |     |     |     |     |     |     |     |     |     |
| 12 |     |     |     |     |     |     |     |     |     |     |     |     |
| 11 |     |     |     |     |     |     |     |     |     |     |     |     |
| 10 |     |     |     |     |     |     |     |     |     |     |     |     |
| 9  |     |     |     |     |     |     |     |     |     |     |     |     |
| 8  |     |     |     |     |     |     |     |     |     |     |     |     |
| 7  |     |     |     |     |     |     |     |     |     |     |     |     |
| 6  |     |     |     |     |     |     |     |     |     |     |     |     |
| 5  |     |     |     |     |     |     |     |     |     |     |     |     |
| 4  |     |     |     |     |     |     |     |     |     |     |     |     |
| 3  |     |     |     |     |     |     |     |     |     |     |     |     |
| 2  |     |     |     |     |     |     |     |     |     |     |     |     |
| 1  |     |     |     |     |     |     |     |     |     |     |     |     |

|                                                                                     |          |
|-------------------------------------------------------------------------------------|----------|
|  | CASKET   |
|  | CREMAINS |

2022 CEMETERY SALES  
HIGHLAND CEMETERY

|    | JAN | FEB | MARCH | APRIL | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC |
|----|-----|-----|-------|-------|-----|------|------|-----|------|-----|-----|-----|
| 15 |     |     |       |       |     |      |      |     |      |     |     |     |
| 14 |     |     |       |       |     |      |      |     |      |     |     |     |
| 13 |     |     |       |       |     |      |      |     |      |     |     |     |
| 12 |     |     |       |       |     |      |      |     |      |     |     |     |
| 11 |     |     |       |       |     |      |      |     |      |     |     |     |
| 10 |     |     |       |       |     |      |      |     |      |     |     |     |
| 9  |     |     |       |       |     |      |      |     |      |     |     |     |
| 8  |     |     |       |       |     |      |      |     |      |     |     |     |
| 7  |     |     |       |       |     |      |      |     |      |     |     |     |
| 6  |     |     |       |       |     |      |      |     |      |     |     |     |
| 5  |     |     |       |       |     |      |      |     |      |     |     |     |
| 4  |     |     |       |       |     |      |      |     |      |     |     |     |
| 3  |     |     |       |       |     |      |      |     |      |     |     |     |
| 2  |     |     |       |       |     |      |      |     |      |     |     |     |
| 1  |     |     |       |       |     |      |      |     |      |     |     |     |

2022 CEMETERY PRIVATE SALES  
HIGHLAND CEMETERY

|    | JAN | FEB | MARCH | APRIL | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC |
|----|-----|-----|-------|-------|-----|------|------|-----|------|-----|-----|-----|
| 12 |     |     |       |       |     |      |      |     |      |     |     |     |
| 11 |     |     |       |       |     |      |      |     |      |     |     |     |
| 10 |     |     |       |       |     |      |      |     |      |     |     |     |
| 9  |     |     |       |       |     |      |      |     |      |     |     |     |
| 8  |     |     |       |       |     |      |      |     |      |     |     |     |
| 7  |     |     |       |       |     |      |      |     |      |     |     |     |
| 6  |     |     |       |       |     |      |      |     |      |     |     |     |
| 5  |     |     |       |       |     |      |      |     |      |     |     |     |
| 4  |     |     |       |       |     |      |      |     |      |     |     |     |
| 3  |     |     |       |       |     |      |      |     |      |     |     |     |
| 2  |     |     |       |       |     |      |      |     |      |     |     |     |
| 1  |     |     |       |       |     |      |      |     |      |     |     |     |



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** John Dean, City Manager  
**Re:** City Manager Monthly Report - March 2022

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### Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

### ATTACHMENTS:

1. City Manager Monthly Report - March 2022





# City of Durant

300 West Evergreen St  
Durant, OK 74701

April 01, 2022

Mayor Grube and members of the City Council:

## March, 2022 City Manager Monthly Report

- Weather Radar project:
  - Bid awarded to Baron.
  - All paperwork completed.
- Worked on FY 2022/23 Budget.
  - Conducted budget meetings with all departments.
- Completed and published RFQ for audit services.
- Received FY 20/21 Annual Financial Statements and Independent Auditor's Reports.
- Worked with Choctaw Nation regarding excess wastewater charges.
- Met with Washington Consulting Group (WCG) and Adacel in FL along with SOSU and KSA regarding remote/virtual Air Traffic Control.
- Worked with KSA to develop land swap options with SOSU at the airport.
- Worked on Unity Statue items.
- Met with several residents on issues or concerns.
- The Senior Center project continues to progress.
- Change order for University Blvd Project approved.
  - Materials have been ordered, per Wall Engineering.
- Pipeline Analysis began work on the sewer line assessment.
- Street improvement projects approved by Council and bids solicited.
- Street Striping is on state contract, Public Works worked on getting a cost for Council consideration.
- Prepared agenda items.
- Attended Ward meeting.
- Attended the City Council meetings.
- Attended the Planning Commission meeting.
  - Unity Statue location was approved.
  - The relocation of the Dixon Durant Statue was approved to be relocated to City Hall.
- Met with DTEDA Chairman Sherrer and Member Jim Thorpe on proposed DTEDA support for right of way maintenance at major entrances to the City (specifically 69/75 and Main Street).
- Attended DTEDA meeting.
  - Met with DTEDA attorney.
  - He is determining if the DTEDA can legally support the Authority's idea of providing funding for the maintenance of 69/75 and Main Street area.
- Attended a meeting regarding the Blue Zones "Sponsor Satisfaction Survey".

- Attended Keep Durant Beautiful meeting.
- Attended the BrucePac ground breaking ceremony.
- Conducted staff meetings.
- Worked on Community Development items in the absence of the Com Dev Director.
- Met with ONG regarding the future franchise election.
- Received the estimate on the rail crossing on 49<sup>th</sup>.
  - Working with ODOT and Kiamichi Railroad regarding the distance of grade change north and south of the crossing that needs to be included in the estimate.
  - Kiamichi is only proposing grade changes within a distance of 50 feet of the rail crossing on 49<sup>th</sup>. Neither ODOT nor I believe that 50 feet is sufficient given the slope of the approaches both north and south.
- Worked with ODOT and SOSU regarding the Rails to Trails project.
- Talked to ODOT about items on the next phase Streetscape.
  - We have one property owner we are having difficulty contacting regarding easement.
- Reviewed several internal policies.

Respectfully Submitted,

*John R Dean, Jr.*

John R. Dean, Jr., City Manager



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Danielle O'Neal  
**Re:** Community Development Monthly Report - March 2022

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The following and attached is a summary of the various activities worked on by the Community Development Staff during the month of March:

- A Municipal Planning Commission meeting was held in March where one case was heard. This case was for a Planned Unit Development request. This case was recommended for approval from the Planning Commission and was heard by City Council at their March meeting. For the April Planning Commission meeting, there are four items on the agenda. One of them is a preliminary plat request near Cale Switch Rd. and Orchard Rd. as well as a re-plat request near Willow and North 4th Avenue. Another case is a rezoning requester near Radio Rd. and University. The final case is a Conditional Use Permit request to place a billboard sign to be located near 49th Street and Main Street. There are several cases in various stages of being prepared for Planning Commission and City Council.
- The Board of Adjustment held a meeting in March where one case was heard for setback variance request for property located near Meagan Ave and Little John. The item was tabled until the April meeting with the hopes that the property owner could rearrange the house to be able to fit on the lot without requiring a variance. This is the only case that is planned for the April agenda.
- The Community Development Director was out of the office on medical leave through the month of March. She was able to work from home some towards the end of the month. However, Lisa Taylor and John Dean handled the majority of the issues / questions that came in for Danielle.
- Staff did respond to emails and held a couple of virtual meetings with several citizens and developers to discuss various projects and/or issues they may have.
- Staff missed the Leadership Durant classes while being out of the office.
- Staff attended a virtual meeting held by the American Planning Association regarding a couple of federal bills that are expected to pass this year that could have some effect on the City of Durant.
- Staff continues training and working on many different items to help the department improve on all aspects, and that will help streamline some processes and make things better for both citizens and staff.

### Council Information / Action Requested

None.

### City Staff Information / Action Follow-up, if Council authorizes this action:

None.

### ATTACHMENTS:

1. Monthly report March 2022
2. BP Valuation Report





# The City of Durant

## Office of Community Development

### Monthly Activity Report, March 2022

#### Community Development Department

| <b>1. Permits Issued</b>            | <b>27</b> |
|-------------------------------------|-----------|
| Accessory                           | 1         |
| Electrical                          | 1         |
| Plumbing                            | 1         |
| Mechanical                          | 3         |
| Commercial (New & Remodel)          | 0         |
| Residential (New & Remodel)         | 7         |
| Excavation                          | 0         |
| Roof                                | 3         |
| Sign                                | 7         |
| Swimming Pool                       | 1         |
| Demolition                          | 3         |
|                                     |           |
| <b>2. Public Hearings</b>           | <b>3</b>  |
| Board of Adjustment                 | 1         |
| Planning Commission                 | 1         |
| City Council                        | 0         |
| Administrative Items (PC & Council) | 1         |

| <b>4. Licenses Issued</b> | <b>7</b>  |
|---------------------------|-----------|
| Electrical                | 0         |
| Plumbing                  | 2         |
| Mechanical                | 3         |
| Roofing                   | 0         |
| Food Truck                | 2         |
|                           |           |
| <b>6. Letters Mailed</b>  | <b>79</b> |
| Public Hearings           | 79        |
| Other                     | 0         |

4/7/2022 9:48 AM  
PROJECTS: 0 -ZZZZZZZZZZ  
APPLIED DATES: 3/01/2022 THRU 3/31/2022  
ISSUED DATES: 3/01/2022 THRU 3/31/2022  
EXPIRE DATES: 0/00/0000 THRU 99/99/9999  
STATUS: ALL

PROJECT VALUATION AND FEE REPORT

PAGE: 1

| PROJECT | ISSUE DATE | NAME                        | LOCATION               | CONTRACTOR | DESCRIPTION                      | PROJ TYPE |
|---------|------------|-----------------------------|------------------------|------------|----------------------------------|-----------|
| 032529  | 3/02/2022  | QUALITY CONSTRUCTION        | 2508 W MAIN ST         | OWNER      | DEMO PERMIT                      | DEMO      |
| 032530  | 3/03/2022  | TEXOMA TAXES                | 200 W BEECH 1          | OWNER      | TEMPORARY SIGN PERMIT            | SIGN      |
| 032531  | 3/04/2022  | NARVAEZ CONSTRUCTION        | 1415 W MISSISSIPPI ST  | OWNER      | NEW HOME PERMIT                  | RES BLDG  |
| 032532  | 3/07/2022  | CHAVEZ, JESUS               | 1215 W BEECH ST        | OWNER      | RES REMODEL PERMIT               | RES BLDG  |
| 032533  | 3/09/2022  | MCBRAYER, JAMES             | 101 E MAIN ST          | OWNER      | DEMO PERMIT                      | DEMO      |
| 032534  | 3/09/2022  | QUALITY CONSTRUCTION        | 2502 W MAIN ST         | OWNER      | DEMO PERMIT                      | DEMO      |
| 032535  | 3/10/2022  | HOBBS CONSTRUCTION          | 3715 BERNE BLVD        | OWNER      | NEW HOME PERMIT                  | RES BLDG  |
| 032536  | 3/10/2022  | THE SIGN DEPOT              | 504 N 1ST AVE 100      | OWNER      | NEW SIGN PERMIT                  | SIGN      |
| 032537  | 3/11/2022  | ALL SEASONS CONTRACTING     | 3412 W UNIVERSITY BLVD | OWNER      | COMMERCIAL ROOF PERMIT           | ROOF      |
| 032538  | 3/11/2022  | HARPER, BRIAN K             | 400 GERLACH DR         | OWNER      | REFRIG SYS FOR WALK IN COOL MECH |           |
| 032539  | 3/11/2022  | TRIBAL CUSTOM POOLS         | 1114 COLT DR           | OWNER      | SWIMMING POOL PERMIT             | SWIMMING  |
| 032540  | 3/11/2022  | HIGHTECH SIGNS              | 614 N WASHINGTON AVE   | OWNER      | REFACE PANEL IN MONUMENT SI      | SIGN      |
| 032541  | 3/11/2022  | HIGHTECH SIGNS              | 614 N WASHINGTON AVE   | OWNER      | NEW WALL SIGN PERMIT             | SIGN      |
| 032542  | 3/14/2022  | ADVANCED COOLING            | 3412 UNIVERSITY BLVD   | OWNER      | CHG OUT/REPLACE ROOF TOP UN MECH |           |
| 032543  | 3/15/2022  | ROBINSON, SHARON            | 1516 N 12TH AVE        | OWNER      | NEW STORAGE BUILDING             | ACC       |
| 032544  | 3/15/2022  | WILKEY, CHASE               | 3123 MEAGAN AVE        | OWNER      | NEW HOME PERMIT                  | RES BLDG  |
| 032545  | 3/15/2022  | COUNTRY CHIC PROPERTIES     | 401 N 10TH AVE         | OWNER      | RES REMODEL PERMIT               | RES BLDG  |
| 032546  | 3/18/2022  | THE SIGN DEPOT              | 529 N 16TH AVE         | OWNER      | MONUMENT SIGN MODIFICATION       | SIGN      |
| 032547  | 3/23/2022  | CRAWFORD ELECTRIC PROPERTIE | 638 S 3RD AVE          | OWNER      | SERVICE UPGRADE                  | ELEC      |
| 032548  | 3/24/2022  | C & J ROOFING               | 1325 W TEXAS ST        | OWNER      | ROOF PERMIT                      | ROOF      |
| 032549  | 3/24/2022  | HUNTER SUPER TECHS          | 2403 W MAIN ST         | OWNER      | REPLACE 10 TON UNIT              | MECH      |
| 032550  | 3/28/2022  | JACKSON'S PLUMBING          | 1415 W LOCUST ST       | OWNER      | GAS TEST                         | PLUMB     |
| 032551  | 3/29/2022  | THE SIGN DEPOT              | 1209 W MAIN ST         | OWNER      | SIGN PERMIT                      | SIGN      |
| 032552  | 3/29/2022  | UBC INC                     | 1114 WEATHERBY WAY     | OWNER      | NEW HOME PERMIT                  | RES BLDG  |

04/01/2022 9:48 AM  
PROJECTS: 0 -ZZZZZZZZZZ  
APPLIED DATES: 3/01/2022 THRU 3/31/2022  
ISSUED DATES: 3/01/2022 THRU 3/31/2022  
EXPIRE DATES: 0/00/0000 THRU 99/99/9999  
STATUS: ALL

PROJECT VALUATION AND FEE REPORT

PAGE: 2

| PROJECT        | ISSUE DATE | NAME                | LOCATION             | CONTRACTOR | DESCRIPTION                 | PROJ TYPE        |
|----------------|------------|---------------------|----------------------|------------|-----------------------------|------------------|
| 032553         | 3/29/2022  | UBC INC             | 4501 W UNIVERSITY 15 | OWNER      | NEW APARTMENT BUILDING PERM | RES BLDG         |
| 032554         | 3/30/2022  | THE SIGN DEPOT      | 816 W EVERGREEN ST   | OWNER      | SIGN MODIFICATION PERMIT    | SIGN             |
| 032555         | 3/31/2022  | LANKFORD ROOFING    | 1120 UNIVERSITY BLVD | OWNER      | ROOF PERMIT                 | ROOF             |
| *** TOTALS *** |            | NUMBER OF PROJECTS: | 27                   | VALUATION: | 2,376,195.23                | FEEES: 16,177.50 |

PROJECTS: 0 -ZZZZZZZZZZ  
APPLIED DATES: 3/01/2022 THRU 3/31/2022  
ISSUED DATES: 3/01/2022 THRU 3/31/2022  
EXPIRE DATES: 0/00/0000 THRU 99/99/9999  
STATUS: ALL

## \*\*\* SEGMENT RECAP \*\*\*

| PROJECT SEGMENT - DESCRIPTION   | # OF SEGMENTS | VALUATION    | FEE       |
|---------------------------------|---------------|--------------|-----------|
| ACC - ACCESSORY PERMIT          | 1             | 25,000.00    | 179.00    |
| BLDG - NEW BUILDING PERMIT      | 7             | 2,256,000.00 | 8,122.75  |
| DEMO - DEMOLITION               | 3             | 0.00         | 312.00    |
| ELEC - NEW ELECTRIC PERMIT      | 7             | 0.00         | 1,942.25  |
| FPM - FLOOD PLAIN MANAGEMENT    | 5             | 0.00         | 520.00    |
| MECH - NEW MECHANICAL PERMIT    | 9             | 0.00         | 1,800.25  |
| PLUMB - NEW PLUMBING PERMIT     | 7             | 0.00         | 1,942.25  |
| ROOF - ROOF PERMIT              | 3             | 21,000.00    | 312.00    |
| SIGN - SIGN PERMIT              | 7             | 9,195.23     | 893.00    |
| SWIMMING - SWIMMING POOL PERMIT | 1             | 65,000.00    | 154.00    |
| *** TOTALS ***                  | 50            | 2,376,195.23 | 16,177.50 |



PROJECTS: 0 -ZZZZZZZZZZ  
APPLIED DATES: 3/01/2022 THRU 3/31/2022  
ISSUED DATES: 3/01/2022 THRU 3/31/2022  
EXPIRE DATES: 0/00/0000 THRU 99/99/9999  
STATUS: ALL

## \*\*\* BUILDING CODE RECAP \*\*\*

| BUILDING CODE - DESCRIPTION                 | # OF PROJECTS | # OF SEGMENTS | VALUATION    | FEEs      |
|---------------------------------------------|---------------|---------------|--------------|-----------|
| -----                                       | -----         | -----         | -----        | -----     |
| ACCS - ACCESSORY STRUCTURES                 | 1             | 1             | 25,000.00    | 179.00    |
| CA - COMMERCIAL ALTERATION                  | 3             | 3             | 0.00         | 162.00    |
| DEMO - DEMOLITION                           | 3             | 3             | 0.00         | 312.00    |
| MFR - MULTI FAMILY RESIDENTIAL              | 1             | 5             | 450,000.00   | 4,170.00  |
| ROOF - ROOFING                              | 3             | 3             | 21,000.00    | 312.00    |
| SFR - SINGLE FAMILY RESIDENTIAL             | 4             | 20            | 1,768,000.00 | 8,722.50  |
| SFRA - SINGLE FAMILY RESIDENTIAL ALTERATION | 4             | 7             | 38,000.00    | 1,273.00  |
| SIGN - SIGN PERMIT                          | 7             | 7             | 9,195.23     | 893.00    |
| SWIMMING - SWIMMING POOL                    | 1             | 1             | 65,000.00    | 154.00    |
| *** TOTALS ***                              | 27            | 50            | 2,376,195.23 | 16,177.50 |

## SELECTION CRITERIA

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REPORT SELECTION

PROJECT RANGE FROM: 0 THROUGH ZZZZZZZZZZ  
PROJECT STATUS: All  
CONTRACTOR: All  
PROJECT TYPE: All  
SEGMENT: All  
VALUATION RANGE FROM: 0.00 THROUGH 999,999,999.99

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PROJECT DATES

APPLIED RANGE FROM: 03/01/2022 THROUGH 03/31/2022  
ISSUED RANGE FROM: 03/01/2022 THROUGH 03/31/2022  
USE SEGMENT DATES: NO  
EXPIRE RANGE FROM: 00/00/0000 THROUGH 99/99/9999  
USE SEGMENT DATES: NO

-----  
PRINT OPTIONS

TOTALS ONLY: NO  
INCLUDE SEGMENTS: NO  
COMMENT CODES: None

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\*\*\* END OF REPORT \*\*\*



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Lisa Taylor, Director  
**Re:** Economic Development Director's Monthly Report - March 2022

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### Council Information / Action Requested

### City Staff Information / Action Follow-up, if Council authorizes this action:

#### ATTACHMENTS:

1. Economic Development Report March 2022

## **Monthly Economic Development Report**

**March 2022**

**To:** Mayor and Council Members

**From:** Lisa Taylor, Director

**Date:** March 30, 2022

### **DIA Property Updates**

- East Industrial Park - Property sale closed on Friday, February 25. Proceeds in the amount of \$861,775.91 was deposited.
- Country Club 20 Acre Parcel - Documentation has been sent to Wall Engineering to start the process of road design.
- West Industrial Park - Information was provided to a prospect in December, and an ongoing discussion has since taken place. A formal proposal for the project was submitted, and Durant was selected to move forward in the process. Durant is a finalist with sites from another state, but is the only site still being considered in Oklahoma. An offer of incentives has been presented to the company, and we are waiting to hear back about whether we have been cut or will move forward to the site visit round.

### **Recruitment Activities**

- Met virtually with representatives of Project Aussie. This company is interested in locating at the airport, and we are currently working to gain local approval in order to move forward with the project.
- Spoke with owner of Project KP company on March 3, who indicated that they have decided to consolidate their two existing sites into one due to economy, and they are no longer in need of an additional site.
- Met with representatives of a taxi cab company with plans to expand to Durant. The Durant City Council voted on an update Taxicab ordinance in January, and it has been shared with owners of the taxicab business interested in expanding to Durant. Taxicab Owner indicated that they are working through a few issues on their end, but should be ready soon.
- Met with representatives of Retail Strategies. We currently have eleven national retail/ restaurant brands interested in Durant. Of note, I have been fielding calls/ discussions with seven development companies interested in developing in Durant for national brand tenants. Developers have been given local information and have been connected to representatives of Retail Strategies.

### **Retention Activities**

- Conducted two BRE Interviews this month, and hosted a BRE Interview training for OKSBDC and Durant Main Street EV Committee Members.

## **Other**

- Submitted grant proposals to EDA and USDA Rural Development. Will be several months before we hear back.
- Followed up on Waldron Road realignment easement information.
- Participated in the following meetings: Durant Industrial Authority, City Council, Select Oklahoma, Oklahoma Marketing Committee, Community Development Council Board, Southeast Oklahoma Regional Transportation Organization Board, Bluezones Places Committee, Oklahoma Manufacturing Alliance Luncheon, and Brucepac Groundbreaking Ceremony.
- Made updates to the DIA website and social media pages.
- Hosted kickoff meetings for the TOP Grant opportunity.



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Ken Eppler, Director  
**Re:** Emergency Management Monthly Report - March 2022

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Emergency Management Monthly Report - March 2022

### **Council Information / Action Requested**

None

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

None

### **ATTACHMENTS:**

1. Monthly EM Report March 2022-Council



**TO:** Mayor, City Council

**FROM:** Kenneth Eppler, Emergency Management Director

**DATE:** March 31, 2022

**SUBJECT:** Monthly Report for March 2022

**The next EMPG quarterly report and payment request is due on April 10<sup>th</sup>.**

**Payment for the 2021 winter storm damage is in the OEM account and we are awaiting payment from the state. The payment was originally obligated at 75% but recent guidance says that all payments for disasters, which occurred during the COVID disaster period, will be paid at 90%. This may delay the payment while this is being changed as OKEMGrants still shows the pending payment at 75%.**

**We performed the Monthly Outdoor Warning Siren test on March 3. All sirens in the City functioned properly.**

**March 1- Worked on monthly reporting.**

**March 2- Weekly check-in with State OEM on HF radio. Meeting with Baron Radar regarding new radar. Worked on VHF radio repeater. Vehicle maintenance.**

**March 3- Worked on budget. Worked on upcoming EMPG quarterly report documentation. Performed monthly outdoor warning siren test. All Durant sirens functioned properly.**

**March 7- Continued working on 2022 budget worksheets. Held virtual FEMA final review for payment on 2021 winter storm damage.**

**March 8- Interview with KTEN regarding severe storm preparedness and new radar. Attended City Council meeting at City Hall.**

**March 9- Clean EOC. Interview with KFOR for upcoming severe weather special which will air in May. Participated in 911 communications meeting.**

**March 10- Attended Southeast Area Planning Meeting for Oklahoma Emergency Management, in Ada.**

**March 14- Spoke with FEMA regarding reimbursement for 2021 winter storm damage. Worked on quotes for siren relocation. EOC activated for severe weather.**

**March 15- Worked on obtaining quotes for siren relocation. KTEN interview.**

**March 16- Spoke at Kiwanis Club meeting regarding individual preparedness.**

**March 17- Worked on siren move. Worked on siren batteries. EOC activated for severe weather.**

**March 18 – Changed batteries in siren.**

**March 21- Received new EM truck, which we ordered last July. Severe weather preparations. EOC activated for severe weather.**

**March 22- NWS Chat refresher course. Worked on outfitting new EM truck.**

**March 23- Attended Local Emergency Planning Committee (LEPC) meeting. Attended meeting regarding new radar. Participated in 911 communications meeting.**

**March 24- Attended pre-construction meeting for radar.**

**March 25- Assisted Grants department in final review of radar contract.**

**March 28- Completed daylong OK-First radar recertification class.**

**March 29- Attended annual Oklahoma Emergency Management Association conference. EOC activated for severe weather. We also opened our EOC to other Emergency Managers who were here for the conference and might need to manage severe weather operations for their jurisdiction remotely. EOC was deactivated at 0500 March 30, when the Tornado Watch was lifted.**

**March 30- Attended annual Oklahoma Emergency Management Association conference.**

**March 31- Attended annual Oklahoma Emergency Management Association conference.**

*Kenneth Eppler, Director*





# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** An chen Lai, Finance Director/Treasurer  
**Re:** Financial Statements-February 2022 and Sales Tax Breakdown-March 2022

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Attached are:

February 2022 Financial Statements:  
General Fund  
Capital Improvements Fund  
Durant Utilities Authority Fund

And

March 2022  
Sales Tax Breakdown  
10-Year 1% Sales Tax Report

### **Council Information / Action Requested**

Information Only

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. Feb 2022 General Fund (001) Revenue & Expense Report
2. Feb. 2022 CI REV and Expenses
3. Feb. 2022 DCUA Revenue & Expense Report
4. Mar. 2022 Sales Tax 10-Y History
5. Mar. 2022 Sales Tax Break down

**City of Durant, Oklahoma**  
**General Fund - UNAUDITED**

**Monthly Revenue and Expense Report**  
**FEB 2022 - 66.67% of Fiscal Year Lapsed**

| <b>Revenue Type:</b>                                    | <b>This Period</b> | <b>Year-To-Date</b> | <b>Current<br/>FY21/22 Budget</b> | <b>% of<br/>Budget Y-T-D</b> |
|---------------------------------------------------------|--------------------|---------------------|-----------------------------------|------------------------------|
| Sales Tax (2%)                                          | 860,653            | 6,422,049           | 8,151,840                         | 78.78%                       |
| Use Tax                                                 | 236,264            | 1,681,955           | 1,728,000                         | 97.34%                       |
| Alcoholic Beverage Tax                                  | 16,823             | 145,473             | 200,000                           | 72.74%                       |
| Tobacco Excise Tax                                      | 10,067             | 115,549             | 180,000                           | 64.19%                       |
| Telephone Franchise Tax                                 | 2,591              | 5,417               | 13,500                            | 40.13%                       |
| Electric Service Franchise Tax                          | 85,863             | 751,690             | 860,000                           | 87.41%                       |
| Natural Gas Franchise Tax                               | 9,437              | 39,389              | 60,000                            | 65.65%                       |
| Cable TV Service Franchise Tax                          | -                  | 162,013             | 71,000                            | 228.19%                      |
| Vehicle Tax                                             | 11,788             | 100,906             | 131,000                           | 77.03%                       |
| Gasoline Excise Tax                                     | -                  | 20,291              | 40,000                            | 50.73%                       |
| Licenses - All Types                                    | 700                | 31,080              | 151,000                           | 20.58%                       |
| Permits - All Types                                     | 17,749             | 196,293             | 277,500                           | 70.74%                       |
| Swimming Pool Revenues                                  | -                  | 35,506              | 68,750                            | 51.65%                       |
| Library Café Revenues                                   | 250                | 1,838               | 2,500                             | 73.51%                       |
| Charges For Services                                    | 5,801              | 23,513              | 33,850                            | 69.46%                       |
| Police Bonds & Fines                                    | 39,440             | 301,702             | 434,000                           | 69.52%                       |
| Interest Earnings                                       | 1,523              | 12,247              | 18,000                            | 68.04%                       |
| Proceeds From Sale of Assets                            | -                  | -                   | -                                 | -                            |
| Grant Revenues                                          | 280                | 52,871              | 122,080                           | 43.31%                       |
| Miscellaneous Revenues                                  | 13,872             | 200,360             | 213,589                           | 93.81%                       |
| <b>Sub-Total Revenues</b>                               | <b>1,313,100</b>   | <b>10,300,142</b>   | <b>12,756,609</b>                 | <b>80.74%</b>                |
| Transfer from Emp Insurance                             | -                  | -                   | 107,500                           | -                            |
| Transfer from Utility Authority                         | 279,605            | 2,236,841           | 4,355,261                         | 51.36%                       |
| Transfer from CDBG Fund (Reimb)                         | -                  | -                   | -                                 | -                            |
| Transfer from Capital Improvement                       | -                  | -                   | 225,000                           | -                            |
| Transfer From DCFA Reimbur                              | 26,743             | 213,941.4           | 320,912                           | -                            |
|                                                         | <b>306,348</b>     | <b>2,450,782</b>    | <b>5,008,673</b>                  | <b>48.93%</b>                |
| USE OF FUND BALANCE                                     |                    |                     | 3,662,229                         |                              |
| <b>Total Revenues &amp; Other Financing Sources</b>     | <b>1,619,448</b>   | <b>12,750,924</b>   | <b>21,427,511</b>                 | <b>59.51%</b>                |
| <b>Department:</b>                                      | <b>This Period</b> | <b>Year-To-Date</b> | <b>Current<br/>FY21/22 Budget</b> | <b>% of<br/>Budget Y-T-D</b> |
| City Administration                                     | 59,422             | 473,233             | 699,428                           | 67.66%                       |
| City Clerk                                              | 8,431              | 64,930              | 124,971                           | 51.96%                       |
| City Treasurer                                          | 32,537             | 256,100             | 364,589                           | 70.24%                       |
| Legal Services - Attorney                               | -                  | 3,263               | 231,650                           | 1.41%                        |
| Law Enforcement - Police Dept                           | 398,497            | 3,347,959           | 5,388,230                         | 62.13%                       |
| Neighborhood Services                                   | 21,208             | 258,265             | 408,159                           | 63.28%                       |
| Fire Dept                                               | 275,554            | 2,410,604           | 3,675,988                         | 65.58%                       |
| Parks, Rec & General Services                           | 47,384             | 503,532             | 979,353                           | 51.41%                       |
| Swimming Pool                                           | 1,593              | 81,975              | 152,812                           | 53.64%                       |
| Municipal Court                                         | 4,032              | 87,994              | 197,872                           | 44.47%                       |
| Community Development                                   | 21,394             | 191,042             | 370,608                           | 51.55%                       |
| Public Library                                          | 60,448             | 472,955             | 717,496                           | 65.92%                       |
| Street Department                                       | 78,699             | 591,265             | 1,672,933                         | 35.34%                       |
| Economic Development                                    | 12,975             | 144,224             | 205,392                           | 70.22%                       |
| Civil Emergency Management                              | 23,763             | 205,939             | 329,079                           | 62.58%                       |
| General Government                                      | 28,934             | 288,411             | 824,791                           | 34.97%                       |
| City Garage                                             | 8,110              | 110,883             | 352,789                           | 31.43%                       |
| Senior Citizens Center                                  | 6,614              | 43,335              | 177,916                           | 24.36%                       |
| <b>Sub-Total Operating Expenditures</b>                 | <b>1,089,595</b>   | <b>9,535,909</b>    | <b>16,874,057</b>                 | <b>56.51%</b>                |
| <b>Other Financing Uses:</b>                            |                    |                     |                                   |                              |
| P. TRSF to I.T. service Fund                            | -                  | -                   | 6,000                             | -                            |
| Transfer to Insurance Cash Fund                         | -                  | 138,612             | 138,612                           | 100.00%                      |
| Transfer to Risk MGMNT Fund                             | -                  | 143,350             | 143,350                           | 100.00%                      |
| Transfer to Airport Authority                           | 15,786             | 126,287             | 190,831                           | 66.18%                       |
| Transfer to 911 Tax Fund                                | 45,905             | 367,240             | 561,260                           | 65.43%                       |
| Transfer to DMSC Fund                                   | 26,743             | 213,941             | 322,712                           | 66.29%                       |
| Transfer to Capital Impr. Fund                          | 83,333             | 684,167             | 3,017,500                         | 22.67%                       |
| Transfer to Cemetery Operations Fund                    | 7,966              | 63,727              | 95,590                            | 66.67%                       |
| Transfer to DCUA Fund                                   | -                  | -                   | 77,600                            | 0.00%                        |
| <b>Sub-Total Transfers Out</b>                          | <b>179,733</b>     | <b>1,737,324</b>    | <b>4,553,455</b>                  | <b>38.15%</b>                |
| <b>Total Expenditures &amp; Other Financing Sources</b> | <b>1,269,328</b>   | <b>11,273,233</b>   | <b>21,427,512</b>                 | <b>52.61%</b>                |
| <b>Net Gain / (Loss) - Excluding Balance Forward</b>    | <b>350,120</b>     | <b>1,477,690</b>    | <b>(0)</b>                        |                              |

# City of Durant, Oklahoma

## Capital Improvements Fund - UNAUDITED

### Monthly Revenue and Expense Report FEBRUARY 28, 2022

| Revenue Type:                                      | This Period    | Year-To-Date     | Current<br>FY21/22 Budget |
|----------------------------------------------------|----------------|------------------|---------------------------|
| Interest Earnings                                  | 747            | 5,781            | 5,000                     |
| Miscellaneous                                      | -              | 220,780          | 220,724                   |
| CCPF Donation                                      | 73,700         | 216,000          | 200,000                   |
| FAA Grant                                          | -              | -                | 222,340                   |
| ODOT Streetscape V Grant                           | -              | -                | 399,968                   |
| Homeland Security Grant                            | -              | -                | 1,600,000                 |
| OPJ-BVP Bullet Proof Vest                          | -              | -                | 6,000                     |
| 2021 ARPA Grant                                    | -              | 1,630,669        | 3,261,338                 |
| OWBR Loan Proceeds                                 | -              | -                | 2,470,686                 |
| Grant-2019 BOR-WEEG                                | -              | 779              | 178,031                   |
| Grant-2018 BOR-SWEP                                | -              | -                | -                         |
| FY17 Land and Water Grant CA Park                  | -              | -                | -                         |
| OEM/911 MNGMNT AUTH GRANT                          | 24,084         | 205,937          | 225,344                   |
| DOT REIMB. 78S UTILITY RE                          | -              | 138,416          | 138,416                   |
| EDA 08-01-05284 WWTP IMP 69%                       | -              | 990,529          | 1,406,534                 |
| County Fire Tax Fund                               | -              | -                | -                         |
| <b>Sub-Total Revenues</b>                          | <b>98,531</b>  | <b>3,408,892</b> | <b>10,334,381</b>         |
| TRSF From General Fund                             | 83,333         | 684,167          | 3,017,500                 |
| TRSF From 1% S.T. Rev. Fun                         | 208,717        | 1,438,152        | 1,416,612                 |
| Transfer from DCFA Fund-MISC                       | -              | -                | -                         |
| Transfer from Utility Authority                    | -              | -                | -                         |
| TRSF FR DCUASF 12-STRN 210                         | -              | -                | -                         |
| Transfer from UA 2020 STRN 210-052                 | -              | -                | 10,270,668                |
| Transfer from 2020 CWSRF 210-053                   | -              | -                | 12,670,800                |
| Equipment Financing                                | -              | -                | 520,566                   |
| TRSF From DCFA Fund-Misc                           | -              | -                | -                         |
| <b>Sub-Total Transfers In</b>                      | <b>292,051</b> | <b>2,122,319</b> | <b>27,896,146</b>         |
| Balance Forward from FY20 (Unaudited)              |                |                  | 1,584,667                 |
| <b>Total Revenue &amp; Other Financing Sources</b> | <b>390,581</b> | <b>5,531,211</b> | <b>39,815,194</b>         |

| Expenditure Type:                                    | This Period    | Year-To-Date     | Current<br>FY21/22 Budget |
|------------------------------------------------------|----------------|------------------|---------------------------|
| Law Enforcement - Police Dept                        | -              | 392,973          | 490,956                   |
| Neighborhood Services                                | -              | 85,720           | 191,618                   |
| Communication Ctr.                                   | 24,259         | 117,019          | 598,240                   |
| Fire Dept                                            | -              | -                | 346,418                   |
| Parks, Rec, & Gen Services                           | 2,203          | 21,365           | 320,385                   |
| Community Development                                | -              | -                | 25,000                    |
| Street                                               | -              | 272,548          | 2,888,439                 |
| Economic Development                                 | -              | -                | -                         |
| Civil Emergency Management                           | -              | 51,244           | 1,780,028                 |
| General Government                                   | 20,381         | 275,135          | 3,368,246                 |
| Information Technology                               | 955            | 85,929           | 185,635                   |
| City Garage                                          | -              | -                | 70,000                    |
| Senior Citizens Center                               | -              | 353,314          | 435,975                   |
| Public Works Administration                          | -              | -                | 64,192                    |
| Water / Sewer Line Maintenance                       | 25,353         | 299,386          | 4,097,473                 |
| Water Treatment Plant                                | 37,588         | 37,588           | 424,877                   |
| Wastewater Treatment Plant                           | -              | 823,283          | 1,088,293                 |
| Collection-Solid Waste                               | -              | -                | 50,000                    |
| Disposal- Solid Waste                                | -              | 507,268          | 538,791                   |
| Eaker Field Airport                                  | -              | 77,905           | 278,220                   |
| <b>Sub-Total Expenditures</b>                        | <b>110,740</b> | <b>3,400,678</b> | <b>17,242,786</b>         |
| <b>Sub-total of Transfer Expenses</b>                | <b>-</b>       | <b>-</b>         | <b>-</b>                  |
| <b>Total Expenses</b>                                | <b>110,740</b> | <b>3,400,678</b> | <b>17,242,786</b>         |
| 2020 U.S.S.T.R.N. Exp.                               | 12,088         | 837,337          | 9,901,608                 |
| 2020 CWSRF Exp.                                      | -              | -                | 12,670,800                |
| <b>Total Fund Expenditures</b>                       | <b>122,828</b> | <b>4,238,014</b> | <b>39,815,194</b>         |
| <b>Net Gain / (Loss) - Excluding Balance Forward</b> | <b>267,754</b> | <b>1,293,197</b> | <b>0</b>                  |

**City of Durant, Oklahoma**  
**Durant City Utilities Authority Fund 405 - Unaudited**

**Monthly Revenue and Expense Report**  
**FEBRUARY 2022 - 66.67% of Fiscal Year Lapsed**

| Revenue Type:                                | This Period      | Year-To-Date     | Current<br>FY 21/22 Budget |
|----------------------------------------------|------------------|------------------|----------------------------|
| Licenses and Permits                         | 175              | 6,463            | 40,000                     |
| Laboratory Test Performed                    | 1,000            | 9,939            | 25,000                     |
| Water Service - City-Wide                    | 245,963          | 2,142,707        | 3,280,000                  |
| Water Sales - RW Dist. #2                    | 3,034            | 24,269           | 37,000                     |
| Water Sales - RW Dist. #5                    | 73,067           | 856,929          | 1,135,000                  |
| Sewer Service Fees                           | 199,899          | 1,691,807        | 2,900,000                  |
| Sewer Excessive Strength Fees                | 31,751           | 240,674          | 100,000                    |
| Sanitation Service Fees                      | 287,238          | 2,238,442        | 3,200,000                  |
| Sanitation - Roll off Bins Revenue           | 56,948           | 536,781          | 1,008,000                  |
| Sanitation - Compactor Revenue               | 38,272           | 251,222          | 280,000                    |
| Landfill Gate Fees (excluding Xfer ST.)      | 324              | 392,911          | 854,000                    |
| Transfer Station Fees Revenue                | 18,073           | 343,218          | 350,000                    |
| Interest Earnings                            | 1,239            | 9,222            | 13,500                     |
| Agri. Lease Revenue                          | 800              | 800              | 3,500                      |
| Late Payment Penalties                       | 10,894           | 64,534           | 105,000                    |
| Non Payment Fee                              | 6,521            | 88,386           | 125,000                    |
| Bad Debt Collect Fees Revenue                | 276              | 3,367            | 19,980                     |
| Water Tower Lease                            | 8,750            | 71,889           | 10,500                     |
| DCUA Service Initiation Fee                  | 1,550            | 18,225           | 28,000                     |
| Tap Fees: Water & Sewer                      | 6,740            | 57,645           | 120,000                    |
| Recyclable Products SW Dis.                  | -                | 2,936            | 18,000                     |
| Interest Earnings in 2007 USSTRN Proj. Acct. | 24               | 141              |                            |
| Miscellaneous Revenues                       | 1,357            | 4,658            | 6,000                      |
| 2020 Airport Tank Principal Pymt             | 1,776            | 14,196           | 21,303                     |
| 2020 Airport Tank Interest Pymt              | 64               | 522              | 775                        |
| 2020 LED Proj. Principal FM GF               | 4,303            | 34,397           | 51,617                     |
| 2020 LED Proj. Interest FM GF                | 26               | 234              | 330                        |
| Trans from emp insurance 005                 | -                | -                | 128,750                    |
| Trans from General Fund                      | -                | -                | 77,600                     |
| <b>Sub-Total Operating Revenues</b>          | <b>1,000,062</b> | <b>9,106,512</b> | <b>13,938,855</b>          |

USE OF FUND BALANCE 84,017

|                                                     |                  |                  |                   |
|-----------------------------------------------------|------------------|------------------|-------------------|
| <b>Total Revenues &amp; Other Financing Sources</b> | <b>1,000,062</b> | <b>9,106,512</b> | <b>14,022,872</b> |
|-----------------------------------------------------|------------------|------------------|-------------------|

| Expense Type:                       | This Period    | Year-To-Date     | Current<br>FY 21/22 Budget |
|-------------------------------------|----------------|------------------|----------------------------|
| Public Works Administration         | 25,139         | 223,965          | 459,421                    |
| Utility Billing                     | 36,993         | 330,869          | 595,272                    |
| Water/Sewer Line Maintenance        | 68,183         | 583,748          | 1,170,574                  |
| Water Treatment Plant               | 66,476         | 707,610          | 1,258,689                  |
| Wastewater Treatment Plant          | 57,223         | 598,402          | 1,043,099                  |
| Solid Waste - Collections           | 92,355         | 661,502          | 1,089,458                  |
| Utility General Administration      | 116,811        | 295,626          | 1,783,214                  |
| Lake Durant                         | 2,884          | 23,831           | 64,850                     |
| Solid Waste - Disposals             | 141,533        | 1,086,060        | 1,783,702                  |
| <b>Sub-Total Operating Expenses</b> | <b>607,596</b> | <b>4,511,613</b> | <b>9,248,278</b>           |

|                                      |                |                  |                  |
|--------------------------------------|----------------|------------------|------------------|
| Transfer to Insurance Cash Fund      |                | 234,304          | 234,304          |
| Transfer to I.T. service Fund 010    | -              | -                | -                |
| Transfer to General Fund             | 279,605        | 2,236,841        | 4,355,261        |
| Transfer to Risk MGT. Fund           | -              | -                | 24,500           |
| Transfer to Capital Improvement Fund | -              | -                | -                |
| Transfer 2007 USSTRN To CI Fund 015  | -              | -                | -                |
| Transfer to Airport Authority        | 13,377         | 107,019          | 160,529          |
| <b>Sub-Total Transfer Expenses</b>   | <b>292,983</b> | <b>2,578,164</b> | <b>4,774,594</b> |

**Reserve - Contingency**

**Reserve for Payroll**

|                                                      |                |                  |                   |
|------------------------------------------------------|----------------|------------------|-------------------|
| <b>DCUA Fund Expense &amp; Transfer Totals:</b>      | <b>292,983</b> | <b>2,578,164</b> | <b>4,774,594</b>  |
| <b>Total Fund Expenses &amp; Transfers</b>           | <b>900,579</b> | <b>7,089,777</b> | <b>14,022,872</b> |
| <b>Net Gain / (Loss) - Excluding Balance Forward</b> | <b>99,483</b>  | <b>2,016,735</b> | <b>(0)</b>        |

## City of Durant, Oklahoma Ten-Year History Report - 1% Sales Tax Revenue

|                                 | 2012/2013          | 2013/2014          | 2014/2015          | 2015/2016          | 2016/2017          | 2017/2018          | 2018/2019          | 2019/2020          | 2020/2021          | 2021/2022          | % Change | Single Month Period |
|---------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|----------|---------------------|
| July                            | \$264,561          | \$280,589          | \$274,992          | \$285,723          | \$282,117          | \$313,058          | \$329,525          | 331,058            | 376,455            | 411,465            | 9.30%    | June / July         |
| August                          | \$270,982          | \$274,864          | \$192,988          | \$301,211          | \$314,889          | \$329,217          | \$323,680          | 343,378            | 371,268            | 405,522            | 9.23%    | July / Aug.         |
| September                       | \$265,390          | \$280,800          | \$387,003          | \$310,412          | \$292,744          | \$298,291          | \$309,656          | 340,005            | 375,103            | 396,622            | 5.74%    | Aug. / Sept.        |
| October                         | \$261,089          | \$264,719          | \$277,693          | \$292,477          | \$295,814          | \$313,960          | \$305,445          | 329,146            | 359,331            | 394,840            | 9.88%    | Sept. / Oct.        |
| November                        | \$225,334          | \$259,486          | \$279,266          | \$263,753          | \$305,225          | \$317,104          | \$292,323          | 322,363            | 360,649            | 383,784            | 6.41%    | Oct. / Nov.         |
| December                        | \$251,426          | \$244,334          | \$273,374          | \$280,961          | \$282,558          | \$287,917          | \$302,025          | 336,928            | 342,145            | 389,101            | 13.72%   | Nov. / Dec.         |
| January                         | \$257,713          | \$272,680          | \$287,156          | \$303,941          | \$316,625          | \$319,265          | \$319,947          | 331,582            | 348,969            | 399,365            | 14.44%   | Dec. / Jan.         |
| February                        | \$271,834          | \$285,667          | \$293,872          | \$282,081          | \$304,006          | \$314,369          | \$300,025          | 340,113            | 351,684            | 430,326            | 22.36%   | Jan. / Feb.         |
| March                           | \$253,498          | \$252,598          | \$265,962          | \$255,710          | \$278,891          | \$281,267          | \$275,318          | 295,098            | 347,403            | 350,947            | 1.02%    | Feb. / March        |
| April                           | \$252,569          | \$261,938          | \$271,232          | \$290,669          | \$305,276          | \$313,062          | \$299,350          | 328,110            | 333,643            |                    |          | March / Aprl.       |
| May                             | \$261,496          | \$273,004          | \$290,750          | \$286,450          | \$317,742          | \$325,558          | \$332,701          | 331,431            | 439,672            |                    |          | Aprl. / May         |
| June                            | \$276,146          | \$280,815          | \$283,656          | \$277,462          | \$298,475          | \$286,097          | \$318,281          | \$332,952          | \$428,168          |                    |          | May / June          |
| <b>Total</b>                    | <b>\$3,112,039</b> | <b>\$3,231,494</b> | <b>\$3,377,943</b> | <b>\$3,430,849</b> | <b>\$3,594,364</b> | <b>\$3,699,166</b> | <b>\$3,708,275</b> | <b>\$3,962,165</b> | <b>\$4,434,490</b> | <b>\$3,561,972</b> |          | 8,868,979.72        |
| <b>FY Monthly Average</b>       | <b>\$259,337</b>   | <b>\$269,291</b>   | <b>\$281,495</b>   | <b>\$285,904</b>   | <b>\$299,530</b>   | <b>\$308,264</b>   | <b>\$309,023</b>   | <b>\$330,180</b>   | <b>\$369,541</b>   | <b>\$395,775</b>   |          |                     |
| <b>% change from prior yr.</b>  | <b>2.24%</b>       | <b>3.84%</b>       | <b>4.53%</b>       | <b>1.57%</b>       | <b>4.77%</b>       | <b>2.92%</b>       | <b>0.25%</b>       | <b>6.85%</b>       | <b>11.92%</b>      | <b>12.73%</b>      |          |                     |
| <b>\$ change from prior yr.</b> | <b>\$68,136</b>    | <b>\$119,454</b>   | <b>\$146,449</b>   | <b>\$52,906</b>    | <b>\$163,515</b>   | <b>\$104,802</b>   | <b>\$9,109</b>     | <b>\$253,889</b>   | <b>391,781</b>     | <b>537,952</b>     |          |                     |

### Current Month Sales Tax Revenue Detail

|                                                                                           |                       |  |
|-------------------------------------------------------------------------------------------|-----------------------|--|
| 1/4% Economic Development (effective 1/1/2022)                                            | \$87,736.83           |  |
| 1/4% Multi-Sports Facilities (effective 1/1/2022)                                         | \$87,736.83           |  |
| 1/4% SOSU Improvements (effective 1/1/2022)                                               | \$87,736.83           |  |
| 1% Capital Improvements (effective 1/1/2022)                                              | \$350,947.32          |  |
| 2% General Operations                                                                     | \$701,894.63          |  |
| 5/8% DISD Improvements (effective 1/1/2022)                                               | \$219,342.07          |  |
| <b>Total Sales Tax Rev. Mar. 2022 @ 4.375%</b>                                            | <b>\$1,535,394.51</b> |  |
| * Per Ordinance #1589, Durant City Sales Tax Rate Increased from 3.75% to 4-3/8% (4.375%) |                       |  |

|         |             |              |
|---------|-------------|--------------|
| Use Tax | \$28,842.87 | \$248,184.94 |
|---------|-------------|--------------|

### 1% Sales Tax - Current Annual Growth

| Previous 12 - Month Period | Current 12 - Month Period | % Change |
|----------------------------|---------------------------|----------|
| \$4,225,502                | \$4,763,454               | 12.73%   |

**City of Durant, Oklahoma**  
**4.375% Sales Tax Revenue Breakdown**

| <b>Current Month Sales Tax Revenue Detail</b> |                       |
|-----------------------------------------------|-----------------------|
| 1/4% Economic Development (e                  | \$87,736.83           |
| 1/4% Multi-Sports Facilities (eff             | \$87,736.83           |
| 1/4% SOSU Improvements (effe                  | \$87,736.83           |
| 1% Capital Improvements (effect               | \$350,947.32          |
| 2% General Operations                         | \$701,894.63          |
| 5/8% DISD Improvements (effec                 | \$219,342.07          |
| Total Sales Tax Rev. Mar. 2022 (              | <b>\$1,535,394.51</b> |



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Jeff Langford, Fire Chief  
**Re:** Fire Department Monthly Report - March 2022

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Fire Department Monthly Report - March 2022

### **Council Information / Action Requested**

Information Only

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

N/A

### **ATTACHMENTS:**

1. Durant Fire Department Monthly Report - March 2022



## Durant Fire Department

Monthly Report  
March 2022

| Type of Response                 | Month       |                     |            |             | Year to Date |                     |            |             |             |                     |            |             |
|----------------------------------|-------------|---------------------|------------|-------------|--------------|---------------------|------------|-------------|-------------|---------------------|------------|-------------|
|                                  | March       |                     |            |             | 2021         |                     |            |             | 2022        |                     |            |             |
|                                  | City Limits | Outside City Limits | Mutual Aid | Total Calls | City Limits  | Outside City Limits | Mutual Aid | Total Calls | City Limits | Outside City Limits | Mutual Aid | Total Calls |
| Fires & Fire Related Calls       | 17          | 1                   | 0          | 18          | 179          | 24                  | 17         | 220         | 69          | 13                  | 2          | 84          |
| Rescue ( MVC's ) & Medical Calls | 114         | 2                   | 0          | 116         | 1513         | 54                  | 0          | 1567        | 374         | 6                   | 5          | 385         |
| Hazardous Condition (No Fire)    | 3           | 0                   | 0          | 3           | 79           | 11                  | 5          | 95          | 13          | 1                   | 0          | 14          |
| Service Calls                    | 4           | 1                   | 1          | 6           | 67           | 6                   | 0          | 73          | 16          | 2                   | 1          | 19          |
| Good Intent Calls                | 7           | 4                   | 0          | 11          | 196          | 17                  | 0          | 213         | 46          | 11                  | 0          | 57          |
| False Alarm & False Calls        | 8           | 0                   | 0          | 8           | 94           | 1                   | 0          | 95          | 32          | 1                   | 0          | 33          |
| Special Incident Type            | 0           | 0                   | 1          | 1           | 0            | 0                   | 0          | 0           | 0           | 0                   | 1          | 1           |
| <b>Total Responses</b>           |             |                     |            | 163         | 2128         | 113                 | 22         | 2263        | 550         | 34                  | 9          | 593         |

| Type of Service Performed | Month | Year to Date |      |
|---------------------------|-------|--------------|------|
|                           | Mar   | 2022         | 2021 |
| Permits                   | 18    | 25           | 48   |
| Inspections               | 45    | 112          | 102  |
| Plans Review              | 2     | 23           | 73   |
| Smoke Alarm Installed     | 0     | 1            | 2    |
| Public Education          | 1     | 1            | 2    |
| Fire Investigations       | 2     | 5            | 6    |
| Pre-Fire Plans            | 0     | 2            | 2    |
| <b>Total Services</b>     | 68    | 169          | 235  |

### Comments:

Training March 2022

Week 1: SCBA Training

Week 2: SCBA Training/Games

Week 3: Scenario Based Training at KTC Tower

Week 4: Live Fire Training with Victim/Firefighter Rescue

Week 5: Shift base training over electric automobiles

FF Moore and Clymore are attending FF 1 at OSU-FST

DFD conducted a new recruit tryout and interviews, the hiring committee has compiled a list of 5 candidates in the event anyone retires or resigns

We have two new recruits at OSU-FST for a two week fire fighter 1 academy.



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# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Rebecca Payne, Grants Coordinator  
**Re:** Grants Department Monthly Report - March 2022

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Grants Dept Monthly Report - March 2022

### **Council Information / Action Requested**

**City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. Grants Dept Report Mar 2022

| YEAR          | GRANT AGENCY                  | GRANT PROGRAM              | PROJECT DESCRIPTION                                        | STATUS                                                               | GRANT COMPLETE   | ACTIVE PROJECT   | PENDING AWARDS    |
|---------------|-------------------------------|----------------------------|------------------------------------------------------------|----------------------------------------------------------------------|------------------|------------------|-------------------|
| 2015          | OK Dept of Transportation     | Streetscape V              | DT sidewalks - 4th & Evergreen                             | Completing ODOT info                                                 |                  | 399,968          |                   |
| 2016          | Federal Highway / ODOT        | Transp. Alternative-TAP    | Rails to Trails                                            | ODOT Plans to bid June 2022                                          |                  | 396,630          |                   |
| 2018          | OK Tourism / Trails           | Recreational Trail         | 1400 LF multi-purpose trail: connecting to Rails to Trails | Award: Dec 21 2018 - Merged with Rails To Trails project             |                  | 240,000          |                   |
| 2018          | FEMA-Homeland Security -AFG   | Assistance to Firefighters | 95 FT 1550 GPM Aerial                                      | Aerial purchased Fall 2019                                           | 952,380          |                  |                   |
| 2018          | Bureau of Reclamation         | WaterSMART - SWEP          | 300 Automatic Meter AMR Units                              | Complete 5-21; Funds rcvd                                            | 34,914.99        |                  |                   |
| 2018          | US Dept of Commerce           | EDA - Infrastructure       | Wastewater Treatment Plant                                 | Operational. Final Reports                                           |                  | 1,500,000        |                   |
| 2019          | Bureau of Reclamation         | WaterSMART - WEEG          | City-Wide AMR Units & System                               | Project over almost complete; funds rcvd                             |                  | 1,500,000        |                   |
| 2019          | ODOC / CDBG-ED                | Econ Dev Infrastructure    | Tubacex Durant, Inc.                                       | Const Complete; job tracking                                         |                  | 939,366          |                   |
| 2020          | ODOC / CDBG                   | Small Cities               | SCADA / WTP Improvements                                   | Awarded 9-2020; Proj. begun                                          |                  | 152,222          |                   |
| 2020          | ODOC / CDBG                   | CARES Act Funding          | Residential Utility Assistance                             | Awarded 4.1.21; Assisted 64 customers & 184 individuals thru 3.31.22 |                  | 638,300          |                   |
| 2020          | State of OK - CARES Forward   | CARES Act Funding          | COVID Related Expenditures & Public Safety Personnel Costs | Complete Fall 2020                                                   | 1,439,319        |                  |                   |
| 2021          | FEMA-Homeland Security- AFG   | Assistance to Firefighters | SCBAs (17 units) & RIT Pak                                 | App Submitted to FEMA 1.21.22                                        |                  |                  | 163,750           |
| 2020          | FAA 2020-014                  | CARES Act Funding          | Install Windcone @ airport                                 | Complete                                                             | 23,020           |                  |                   |
| 2020          | FAA 2020-015                  | CARES Act Funding          | Personnel and Fuel expenditures                            | Complete                                                             | 69,000           |                  |                   |
| 2020          | OMAG                          | Public Safety Grant        | Confined Space Safety Equip                                | Procurement                                                          |                  | 3,000            |                   |
| 2020          | OK Emergency Mgmt 9-1-1       | CAD Project                | CAD System for Durant Communications Center                | Awarded 3-2020; Project Complete. Final Reimb rcvd                   |                  | 195,433          |                   |
| 2020          | OK Emergency Mgmt 9-1-1       | GIS System Project         | GIS Addressing                                             | Award 9-2019; Proj complete                                          |                  | 79,000           |                   |
| 2021          | US Dept of Justice            | Bulletproof Vests          | 15 vests                                                   | Award received 10.14.21                                              |                  | 6,000            |                   |
| 2021          | OK State Emgcy Mgmt           | Weather Radar              | Weather Radar (award 6.30.21)                              | Contractor-Notice to Proceed                                         |                  | 1,600,000        |                   |
| 2021          | FAA 2021-016                  | CARES Act Funding          | CRRSA - Personnel costs                                    | Closeout                                                             |                  | 23,000           |                   |
| 2021          | FAA 2021-017                  | Aviation Improvements      | Airport Layout Plan (award 8.26)                           | KSA - Project development                                            |                  | 194,220          |                   |
| 2021          | FAA 2021-018                  | American Rescue Plan       | Personnel expenditures                                     | Complete                                                             |                  | 59,000           |                   |
| 2021          | Texoma Health                 | Ron Cross Sr Center        | Nutrition - meal services                                  | Grant awarded 1.3.22                                                 |                  | 40,000           |                   |
| 2021          | T-Mobile Foundation           | Hometown Program           | Lloyd Plyler Park                                          | App submitted T Mobile 9.30.21                                       |                  |                  | 50,000            |
| 2021          | US Dept of Justice            | Rural Law Enforcement      | License Plate Readers & Trailer                            | App submitted to OJP 10.1.21                                         |                  |                  | 149,920           |
| 2021          | US Treasury                   | American Rescue Plan       | WW Infrastructure                                          | 1st 50% rcvd 12.20.21                                                |                  | 3,261,338        |                   |
| 2021          | FEMA Hazard Mitigation        | BRIC Building Resilience   | Broadband Infrastructure                                   | App Submitted-OKEM 12.31.21                                          |                  |                  | 1,907,824         |
| 2023          | Dept of Environmental Quality | Equipment Program          | Brush Chipper for Landfill                                 | App Submitted - DEQ 1.31.22                                          |                  |                  | 50,000            |
| 2022          | OK ARPA                       | State Additional ARPA      | Water Distribution Lines                                   | Prop Submitted - OML 2.18.22                                         |                  |                  | 16,521,720        |
| 2022          | OK ARPA                       | State Additional ARPA      | Durant Lake: expand water storage                          | Prop Submitted - OML 2.18.22                                         |                  |                  | 15,175,000        |
| 2022          | OK Code Enforcement Assoc     | Community Improvement      | Cemetery Beautification Imprvmnts                          | Not funded                                                           |                  |                  |                   |
| <b>TOTALS</b> |                               |                            |                                                            |                                                                      | <b>1,566,254</b> | <b>8,690,879</b> | <b>34,018,214</b> |



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Kari Jones, Supervisor  
**Re:** Human Resources Monthly Report - March 2022

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Staffing info for March 2022:

6 Terminations (4 Full-time, 2 Temporary)  
5 New Hires (5 Full-time)

226 Total Employees as of March 31<sup>st</sup>, 2022.  
(215 Full-time, 5 Part-time, 6 Temporary)

### **Council Information / Action Requested**

**City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. March HR Report 2022



# THE CITY OF DURANT

## Administration/ Human Resources

Date: 04/05/2022

To: Mayor and City Council

From: Human Resources

Re: HR Report, March 2022

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Staffing info for March 2022:

6 Terminations (4 Full-time, 2 Temporary)

5 New Hires (5 Full-time)

226 Total Employees as of March 31<sup>st</sup>, 2022.

(215 Full-time, 5 Part-time, 6 Temporary)



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Robbee Tonubbee, Director  
**Re:** Library Monthly Report - March 2022

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### **Council Information / Action Requested**

Information only.

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. Library Monthly report Mar2022

# Donald W Reynolds Community Center & Library

March 2022

## Statistical Report

Attendance monthly total ----- 2,704

*We were open 27 days this month.*

Attendance daily average ----- 129

Circulation monthly (physical units)----- 3,565

Circulation average daily ----- 169

Computer usage total ----- 389

Computer users average daily----- 19

Computer usage average time----- 36 min

Computer guest passes----- 124

Computer guest passes average daily----- 5

New Library card holders----- 78

Materials donated ----- 3,941  
( 63 put in collection )

## Statistics

**Revenue :** \$3646.03 for March. The room revenue was \$1400.00 with payments for: Webstaurant Hiring Event, Texoma Board of Realtors meeting, a Baby Shower, & an Alliance Health meeting. *Prepayments were made for: Modern Abstract with events in May, Aug, & Oct; and Big Five with an event in April.*

Revenue breakdown: \$616 in copies, \$85 in faxes, \$630 in fines, \$96 in replacement cards, \$150 in out-of-county memberships, \$5 in laminating, \$314 in lost/damaged item fees, & \$340 from the public printer/copier coin-op. The café revenue is separate and that was \$338 for the month.

There was a variety of community events this month: A city ward meeting, a deposition, Green Team Environmental Film Festival (two evenings), American Legion meetings, GED classes, Durant Youth Baseball meetings, Softball/Baseball sign ups, Medicare info meeting, AARP Tax Prep, Foster Care/Adoption recruitment meeting, Genealogy class, Severe Weather Awareness training, court-ordered mediations, several Blood Drives, and City Temp Traffic Control classes.

## What's Happened

- The "Very Hungry Reader" food program resumed evening meals and snacks (M-F from 4:00pm to 6:00pm, ending on Fridays at 5:00) w/a total of **445** for the month with an average of **19** meals per day. This program will continue through the end of May 2022 and then switch to the in-person meals for the summer.

- AARP Tax Prep started in February. The volunteers, 11 of them, worked on Tuesdays and Thursdays from 10:00am to 5:00pm in the library's theater. In March they had 302 e-files for 2021 taxes, 4 e-files for 2020 taxes for a total of **306** people served. They will continue tax prep through April 14<sup>th</sup>. Volunteers from AARP and Southeastern are helping this year.

## Community Engagement/FOL

- The library has received a Health Literacy grant and began health/fitness related projects in September.  
March classes: Two Yoga classes with **12** attendees, two Zumba classes with **10** attendees, three Chair Yoga classes with **6** attendees, two LEAD classes with **12** attendees, and a Blue Zones Healthy Kitchen Cooking class with **18** attendees..
- The library programs for non-school-aged children started back up in August along with a new “Baby Lap Sit” program.  
There are two programs on Fridays, the Baby Lap Sit at 9:30am and Story Time at 10:00am.  
School-aged children have Lego Club (Tuesdays at 3:30), The Lounge for Teens (Wednesdays at 3:30/4:00), and After School Program (Thursdays at 3:30) in the library’s Story Room.  
Attendance is as follows: Lapsit had four sessions with no attendance & Story Time had four sessions with 11 attendees. After School four sessions with 13 kids, the Lounge four sessions with 4 teens, and Lego Club four sessions with 42 kids.
- There was special programming over Spring Break with three days of movies & activities: Movie & Legos – 26; Movie & Bingo – 37; Movie & Craft – 23 for a total of **86** for three special events.
- The Chess sessions are well attended with a total of 13 adults over four Saturdays & 6 kids over two Saturdays.

## Projects

- The library applied for ARPA grant funds from the ODL in September. We were eligible for just over \$20,000 and were awarded just over \$23,000 in mid-October. Items purchased will be for extended programming, outdoor events, sound proofing meeting/study rooms, and enhancing video conferencing equipment.
- The library was approved to move on to the engineering for the Library Park and it began in August. This project is being funded by the Pendleton donation. The contract for engineering is ready to be implemented with the theorem company and Shane Knight. Library staff met with Shane in late December for updates on the planning and a look at the drawings. The engineering is at 60% at the end of February. The park will add a large outdoor space to extend library programming. Publicity for the park has garnered a lot of interest in the project with many asking how they can help. The Blue Zones Project has offered to help partner with some of the project and the library is working on other grants to help with the project.
- The library will house the Covid relief grant program, Utility Billing Assistance Program, to help City of Durant utility customers with their bills. This program will help citizens needing help with their water bills for the next two years.

## Library Promotion

Library Website – [www.donaldwreynolds.okpls.org](http://www.donaldwreynolds.okpls.org)

Donald W Reynolds & Donald W Reynolds Friends of the Library- FACEBOOK FOR PHOTOS AND INFORMATION

<http://www.facebook.com/home.php?#!/rlwpubliclibrary>

“Check it out at the Library” - weekly column with the weekly edition of the Durant Daily Democrat. *Currently on hold.*





# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Danielle O'Neal  
**Re:** Neighborhood Services Monthly Report - March 2022

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### Council Information / Action Requested

None.

### City Staff Information / Action Follow-up, if Council authorizes this action:

None.

### ATTACHMENTS:

1. Neighborhood Services Monthly Report 2022
2. Neighborhood Services Daily Bldg Insp Log 2022 (Pierce)
3. BP Valuation Report w Segments
4. Animal Control Daily Count 2022 (Fulton)
5. Animal Control Daily Count 2022 (Page)
6. Animal Control Daily Log 2022 (Fulton)
7. Animal Control Daily Log 2022 (Page)
8. Code Enforcement Daily Log 2022 (Cottrell)
9. Code Enforcement Daily Log 2022 (Jackson)
10. Tickets & Warnings By Neighborhood Services

# The City of Durant

## Neighborhood Services Department

### Monthly Activity Report, March 2022

|                             |            |  |                          |            |
|-----------------------------|------------|--|--------------------------|------------|
| <b>1. Inspections</b>       |            |  | <b>4. Animal Control</b> |            |
| Building                    | 50         |  | Calls for Service        | 215        |
| Electrical                  | 43         |  | Citations Issued         | 10         |
| Mechanical                  | 38         |  | Warnings Issued          | 103        |
| Plumbing                    | 47         |  | Dogs Picked Up           | 27         |
| Drainage Issues             | 0          |  | Cats Picked Up           | 5          |
| Other                       | 5          |  | Dog Adoptions            | 4          |
| <b>Total</b>                | <b>183</b> |  | Cat Adoptions            | 1          |
| <b>2. Code Enforcements</b> |            |  | Dog Rescue               | 24         |
| Contact Made                | 140        |  | Cat Rescue               | 4          |
| Trees & Shrubs              | 15         |  | Claimed by Owner         | 37         |
| Grass & Weeds               | 2          |  | Animals Euthanized       | 0          |
| Junk Vehicles               | 22         |  | Parvo Deaths             | 0          |
| Junk Appliances             | 21         |  | <b>Total</b>             | <b>430</b> |
| Dilapidated Structures      | 27         |  | <b>5. Letters Mailed</b> |            |
| Trash & Debris              | 186        |  | Code Enforcement         | 34         |
| Other                       | 77         |  | Code Hearings            | 24         |
| 24 Hour Nuisances Posted    | 11         |  | Public Hearings          | 0          |
| PD 24 Hour Nuisances Posted | 0          |  | <b>Total</b>             | <b>58</b>  |
| Code Enforcement            | 11         |  |                          |            |
| Notices Posted              | 38         |  |                          |            |
| Citations Issued            | 0          |  |                          |            |
| Warnings Issued             | 33         |  |                          |            |
| <b>Total</b>                | <b>583</b> |  |                          |            |
| <b>3. New Construction</b>  |            |  |                          |            |
| SFR                         | 4          |  |                          |            |
| MFR                         | 1          |  |                          |            |
| Commercial                  | 0          |  |                          |            |
| Industrial                  | 0          |  |                          |            |
| <b>Total</b>                | <b>5</b>   |  |                          |            |

# City of Durant

## Neighborhood Services

### Daily Building Inspections Log

March-2022

| Date      | Name           | Location/Address   | Inspection Type   | Abr    | Pass | Fail | Initials | Comments                                                                        |
|-----------|----------------|--------------------|-------------------|--------|------|------|----------|---------------------------------------------------------------------------------|
| 3/1/2022  | Archie         | 3423 N 1st Bldg 4  | Elect             | E      | Y    |      | MP       | Units 401, 402, 403 and 404                                                     |
|           | Piazza         | 2712 Enterprise    | Site check        | B      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1804 Chuckwa       | Site check        | B      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1210 N 1st         | COC               | O      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1524 W Evergreen   | COC               | B      | Y    |      | MP       |                                                                                 |
|           | Owner          | 724 W Main         | Car vs bldg       | O      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1300 W EVergreen   | COC               | B      | Y    |      | MP       |                                                                                 |
|           | Owner          | 119 N 6th          | T/D               | C      | Y    |      | MP       |                                                                                 |
| 3/2/2022  | Owner          | 1524 W Evergreen   | COC               | B      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1005 N 1st         | COC               | B      | Y    |      | MP       |                                                                                 |
|           | Owner          | 724 W Main         | Car vs Bldg       | O      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1300 W Evergreen   | COC               | B      | Y    |      | MP       |                                                                                 |
|           | K & D Plumbing | 901 Taylor Bryn Ln | Plumb ground      | P      | Y    |      | MP       |                                                                                 |
|           | K & D Plumbing | 907 Taylor Bryn Ln | Plumb ground      | P      | Y    |      | MP       |                                                                                 |
|           | K & D Plumbing | 913 Taylor Bryn Ln | Plumb ground      | P      | Y    |      | MP       |                                                                                 |
|           | Wilkey         | 815 N 7th          | Gas               | P      | Y    |      | MP       |                                                                                 |
|           | Wilkey         | 403 s 6TH          | gas               | P      | Y    |      | MP       |                                                                                 |
|           | Mcgraws        | 2715 N 1st         | Sewer             | P      | Y    |      | MP       |                                                                                 |
| 3/4/2022  | Owner          | 534 S 5th          | Final             | B      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1415 W Mississippi | Site check        | O      | Y    |      | MP       |                                                                                 |
|           | Owner          | 323 N 7th          | Slab              | B      | Y    |      | MP       |                                                                                 |
| 3/7/2022  | Keener         | 1725 W Arkansas    | Framing           | B X 21 | Y    |      | MP       | Units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 |
|           | Keener         | 1725 W Arkansas    | Mechanical        | M X 21 | Y    |      | MP       |                                                                                 |
|           | Keener         | 1725 W Arkansas    | Electrical        | E X 21 | Y    |      | MP       |                                                                                 |
|           | Keener         | 1725 W Arkansas    | Plumb             | P X 21 | Y    |      | MP       |                                                                                 |
| 3/8/2022  | Owner          | 100 W Mississippi  | Solar             | E      | Y    |      | MP       |                                                                                 |
|           | Blackburn      | 619 S 12th         | Plumb ground      | P      | Y    |      | MP       |                                                                                 |
|           | Wilkey         | 1504 San Angelo    | Plumb ground      | P      | Y    |      | MP       |                                                                                 |
|           | Owner          | 323 N 7th          | Elect underground | E      | Y    |      | MP       |                                                                                 |
| 3/9/2022  | Keener         | 1679 W Arkansas    | Framing           | B X 13 | Y    |      | MP       | Units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13                                 |
|           | Keener         | 1679 W Arkansas    | Mechanical        | M X 13 | Y    |      | MP       |                                                                                 |
|           | Keener         | 1679 W Arkansas    | Electrical        | E X 13 | Y    |      | MP       |                                                                                 |
|           | Keener         | 1679 W Arkansas    | Plumb             | P X 13 | Y    |      | MP       |                                                                                 |
| 3/10/2022 | Owner          | 323 N 7th          | Mech rough        | M      | Y    |      | MP       |                                                                                 |
|           | Owner          | 614 N Washington   | Sign              | B      | Y    |      | MP       |                                                                                 |
|           | Wilkey         | 718 N 5th          | Gas               | P      | Y    |      | MP       |                                                                                 |
|           | Piazza         | 2712 Enterprise    | Footing           | B      | Y    |      | MP       |                                                                                 |
|           | Farris         | 619 S 12th         | Temp pole         | E      |      |      | MP       |                                                                                 |
| 3/15/2022 | Owner          | 1000 Taylor Brynn  | Framing           | B      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1000 Taylor Brynn  | Mech              | M      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1000 Taylor Brynn  | Elect             | E      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1000 Taylor Brynn  | Plumb             | P      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1002 Taylor Brynn  | Framing           | B      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1002 Taylor Brynn  | Mech              | M      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1002 Taylor Brynn  | Elect             | E      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1002 Taylor Brynn  | Plumb             | P      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1004 Taylor Brynn  | Framing           | B      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1004 Taylor Brynn  | Mech              | M      | Y    |      | MP       |                                                                                 |
|           | Owner          | 1004 Taylor Brynn  | Elect             | E      | Y    |      | MP       |                                                                                 |
|           | Wilkey         | 1004 Taylor Brynn  | Plumb             | P      | Y    |      | MP       |                                                                                 |
| 3/23/2022 | Wilkey         | 312 N 8th          | Gas               | P      | Y    |      | MP       |                                                                                 |
|           | Ocean Steak    | 4410 W Main        | Final             | B      |      | Yes  | MP       |                                                                                 |
|           | BALL           | 3418 Lionel Ln     | Temp pole         | E      | Y    |      | MP       |                                                                                 |

## City of Durant

### Neighborhood Services

#### Daily Building Inspections Log

March-2022

| Date      | Name        | Location/Address  | Inspection Type | Abr | Pass | Fail | Initials | Comments |
|-----------|-------------|-------------------|-----------------|-----|------|------|----------|----------|
| 3/24/2022 | Allison     | 1401 San Angelo   | Pool Steel      | B   | Y    |      | MP       |          |
|           | Cornerstone | 400 W Evergreen   | Generator       | E   | Y    |      | MP       |          |
|           | Crawford    | 4410 W Hwy 70     | Elect           | E   | Y    |      | MP       |          |
|           | Crawford    | 638 S 3rd         | Elect           | E   | Y    |      | MP       |          |
|           | Jackson     | 1415 W Locust     | Gas             | G   | Y    |      | MP       |          |
| 3/25/2022 | Plyler      | 515 Cardinal Pkwy | Gas             | P   | Y    |      | MP       |          |
|           | Owner       | 916 Rodeo Rd      | Slab            | B   | Y    |      | MP       |          |
| 3/29/2022 | Goad        | 416 N 59th        | Elect           | E   | Y    |      | MP       |          |
|           | Goad        | 418 N 49th        | Elect           | E   | Y    |      | MP       |          |
|           | Piazza      | 2712 Enterprise   | Plumb ground    | P   | Y    |      | MP       |          |
|           | Kevin's     | 3509 W Arkansas   | Plumb ground    | P   | Y    |      | MP       |          |

4/7/2022 9:49 AM  
 PROJECTS: 0 -ZZZZZZZZZZ  
 APPLIED DATES: 3/01/2022 THRU 3/31/2022  
 ISSUED DATES: 3/01/2022 THRU 3/31/2022  
 EXPIRE DATES: 0/00/0000 THRU 99/99/9999  
 STATUS: ALL

PROJECT VALUATION AND FEE REPORT

PAGE: 1

| PROJECT<br>SEGMENT                             | ISSUE DATE<br>SEGMENT DT                                                   | NAME<br>DESCRIPTION                                                                                                                          | LOCATION<br>BUILDING CODE                                                                                                                                                        | CONTRACTOR<br>SEG. CONT.                           | DESCRIPTION<br>VALUATION                                              | PROJ TYPE<br>FEE                                             |
|------------------------------------------------|----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------------------|
| 032529<br>DEMO                                 | 3/02/2022<br>3/02/2022                                                     | QUALITY CONSTRUCTION<br>DEMOLITION                                                                                                           | 2508 W MAIN ST<br>DEMO - DEMOLITION                                                                                                                                              | OWNER<br>OWNER                                     | DEMO PERMIT<br>0.00                                                   | DEMO<br>104.00                                               |
| 032530<br>SIGN                                 | 3/03/2022<br>3/03/2022                                                     | TEXOMA TAXES<br>SIGN PERMIT                                                                                                                  | 200 W BEECH 1<br>SIGN - SIGN PERMIT                                                                                                                                              | OWNER<br>OWNER                                     | TEMPORARY SIGN PERMIT<br>0.00                                         | SIGN<br>44.00                                                |
| 032531<br>BLDG<br>FPM<br>ELEC<br>MECH<br>PLUMB | 3/04/2022<br>3/04/2022<br>3/04/2022<br>3/04/2022<br>3/04/2022<br>3/04/2022 | NARVAEZ CONSTRUCTION<br>NEW BUILDING PERMIT<br>FLOOD PLAIN MANAGEMENT<br>NEW ELECTRIC PERMIT<br>NEW MECHANICAL PERMIT<br>NEW PLUMBING PERMIT | 1415 W MISSISSIPPI ST<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN | OWNER<br>OWNER<br>OWNER<br>OWNER<br>OWNER<br>OWNER | NEW HOME PERMIT<br>80,000.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00  | RES BLDG<br>751.85<br>104.00<br>246.55<br>196.55<br>246.55   |
| TOTAL VALUE                                    |                                                                            |                                                                                                                                              |                                                                                                                                                                                  |                                                    | 80,000.00 TOTAL FEE                                                   | 1,545.50                                                     |
| 032532<br>BLDG                                 | 3/07/2022<br>3/07/2022                                                     | CHAVEZ, JESUS<br>NEW BUILDING PERMIT                                                                                                         | 1215 W BEECH ST<br>SFRA - SINGLE FAMILY RESIDE                                                                                                                                   | OWNER<br>OWNER                                     | RES REMODEL PERMIT<br>8,000.00                                        | RES BLDG<br>349.00                                           |
| 032533<br>DEMO                                 | 3/09/2022<br>3/09/2022                                                     | MCBRAYER, JAMES<br>DEMOLITION                                                                                                                | 101 E MAIN ST<br>DEMO - DEMOLITION                                                                                                                                               | OWNER<br>OWNER                                     | DEMO PERMIT<br>0.00                                                   | DEMO<br>104.00                                               |
| 032534<br>DEMO                                 | 3/09/2022<br>3/09/2022                                                     | QUALITY CONSTRUCTION<br>DEMOLITION                                                                                                           | 2502 W MAIN ST<br>DEMO - DEMOLITION                                                                                                                                              | OWNER<br>OWNER                                     | DEMO PERMIT<br>0.00                                                   | DEMO<br>104.00                                               |
| 032535<br>BLDG<br>FPM<br>ELEC<br>MECH<br>PLUMB | 3/10/2022<br>3/10/2022<br>3/10/2022<br>3/10/2022<br>3/10/2022<br>3/10/2022 | HOBBS CONSTRUCTION<br>NEW BUILDING PERMIT<br>FLOOD PLAIN MANAGEMENT<br>NEW ELECTRIC PERMIT<br>NEW MECHANICAL PERMIT<br>NEW PLUMBING PERMIT   | 3715 BERNE BLVD<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN       | OWNER<br>OWNER<br>OWNER<br>OWNER<br>OWNER<br>OWNER | NEW HOME PERMIT<br>675,000.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00 | RES BLDG<br>1,723.80<br>104.00<br>385.40<br>335.40<br>385.40 |
| TOTAL VALUE                                    |                                                                            |                                                                                                                                              |                                                                                                                                                                                  |                                                    | 675,000.00 TOTAL FEE                                                  | 2,934.00                                                     |
| 032536<br>SIGN                                 | 3/10/2022<br>3/10/2022                                                     | THE SIGN DEPOT<br>SIGN PERMIT                                                                                                                | 504 N 1ST AVE 100<br>SIGN - SIGN PERMIT                                                                                                                                          | OWNER<br>OWNER                                     | NEW SIGN PERMIT<br>1,697.80                                           | SIGN<br>204.00                                               |
| 032537<br>ROOF                                 | 3/11/2022<br>3/11/2022                                                     | ALL SEASONS CONTRACTING<br>ROOF PERMIT                                                                                                       | 3412 W UNIVERSITY BLVD<br>ROOF - ROOFING                                                                                                                                         | OWNER<br>OWNER                                     | COMMERCIAL ROOF PERMIT<br>0.00                                        | ROOF<br>154.00                                               |
| 032538<br>MECH                                 | 3/11/2022<br>3/11/2022                                                     | HARPER, BRIAN K<br>NEW MECHANICAL PERMIT                                                                                                     | 400 GERLACH DR<br>CA - COMMERCIAL ALTERATION                                                                                                                                     | OWNER<br>OWNER                                     | REFRIG SYS FOR WALK IN COOL MECH<br>0.00                              | 54.00                                                        |
| 032539<br>SWIMMING                             | 3/11/2022<br>3/11/2022                                                     | TRIBAL CUSTOM POOLS<br>SWIMMING POOL PERMIT                                                                                                  | 1114 COLT DR<br>SWIMMING - SWIMMING POOL                                                                                                                                         | OWNER<br>OWNER                                     | SWIMMING POOL PERMIT<br>65,000.00                                     | SWIMMING<br>154.00                                           |
| 032540<br>SIGN                                 | 3/11/2022<br>3/11/2022                                                     | HIGHTECH SIGNS<br>SIGN PERMIT                                                                                                                | 614 N WASHINGTON AVE<br>SIGN - SIGN PERMIT                                                                                                                                       | OWNER<br>OWNER                                     | REFACE PANEL IN MONUMENT SI<br>2,234.00                               | SIGN<br>79.00                                                |
| 032541<br>SIGN                                 | 3/11/2022<br>3/11/2022                                                     | HIGHTECH SIGNS<br>SIGN PERMIT                                                                                                                | 614 N WASHINGTON AVE<br>SIGN - SIGN PERMIT                                                                                                                                       | OWNER<br>OWNER                                     | NEW WALL SIGN PERMIT<br>2,234.00                                      | SIGN<br>204.00                                               |

4/7/2022 9:49 AM  
PROJECTS: 0 -ZZZZZZZZZZ  
APPLIED DATES: 3/01/2022 THRU 3/31/2022  
ISSUED DATES: 3/01/2022 THRU 3/31/2022  
EXPIRE DATES: 0/00/0000 THRU 99/99/9999  
STATUS: ALL

PROJECT VALUATION AND FEE REPORT

PAGE: 2

| PROJECT<br>SEGMENT                             | ISSUE DATE<br>SEGMENT DT                                      | NAME<br>DESCRIPTION                                                                                                                   | LOCATION<br>BUILDING CODE                                                                                                                                                     | CONTRACTOR<br>SEG. CONT.                  | DESCRIPTION<br>VALUATION                                      | PROJ TYPE<br>FEE                                             |
|------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------------------------|--------------------------------------------------------------|
| 032542<br>MECH                                 | 3/14/2022<br>3/14/2022                                        | ADVANCED COOLING<br>NEW MECHANICAL PERMIT                                                                                             | 3412 UNIVERSITY BLVD<br>CA - COMMERCIAL ALTERATION                                                                                                                            | OWNER<br>OWNER                            | CHG OUT/REPLACE ROOF TOP UN MECH<br>0.00                      | 54.00                                                        |
| 032543<br>ACC                                  | 3/15/2022<br>3/15/2022                                        | ROBINSON, SHARON<br>ACCESSORY PERMIT                                                                                                  | 1516 N 12TH AVE<br>ACCS - ACCESSORY STRUCTURES                                                                                                                                | OWNER<br>OWNER                            | NEW STORAGE BUILDING<br>25,000.00                             | ACC<br>179.00                                                |
| 032544<br>BLDG<br>FPM<br>ELEC<br>MECH<br>PLUMB | 3/15/2022<br>3/15/2022<br>3/15/2022<br>3/15/2022<br>3/15/2022 | WILKEY, CHASE<br>NEW BUILDING PERMIT<br>FLOOD PLAIN MANAGEMENT<br>NEW ELECTRIC PERMIT<br>NEW MECHANICAL PERMIT<br>NEW PLUMBING PERMIT | 3123 MEAGAN AVE<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN    | OWNER<br>OWNER<br>OWNER<br>OWNER<br>OWNER | NEW HOME PERMIT<br>350,000.00<br>0.00<br>0.00<br>0.00<br>0.00 | RES BLDG<br>1,125.30<br>104.00<br>299.90<br>249.90<br>299.90 |
| TOTAL VALUE                                    |                                                               |                                                                                                                                       |                                                                                                                                                                               |                                           | 350,000.00 TOTAL FEE                                          | 2,079.00                                                     |
| 032545<br>BLDG<br>ELEC<br>MECH<br>PLUMB        | 3/15/2022<br>3/15/2022<br>3/15/2022<br>3/15/2022              | COUNTRY CHIC PROPERTIES<br>NEW BUILDING PERMIT<br>NEW ELECTRIC PERMIT<br>NEW MECHANICAL PERMIT<br>NEW PLUMBING PERMIT                 | 401 N 10TH AVE<br>SFRA - SINGLE FAMILY RESIDE<br>SFRA - SINGLE FAMILY RESIDE<br>SFRA - SINGLE FAMILY RESIDE<br>SFRA - SINGLE FAMILY RESIDE                                    | OWNER<br>OWNER<br>OWNER<br>OWNER<br>OWNER | RES REMODEL PERMIT<br>30,000.00<br>0.00<br>0.00<br>0.00       | RES BLDG<br>384.00<br>144.00<br>144.00<br>144.00             |
| TOTAL VALUE                                    |                                                               |                                                                                                                                       |                                                                                                                                                                               |                                           | 30,000.00 TOTAL FEE                                           | 816.00                                                       |
| 032546<br>SIGN                                 | 3/18/2022<br>3/18/2022                                        | THE SIGN DEPOT<br>SIGN PERMIT                                                                                                         | 529 N 16TH AVE<br>SIGN - SIGN PERMIT                                                                                                                                          | OWNER<br>OWNER                            | MONUMENT SIGN MODIFICATION<br>1,686.11                        | SIGN<br>79.00                                                |
| 032547<br>ELEC                                 | 3/23/2022<br>3/23/2022                                        | CRAWFORD ELECTRIC PROPERTIE<br>NEW ELECTRIC PERMIT                                                                                    | 638 S 3RD AVE<br>SFRA - SINGLE FAMILY RESIDE                                                                                                                                  | OWNER<br>OWNER                            | SERVICE UPGRADE<br>0.00                                       | ELEC<br>54.00                                                |
| 032548<br>ROOF                                 | 3/24/2022<br>3/24/2022                                        | C & J ROOFING<br>ROOF PERMIT                                                                                                          | 1325 W TEXAS ST<br>ROOF - ROOFING                                                                                                                                             | OWNER<br>OWNER                            | ROOF PERMIT<br>21,000.00                                      | ROOF<br>79.00                                                |
| 032549<br>MECH                                 | 3/24/2022<br>3/24/2022                                        | HUNTER SUPER TECHS<br>NEW MECHANICAL PERMIT                                                                                           | 2403 W MAIN ST<br>CA - COMMERCIAL ALTERATION                                                                                                                                  | OWNER<br>OWNER                            | REPLACE 10 TON UNIT<br>0.00                                   | MECH<br>54.00                                                |
| 032550<br>PLUMB                                | 3/28/2022<br>3/28/2022                                        | JACKSON'S PLUMBING<br>NEW PLUMBING PERMIT                                                                                             | 1415 W LOCUST ST<br>SFRA - SINGLE FAMILY RESIDE                                                                                                                               | OWNER<br>OWNER                            | GAS TEST<br>0.00                                              | PLUMB<br>54.00                                               |
| 032551<br>SIGN                                 | 3/29/2022<br>3/29/2022                                        | THE SIGN DEPOT<br>SIGN PERMIT                                                                                                         | 1209 W MAIN ST<br>SIGN - SIGN PERMIT                                                                                                                                          | OWNER<br>OWNER                            | SIGN PERMIT<br>1,343.32                                       | SIGN<br>204.00                                               |
| 032552<br>BLDG<br>FPM<br>ELEC<br>MECH<br>PLUMB | 3/29/2022<br>3/29/2022<br>3/29/2022<br>3/29/2022<br>3/29/2022 | UBC INC<br>NEW BUILDING PERMIT<br>FLOOD PLAIN MANAGEMENT<br>NEW ELECTRIC PERMIT<br>NEW MECHANICAL PERMIT<br>NEW PLUMBING PERMIT       | 1114 WEATHERBY WAY<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN<br>SFR - SINGLE FAMILY RESIDEN | OWNER<br>OWNER<br>OWNER<br>OWNER<br>OWNER | NEW HOME PERMIT<br>663,000.00<br>0.00<br>0.00<br>0.00<br>0.00 | RES BLDG<br>1,184.80<br>104.00<br>308.40<br>258.40<br>308.40 |
| TOTAL VALUE                                    |                                                               |                                                                                                                                       |                                                                                                                                                                               |                                           | 663,000.00 TOTAL FEE                                          | 2,164.00                                                     |

4/1/2022 9:49 AM  
PROJECTS: 0 -ZZZZZZZZZZ  
APPLIED DATES: 3/01/2022 THRU 3/31/2022  
ISSUED DATES: 3/01/2022 THRU 3/31/2022  
EXPIRE DATES: 0/00/0000 THRU 99/99/9999  
STATUS: ALL

PROJECT VALUATION AND FEE REPORT

PAGE: 3

| PROJECT<br>SEGMENT | ISSUE DATE<br>SEGMENT DT | NAME<br>DESCRIPTION    | LOCATION<br>BUILDING CODE   | CONTRACTOR<br>SEG. CONT. | DESCRIPTION<br>VALUATION             | PROJ TYPE<br>FEE   |
|--------------------|--------------------------|------------------------|-----------------------------|--------------------------|--------------------------------------|--------------------|
| 032553             | 3/29/2022                | UBC INC                | 4501 W UNIVERSITY 15        | OWNER                    | NEW APARTMENT BUILDING PERM RES BLDG |                    |
| BLDG               | 3/29/2022                | NEW BUILDING PERMIT    | MFR - MULTI FAMILY RESIDENT | OWNER                    | 450,000.00                           | 2,604.00           |
| FPM                | 3/29/2022                | FLOOD PLAIN MANAGEMENT | MFR - MULTI FAMILY RESIDENT | OWNER                    | 0.00                                 | 104.00             |
| ELEC               | 3/29/2022                | NEW ELECTRIC PERMIT    | MFR - MULTI FAMILY RESIDENT | OWNER                    | 0.00                                 | 504.00             |
| MECH               | 3/29/2022                | NEW MECHANICAL PERMIT  | MFR - MULTI FAMILY RESIDENT | OWNER                    | 0.00                                 | 454.00             |
| PLUMB              | 3/29/2022                | NEW PLUMBING PERMIT    | MFR - MULTI FAMILY RESIDENT | OWNER                    | <u>0.00</u>                          | <u>504.00</u>      |
|                    |                          |                        |                             | TOTAL VALUE              | 450,000.00                           | TOTAL FEE 4,170.00 |
| 032554             | 3/30/2022                | THE SIGN DEPOT         | 816 W EVERGREEN ST          | OWNER                    | SIGN MODIFICATION PERMIT             | SIGN               |
| SIGN               | 3/30/2022                | SIGN PERMIT            | SIGN - SIGN PERMIT          | OWNER                    | 0.00                                 | 79.00              |
| 032555             | 3/31/2022                | LANKFORD ROOFING       | 1120 UNIVERSITY BLVD        | OWNER                    | ROOF PERMIT                          | ROOF               |
| ROOF               | 3/31/2022                | ROOF PERMIT            | ROOF - ROOFING              | OWNER                    | 0.00                                 | 79.00              |
| *** TOTALS ***     | NUMBER OF PROJECTS:      | 27                     |                             | VALUATION:               | 2,376,195.23                         | FEEs: 16,177.50    |

PROJECTS: 0 -ZZZZZZZZZZ  
APPLIED DATES: 3/01/2022 THRU 3/31/2022  
ISSUED DATES: 3/01/2022 THRU 3/31/2022  
EXPIRE DATES: 0/00/0000 THRU 99/99/9999  
STATUS: ALL

## \*\*\* SEGMENT RECAP \*\*\*

| PROJECT SEGMENT - DESCRIPTION   | # OF SEGMENTS | VALUATION    | FEE       |
|---------------------------------|---------------|--------------|-----------|
| ACC - ACCESSORY PERMIT          | 1             | 25,000.00    | 179.00    |
| BLDG - NEW BUILDING PERMIT      | 7             | 2,256,000.00 | 8,122.75  |
| DEMO - DEMOLITION               | 3             | 0.00         | 312.00    |
| ELEC - NEW ELECTRIC PERMIT      | 7             | 0.00         | 1,942.25  |
| FPM - FLOOD PLAIN MANAGEMENT    | 5             | 0.00         | 520.00    |
| MECH - NEW MECHANICAL PERMIT    | 9             | 0.00         | 1,800.25  |
| PLUMB - NEW PLUMBING PERMIT     | 7             | 0.00         | 1,942.25  |
| ROOF - ROOF PERMIT              | 3             | 21,000.00    | 312.00    |
| SIGN - SIGN PERMIT              | 7             | 9,195.23     | 893.00    |
| SWIMMING - SWIMMING POOL PERMIT | 1             | 65,000.00    | 154.00    |
| *** TOTALS ***                  | 50            | 2,376,195.23 | 16,177.50 |



PROJECTS: 0 -ZZZZZZZZZZ  
APPLIED DATES: 3/01/2022 THRU 3/31/2022  
ISSUED DATES: 3/01/2022 THRU 3/31/2022  
EXPIRE DATES: 0/00/0000 THRU 99/99/9999  
STATUS: ALL

## \*\*\* BUILDING CODE RECAP \*\*\*

| BUILDING CODE - DESCRIPTION                 | # OF PROJECTS | # OF SEGMENTS | VALUATION    | FEEs      |
|---------------------------------------------|---------------|---------------|--------------|-----------|
| -----                                       | -----         | -----         | -----        | -----     |
| ACCS - ACCESSORY STRUCTURES                 | 1             | 1             | 25,000.00    | 179.00    |
| CA - COMMERCIAL ALTERATION                  | 3             | 3             | 0.00         | 162.00    |
| DEMO - DEMOLITION                           | 3             | 3             | 0.00         | 312.00    |
| MFR - MULTI FAMILY RESIDENTIAL              | 1             | 5             | 450,000.00   | 4,170.00  |
| ROOF - ROOFING                              | 3             | 3             | 21,000.00    | 312.00    |
| SFR - SINGLE FAMILY RESIDENTIAL             | 4             | 20            | 1,768,000.00 | 8,722.50  |
| SFRA - SINGLE FAMILY RESIDENTIAL ALTERATION | 4             | 7             | 38,000.00    | 1,273.00  |
| SIGN - SIGN PERMIT                          | 7             | 7             | 9,195.23     | 893.00    |
| SWIMMING - SWIMMING POOL                    | 1             | 1             | 65,000.00    | 154.00    |
| *** TOTALS ***                              | 27            | 50            | 2,376,195.23 | 16,177.50 |

## SELECTION CRITERIA

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REPORT SELECTION

PROJECT RANGE FROM: 0 THROUGH ZZZZZZZZZZ  
PROJECT STATUS: All  
CONTRACTOR: All  
PROJECT TYPE: All  
SEGMENT: All  
VALUATION RANGE FROM: 0.00 THROUGH 999,999,999.99

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PROJECT DATES

APPLIED RANGE FROM: 03/01/2022 THROUGH 03/31/2022  
ISSUED RANGE FROM: 03/01/2022 THROUGH 03/31/2022  
USE SEGMENT DATES: NO  
EXPIRE RANGE FROM: 00/00/0000 THROUGH 99/99/9999  
USE SEGMENT DATES: NO

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PRINT OPTIONS

TOTALS ONLY: NO  
INCLUDE SEGMENTS: YES  
COMMENT CODES: None

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\*\*\* END OF REPORT \*\*\*

# City of Durant

## Neighborhood Services

### Daily Animal Control Log (Fulton)

March-2022

| Day   | Calls for Service | Citation/Warning | Parvo Deaths | Dogs Picked Up | Cats Picked Up | Dogs Adopted | Cats Adopted | Dogs to Rescue | Cats to Rescue | Dogs Claimed by Owner | Cats Claimed by Owner | Bite Calls | Dogs Euthanized | Cats Euthanized | Dart Gun Deployed |
|-------|-------------------|------------------|--------------|----------------|----------------|--------------|--------------|----------------|----------------|-----------------------|-----------------------|------------|-----------------|-----------------|-------------------|
| 1     | 6                 | 1C/2W            | 0            | 0              | 0              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 2     | 11                | 5W               | 0            | 3              | 0              | 0            | 0            | 0              | 0              | 1                     | 0                     | 0          | 0               | 0               | 0                 |
| 3     | 9                 | 5W               | 0            | 0              | 0              | 0            | 0            | 0              | 0              | 1                     | 0                     | 1          | 0               | 0               | 0                 |
| 4     | 12                | 5W               | 0            | 0              | 0              | 0            | 0            | 0              | 0              | 1                     | 0                     | 0          | 0               | 0               | 0                 |
| 5     |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 6     |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 7     | 7                 | 2C/3W            | 0            | 2              | 0              | 0            | 0            | 0              | 0              | 2                     | 0                     | 0          | 0               | 0               | 0                 |
| 8     | 18                | 13W              | 0            | 2              | 0              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 9     | 7                 | 5W               | 0            | 1              | 0              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 10    | 9                 | 5W               | 0            | 1              | 0              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 11    | 7                 | 7W               | 0            | 0              | 0              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 12    |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 13    |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 14    | 13                | 1C/11W           | 0            | 0              | 1              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 15    | 9                 | 2W               | 0            | 1              | 1              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 16    | 2                 | 1C               | 0            | 0              | 0              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 17    | 2                 | 0                | 0            | 0              | 0              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 18    | 16                | 6W               | 0            | 7              | 0              | 0            | 0            | 6              | 0              | 1                     | 0                     | 0          | 0               | 0               | 0                 |
| 19    |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 20    |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 21    |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 22    | 10                |                  | 0            | 1              | 0              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 23    | 8                 | 1W               | 0            | 0              | 1              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 24    | 8                 | 2C/6W            | 0            | 1              | 1              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 25    | 4                 | 3W               | 0            | 0              | 0              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 26    |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 27    |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 28    | 12                | 4W               | 0            | 1              | 0              | 1            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 29    | 8                 | 4W               | 0            | 1              | 0              | 0            | 0            | 0              | 0              | 1                     | 0                     | 0          | 0               | 0               | 0                 |
| 30    | 3                 | 0                | 0            | 1              | 1              | 0            | 0            | 0              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| 31    | 8                 | 1C/8W            | 0            | 0              | 0              | 0            | 0            | 2              | 0              | 0                     | 0                     | 0          | 0               | 0               | 0                 |
| Total | 189               | 8C/102W          | 0            | 22             | 5              | 1            | 0            | 8              | 0              | 7                     | 0                     | 1          | 0               | 0               | 0                 |

Comments:

Rescue dog total- 24      Rescue cat- 4      Total dogs picked up- 27

Owner reclaim dog- 10      Owner reclaim cat- 27

Adopted dog- 4      Adopted cat- 1      SP calls- 26

# City of Durant

## Neighborhood Services

### Daily Animal Control Log (Page)

March-2022

| Day       | Calls for Service | Citation/Warning | Parvo Deaths | Dogs Picked Up | Cats Picked Up | Dogs Adopted | Cats Adopted | Dogs to Rescue | Cats to Rescue | Dogs Claimed by Owner | Cats Claimed by Owner | Bite Calls | Dogs Euthanized | Cats Euthanized | Dart Gun Deployed |
|-----------|-------------------|------------------|--------------|----------------|----------------|--------------|--------------|----------------|----------------|-----------------------|-----------------------|------------|-----------------|-----------------|-------------------|
| 1         | 1                 |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 2         | 3                 |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 3         |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 4         |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 5         | 5                 |                  |              | 3              |                |              |              | 3              |                |                       |                       |            |                 |                 |                   |
| 6         | 4                 | 1W               |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 7         |                   |                  |              |                |                |              |              | 1              |                |                       |                       |            |                 |                 |                   |
| 8         |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 9         | 6                 | 2C               |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 10        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 11        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 12        | 4                 |                  |              | 1              |                |              |              | 5              |                | 2                     |                       |            |                 |                 |                   |
| 13        | 3                 |                  |              | 1              |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 14        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 15        |                   |                  |              |                |                |              |              |                | 2              |                       |                       |            |                 |                 |                   |
| 16        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 17        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 18        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 19        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 20        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 21        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 22        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 23        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 24        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 25        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 26        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 27        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 28        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 29        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 30        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| 31        |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
| Total     | 26                | 1W/2C            | 0            | 5              | 0              | 0            | 0            | 9              | 2              | 2                     | 0                     | 0          | 0               | 0               | 0                 |
| Comments: |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
|           |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
|           |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
|           |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |
|           |                   |                  |              |                |                |              |              |                |                |                       |                       |            |                 |                 |                   |

**City of Durant**  
**Neighborhood Services**  
**Daily Animal Control Log (Fulton)**

March-2022

| Date     | Location/Address   | Type of Call                               | Action Taken                                                                            | Citation Issued | Initials | Comment |
|----------|--------------------|--------------------------------------------|-----------------------------------------------------------------------------------------|-----------------|----------|---------|
| 3/1/2022 | 98 Matthew Dr      | Dog @ large; Causing disturbance           | Spoke to owner; Citation                                                                | 1C              | KF       |         |
|          | 911 Brookside Dr   | F/U regarding swine (2 pigs)               | Still on property; Make contact w/ owner via letter                                     | F/U             | KF       |         |
|          | 311 E Arkansas     | F/U regarding chickens/ cock yard          | Owner has removed all roosters; Working on removing hens                                | OK              | KF       |         |
|          | 312 E Arkansas     | Neighbor complaint regarding dogs          | Dogs OK; 5 hens on property; Excessive building materials/ debris                       | F/U             | KF       |         |
|          | 1200 Blk E Main    | 2 Dogs @ large                             | UTC; Extra patrol                                                                       | F/U             | KF       |         |
|          | Money Talks TP     | Dog @ large                                | Spoke to owner                                                                          |                 | KF       |         |
| 3/2/2022 | 2204 Wilson St     | Dog @ large                                | P/U; Impounded; ATL owner                                                               | F/U             | KF       |         |
|          | 304 Gates Ave H18  | Dog @ large                                | UTL; ATL responsible party                                                              | F/U             | KF       |         |
|          | Lindenwoods        | Dog @ large                                | Spoke to owner                                                                          | 1W              | KF       |         |
|          | Kwik Chek          | Complaint against mgr.; Welfare of animals | Unfounded/ outlandish complaint                                                         | N/A             | KF       |         |
|          | Salitas            | Dog @ large                                | P/U; Impounded; ATL owner                                                               | F/U             | KF       |         |
|          | Pub Works          | Dog @ large                                | Spoke to M&O; They're resp. for dog                                                     | N/A             | KF       |         |
|          | 1815 W Elm         | Dog @ large                                | Spoke to owner; ATL dog                                                                 | F/U             | KF       |         |
|          | Avalon             | Dog @ large                                | Spoke to owner                                                                          | 1W              | KF       |         |
|          | Avalon             | Dog @ large                                | Spoke to owner; Constant offender                                                       | 1W              | KF       |         |
|          | 2025 W University  | Dog @ large                                | Dog returned to owner                                                                   | 1W              | KF       |         |
|          | 1225 Denison St    | Dog @ large                                | Dog put back into fence by neighbor                                                     | DT              | KF       |         |
| 3/3/2022 | 1521 N 10th        | Dog BITE; Own child; ER visit              | Owner required to quar. dog @ vet; Must show proof                                      | F/U             | KF       |         |
|          | E-Z Mart on Wash.  | Dog @ large                                | Owner negligent; Allowing dog to roam                                                   | 1W              | KF       |         |
|          | 106 Poplar         | 3 Dogs @ large                             | Spoke to owners; Chronic offender                                                       | 1W              | KF       |         |
|          | B&G Club           | Raccoon in road                            | P/U                                                                                     | N/A             | KF       |         |
|          | 518 W Locust       | Returned dog home                          | 1 dog >                                                                                 | 1W              | KF       |         |
|          | 223 S 14th         | 4 Puppies dumped                           | P/U; Must be bottle fed; Placed w/ rescue org.                                          | N/A             | KF       |         |
|          | 416 N 3rd          | Dog @ large                                | Put back into fence                                                                     | 1W              | KF       |         |
|          | 1403 W Texas       | Dog @ large                                | Spoke to owner; Warning                                                                 | 1W              | KF       |         |
|          | 14th X Mississippi | Animal welfare                             | Dogs are OK; F/U                                                                        | F/U             | KF       |         |
| 3/4/2022 | Avalon             | Dog @ large                                | UTL; Extra patrol                                                                       | F/U             | KF       |         |
|          | 1822 W Elm         | Requesting assistance for dogs             | F/U when space is made @ shelter                                                        | F/U             | KF       |         |
|          | 1203 Houston St    | Dog V. Dog                                 | Dogs owned by same person; OK; F/U                                                      | F/U             | KF       |         |
|          | 106 Poplar         | Dog @ large                                | New roommate chronic offender; 2w                                                       | 2W              | KF       |         |
|          | 500 Blk Alabama    | Dog @ large                                | P/U; Impounded; ATL owner                                                               | F/U             | KF       |         |
|          | 704 S 14th         | Dog disturbance                            | DT; ATL owner                                                                           | 1W              | KF       |         |
|          | 424 NE 2nd         | Animal welfare                             | Wellbeing is declining; Food given; Need vet care; F/U                                  | F/U             | KF       |         |
|          | 1521 N 10th        | F/U reg. bite                              | Owner to provide proof dog was quarantined                                              | F/U             | KF       |         |
|          | 300 Blk S 7t       | 2 Dogs @ large                             | Spoke to owner                                                                          | 1W              | KF       |         |
|          | 119 W Louisiana    | Dog @ large                                | Finder keeping to try to find home                                                      | F/U             | KF       |         |
|          | 416 N 3rd          | Dog @ large                                | Dog put into yard; DT; F/U                                                              | 1W              | KF       |         |
|          | Cale Switch Rd     | 7 Puppies dumped; Found                    | Attempting to find spot for puppies w/ rescue                                           | N/A             | KF       |         |
| 3/7/2022 | 416 N 3rd          | Dog @ large                                | F/U w/ owner                                                                            | N/A             | KF       |         |
|          | 512 S 12th         | Stray Cats                                 | Resident borrowing City trap                                                            | F/U             | KF       |         |
|          | 621 W Texas        | T&D                                        | 48hr notice placed                                                                      | F/U             | KF       |         |
|          | 603 S 12th         | Aggressive dog @ large 3/4; F/U            | 2 Citations; Aggressive dog @large; No rabies; *Do not go to this add. w/out assistance | 2C              | KF       |         |
|          | 1120 Beretta Blvd  | 2 Dogs @ large                             | P/U; Impounded                                                                          | F/U             | KF       |         |
|          | Taco Casa          | Trash from dumpster littered around block  | Spoke to mgr.; Will address                                                             | 1W              | KF       |         |
|          | Shelter            | Owner reclaim                              | 2 Dogs claimed                                                                          | 2W              | KF       |         |
| 3/8/2022 | 911 Crooked Oak Dr | No water; Animal welfare                   | *CE gave 48 hr notice; Welfare of dog TBD                                               | F/U             | KF       |         |
|          | 1521 N 10th        | F/U regarding animal bite                  | First person, in-home bite; Uncooperative                                               | F/U             | KF       |         |
|          | 221 SE 4th         | T&D; JV; Trash piled in JV                 | Spoke to owner; Uncooperative; Send letter                                              | 2W              | KF       |         |
|          | 1822 W Elm         | Dumped dogs                                | 2 P/U; Impounded                                                                        | N/A             | KF       |         |
|          | 502 S 2nd          | Wanting help rehoming a dog                | Will F/U                                                                                | F/U             | KF       |         |
|          | 1221 W Alabama     | T&D                                        | *24 hr                                                                                  | F/U             | KF       |         |
|          | 521 S 9th          | Limbs on curb                              | *24 hr                                                                                  | F/U             | KF       |         |
|          | 506 W Georgia      | Chairs on curb                             | *24 hr; Spoke to resident; will address                                                 | F/U             | KF       |         |
|          | 520 W Georgia      | Limbs on curb                              | *24 hr; Resident not available                                                          | F/U             | KF       |         |
|          | 524 W Georgia      | Chairs and tree on curb                    | *24 hr; Resident not available                                                          | F/U             | KF       |         |
|          | 611 S 3rd          | Dog @ large                                | UTL; Extra patrol                                                                       | F/U             | KF       |         |
|          | 124 W Louisiana    | Limbs on curb                              | *24 hr; Resident not available                                                          | F/U             | KF       |         |
|          | 205 W Alabama      | Limbs on curb                              | *24 hr; Resident not available                                                          | F/U             | KF       |         |
|          | 502 S 3rd          | Welfare check on dogs                      | Dogs OK; Donated DF                                                                     | F/U             | KF       |         |

# City of Durant

## Neighborhood Services

### Daily Animal Control Log (Fulton)

March-2022

| Date      | Location/Address         | Type of Call                       | Action Taken                                                                           | Citation Issued | Initials | Comment |
|-----------|--------------------------|------------------------------------|----------------------------------------------------------------------------------------|-----------------|----------|---------|
|           | 603 S 2nd                | Dog @ large                        | Spoke to owner; Will address                                                           | F/U             | KF       |         |
|           | 523 S 11th               | Chairs on curb                     | *24 hr; Spoke to resident; will address                                                | F/U             | KF       |         |
|           | 401 S 13th               | Limbs on curb                      | *24 hr; Resident not available                                                         | F/U             | KF       |         |
|           | 1410 Wendell             | Animal welfare; Trash behind fence | Too many chickens; 2nd violation                                                       | F/U             | KF       |         |
| 3/9/2022  | 5219 Martin Circle       | Stray cats                         | Resident borrowing trap                                                                | N/A             | KF       |         |
|           | 415 SE 2nd               | CAD; D@L; Disturbing the peace     | UTL dog or RP; Extra patrol                                                            | F/U             | KF       |         |
|           | 111 W Georgia            | Dog @ large                        | P/U; Impounded; ATL owner                                                              | F/U             | KF       |         |
|           | Avalon E53               | Dog @ large                        | Spoke to resident; 1W; 2nd violation                                                   | 1W              | KF       |         |
|           | Avalon E51               | Dog @ large                        | Spoke to resident; 1W                                                                  | 1W              | KF       |         |
|           | 1410 Wendell             | F/U regarding notice               | Spoke to resident; Will address w/in 72 hrs                                            | 3W              | KF       |         |
|           | S 9th X Louisiana        | Roadkill                           | P/U                                                                                    | N/A             | KF       |         |
| 3/10/2022 | 1415 W Elm               | Dog @ large                        | Spoke to owner; Will address                                                           | 1W              | KF       |         |
|           | 5319 Wilson              | Dog @ large                        | Spoke to owner; Will address                                                           | 1W              | KF       |         |
|           | 5321 Wilson              | Dog @ large                        | Spoke to owner; Will address                                                           | 1W              | KF       |         |
|           | 1108 Wilson              | Dog @ large                        | UTL; Extra patrol                                                                      | F/U             | KF       |         |
|           | Gates Ave                | Dog @ large                        | UTL; Extra patrol                                                                      | F/U             | KF       |         |
|           |                          | Req. assistance w/ armadillos      | UTL                                                                                    | F/U             | KF       |         |
|           | City Hall                | Resident req. assistance w/ dog    | Owner surrender; P/U; Impounded                                                        | N/A             | KF       |         |
|           | 106 Poplar               | Dog @ large                        | Frequent issues @ this residence; Visitors given warning                               | F/U             | KF       |         |
|           | 221 E Pine               | Dogs @ large                       | Spoke to owner; Will address                                                           | 1W              | KF       |         |
| 3/11/2022 | Crickets Store           | 2 Hypothermic dogs                 | Picked up; Welfare group assisted w/ vetting                                           | 2W              | KF       |         |
|           | 400 Blk Lynwood          | Animal Welfare                     | Dog brought inside                                                                     | 1W              | KF       |         |
|           | 423 S 11th               | Roadkill                           | P/U                                                                                    | N/A             | KF       |         |
|           | 412 W Tennessee          | Animal Welfare                     | Dog OK                                                                                 | F/U             | KF       |         |
|           | 318 S 5th                | Animal Welfare                     | Dogs OK; Has shelter                                                                   | N/A             | KF       |         |
|           | 5489 Roadrunner          | Animal Welfare                     | Dog is OK; Brought inside                                                              | 1W              | KF       |         |
|           | 4101 Sunnyside Dr        | Animal Welfare                     | Pig outside w/ no shelter; Brought inside; F/U                                         | 2W              | KF       |         |
| 3/14/2022 | Briarwood X Gail Farrell | Roadkill                           | P/U                                                                                    | N/A             | KF       |         |
|           | 5218 Martin Cir          | Stray cats                         | 1 P/U                                                                                  | N/A             | KF       |         |
|           | Walmart                  | Food donation                      | P/U                                                                                    | N/A             | KF       |         |
|           | 5489 Roadrunner Cir      | Assistance call/ Welfare           | Dropped off dog food                                                                   | N/A             | KF       |         |
|           | 223 S 14th               | Assistance call/ Welfare           | Dropped off dog food                                                                   | N/A             | KF       |         |
|           | 424 NE 2nd               | Assistance call/ Welfare           | Dropped off dog food                                                                   | N/A             | KF       |         |
|           | Jerry St X Wilson        | F/U reg. dog @ large               | Spoke to owner; will address                                                           | 1W              | KF       |         |
|           | 1403 W Texas             | Animal welfare; *T&D; JA           | UTL tenant; Left DT to contact                                                         | 2W              | KF       |         |
|           | Fites TP #16             | Dog @ large; T&D                   | Spoke to resident; Will address T&D by 3/18                                            | 2W              | KF       |         |
|           | 4101 Sunnyside Dr        | Animal welfare F/U                 | Unable to make contact; F/U                                                            | F/U             | KF       |         |
|           | 106 N Mclean             | Dogs @ L coming to City limits     | Spoke to owner who lives on county side of rd; Will restrain dogs                      | 2W              | KF       |         |
|           | 206 S Mclean             | Dog @ large                        | Spoke to owner; Will address                                                           | 1W              | KF       |         |
|           | 4101 Sunnyside Dr        | Vicious lemur in house             | PD assisted AC; Pig in terrible cond.; Returned to AC custody; 1 dog; SP handled lemur | 1C3W            | KF       |         |
| 3/15/2022 | 4815 Sunnyside Dr        | Dumped puppy                       | Pup was sev. injured; P/U; Given to animal welfare group                               | N/A             | KF       |         |
|           | 913 Brookside Ct         | Dog @ large                        | Spoke to owner; Will address                                                           | 2W              | KF       |         |
|           | Pizza Hut                | Dog @ large                        | UTC; Extra patrol                                                                      | F/U             | KF       |         |
|           | 420 S 10th               | Assistance rehoming dogs           | No room @ shelter; F/U                                                                 | N/A             | KF       |         |
|           | 14th X Arkansas          | Birds cages in backyard            | Spoke to owner; Not selling birds; F/U regarding permit                                | F/U             | KF       |         |
|           | Mason St                 | T&D                                | CE to send letter                                                                      | F/U             | KF       |         |
|           | N 12th X Evergreen       | Dog @ large                        | UTC; Extra patrol                                                                      | F/U             | KF       |         |
|           | 1302 N 7th               | *CE; T&D                           | Left note to call office                                                               | F/U             | KF       |         |
|           | 5219 Martin Cir          | Stray cats                         | 1 P/U; Impounded                                                                       | N/A             | KF       |         |
| 3/16/2022 | 1400 Olive St            | Dogs @ large                       | UTL; Extra patrol                                                                      | F/U             | KF       |         |
|           | Larkspur Village Apt 803 | Dog V. dog; Tripped elderly man    | Dog owner combative; Going to euthanize dog; 1 C                                       | 1C              | KF       |         |
|           |                          |                                    |                                                                                        |                 |          |         |
|           |                          |                                    |                                                                                        |                 |          |         |
| 3/17/2022 | 1215 W Elm               | Puppies dumped                     | 6 puppies P/U; Too young to go w/out milk; Surrendered to animal welfare group         | N/A             | KF       |         |
|           | Jack N' the Box          | Welfare check; Brian Stowe         | Dog appears to be in good condition                                                    | N/A             | KF       |         |
| 3/18/2022 | 924 W Texas              | * Welfare check; T & D             | Dog in poor condition; Left dog food/ Notice                                           | 1W              | KF       |         |
|           | 700 Blk S 2nd            | Welfare check                      | Welfare good; Gave dog food                                                            | F/U             | KF       |         |
|           | 412 W Tennessee          | Welfare check                      | Welfare ok; Dog needs to be moved                                                      | F/U             | KF       |         |
|           | 424 NE 2nd               | Welfare check                      | OK; Need to rehome 2 dogs                                                              | F/U             | KF       |         |

**City of Durant**  
**Neighborhood Services**  
**Daily Animal Control Log (Fulton)**

March-2022

| Date    | Location/Address           | Type of Call                                             | Action Taken                                                  | Citation Issued | Initials | Comment |
|---------|----------------------------|----------------------------------------------------------|---------------------------------------------------------------|-----------------|----------|---------|
|         | 1605 Olive St              | Dogs @ large                                             | UTL dogs or owner; F/U                                        | F/U             | KF       |         |
|         | 1309 Red Bud Ln            | Dog V. Chicken                                           | Dog P/U; Impounded; Owner located                             | 1W              | KF       |         |
|         | 1603 Olive St              | *T&D                                                     | Spoke to owner;F/U                                            | F/U             | KF       |         |
|         | 1224 N 10th                | Roadkill                                                 | P/U                                                           | N/A             | KF       |         |
|         | 200 Blk N 6th              | Welfare check                                            | OK; Need to rehome 2 dogs                                     | F/U             | KF       |         |
|         | City Hall                  | Sterilization deposit                                    |                                                               |                 |          |         |
|         | 1016 W Texas               | *T & D                                                   | Left notice for tenant to call                                | 1W              | KF       |         |
|         | 400 Blk S 15th             | *Washer @ curb                                           | Left notice for tenant to call                                | 1W              | KF       |         |
|         | 1401 Mississippi           | *T & D                                                   | Left notice for tenant to call                                | 1W              | KF       |         |
|         | Avalon                     | Dog @ large                                              |                                                               |                 |          |         |
|         | 1306 W Louisiana           | *Mattress @ curb                                         | Left notice for tenant to call                                | 1W              | KF       |         |
|         | Big Lots Pkwy              | Dog @ large                                              | UTL; Extra patrol                                             | F/U             | KF       |         |
|         |                            |                                                          |                                                               |                 |          |         |
| 3/22/22 | 1519 Martin Cir            | Feral cats                                               | Dropped off trap                                              | F/U             | KF       |         |
|         | 1520 N 10th                | Roadkill                                                 | P/U                                                           | N/A             | KF       |         |
|         | 404 S 12th                 | Welfare check                                            | OK                                                            | F/U             | KF       |         |
|         | 504 N 13th                 | Cat stuck in house                                       | UTL; F/U                                                      | N/A             | KF       |         |
|         | 913 W Mississippi          | Dog @ large                                              | Returned to owner                                             | F/U             | KF       |         |
|         | 700 Blk Mississippi        | Dog @ large                                              | *Confrontational owner; F/U                                   | 1W              | KF       |         |
|         | 221 SE 5th                 | Dog @ large                                              | Spoke to owner                                                | F/U             | KF       |         |
|         | 220 SE 3rd                 | 3 dogs @ large                                           | 3W; 1D P/U                                                    | 3W              | KF       |         |
|         | 924 W Louisiana            | F/U regarding T & D                                      | Spoke to tenant                                               | 1W              | KF       |         |
|         | 1965 Chuckwa X Penny Ln    | Doga @ large                                             | Spoke to owner                                                | 2W              | KF       |         |
|         |                            |                                                          |                                                               |                 |          |         |
| 3/23/22 | 1st X Armstrong            | Deer                                                     | P/U                                                           | N/A             | KF       |         |
|         | 504 N 13th                 | Dogs @ large                                             | F/U                                                           | F/U             | KF       |         |
|         | 707 S 2nd                  | Welfare check                                            | OK; F/U                                                       | F/U             | KF       |         |
|         | 914 Parkview               | Deceased dog                                             | P/U                                                           | N/A             | KF       |         |
|         | 1519 Martin Cir            | Stray cats                                               | 1 trapped; P/U; Impounded                                     | N/A             | KF       |         |
|         | 2321 Mason St              | Agg. dog coming into CL                                  | Will F/U w/ owners                                            | FU              | KF       |         |
|         | AHO ER                     | Dog @ large                                              | UTL; Extra patrol                                             | F/U             | KF       |         |
|         | 518 N 6th                  | Welfare check                                            | Citizen complaint; rooks uncooperative                        | 1W              | KF       |         |
|         |                            |                                                          |                                                               |                 |          |         |
| 3/24/22 | Start Rile                 | Dog and cat dumped                                       | P/U; Impounded                                                | N/A             | KF       |         |
|         | 518 N 6th                  | Welfare check                                            | Brian Brooks throwing things                                  | F/U             | KF       |         |
|         | 1215 W Elm                 | Rehome 2 dogs                                            | Mom/ dad to "dumped" puppies                                  | 2C3W            | KF       |         |
|         | 400 Blk S 7th              | Dogs @ large                                             | Spoke to oenrtqF/U                                            | 2W              | KF       |         |
|         | 415 S 7yh                  | Dog @ large; Spoke to owner                              | F/U                                                           | F/U             | KF       |         |
|         | 4025 University Blvd       | Dog @ large                                              | UTL; Extra patrol                                             | F/U             | KF       |         |
|         | 1516 N 10th                | Cat @ large disturbing neighbors/ Destroying plants      | DT                                                            | 1W; F/U         | KF       |         |
|         | 16th x Beech               | Dog @ large                                              | UTC; Extra patrol                                             | F/U             | KF       |         |
|         |                            |                                                          |                                                               |                 |          |         |
| 3/25/22 | Lee X Magnolia             | Cow out                                                  | UTL; Extra patrol                                             | F/U             | KF       |         |
|         | 3802 W University Apt 9103 | Welfare check; Dog in tiny kennel w/out water            | Spoke to owner; Addressed immediately                         | 3W              | KF       |         |
|         | 5219 Martin Cir            | Stray Cats                                               | D/O trap                                                      | F/U             | KF       |         |
|         | 611 N 19th                 | Dog @ large                                              | UTL; Extra patrol                                             | F/U             | KF       |         |
|         |                            |                                                          |                                                               |                 |          |         |
| 3/28/22 | 311 S 11th                 | Stray cats                                               | D/O trap                                                      | F/U             | KF       |         |
|         | Walmart                    | Food donation                                            | P/U                                                           | N/A             | KF       |         |
|         | Braums                     | Dog @ large                                              | P/U; Impounded                                                | N/A             | KF       |         |
|         | 224 E Evergreen St         | Welfare concern; Dog on tiny chain; Tied to cinder block | Spoke to owner; 24 hr warning to secure better accommodations | 3W              | KF       |         |
|         | 324 S 11th                 | Lost dog                                                 | Found; Returned home                                          | 1W              | KF       |         |
|         | College Inn                | Abandoned cat                                            | Property mgr. to rehome                                       | N/A             | KF       |         |
|         | 502 S 2nd                  | Welfare concern;                                         | Dog is fine no violations                                     | N/A             | KF       |         |
|         | Durant Animal Hospital     | F/U regarding dog currently @ shelter                    | Received records                                              | N/A             | KF       |         |
|         | Shelter                    | Visitor wanting to adopt                                 | 1 Dog adopted                                                 | N/A             | KF       |         |
|         | 3707 Lori Ln               | Wants to rehome roommates dogs                           | Owner deceased; F/U wen shelter has room                      | F/U             | KF       |         |
|         | 518 N 6th                  | Welfare check                                            | Owner uncooperative; F/U                                      | F/U             | KF       |         |
|         | Billy Miller Park          | Dog @ large                                              | UTL; Extra patrol                                             | F/U             | KF       |         |

## City of Durant

### Neighborhood Services

#### Daily Animal Control Log (Fulton)

March-2022

| Date      | Location/Address  | Type of Call                          | Action Taken                                             | Citation Issued | Initials | Comment |
|-----------|-------------------|---------------------------------------|----------------------------------------------------------|-----------------|----------|---------|
| 3/29/2022 | Shelter           | Visitor wanting information           | May adopt dog                                            | N/A             | KF       |         |
|           | Avalon            | Dog @ large                           | P/U                                                      | F/U             | KF       |         |
|           | Chuckwa X Wilson  | Abused/ neglected horse investigation | Horse is being housed by finder; ATL owner               | F/U             | KF       |         |
|           | 4101 Sunnyside    | Welfare check                         | Still have illegal lemur; *CE                            | F/U 3W          | KF       |         |
|           | Shelter           | 2 Dogs > Rescue                       |                                                          | N/A             | KF       |         |
|           | 3107 Englewood    | Skunk                                 | D/O trap                                                 | N/A             | KF       |         |
|           | 1412 W Alabama    | D/O dog                               | D/O                                                      | 1W              | KF       |         |
|           | Mitchell Jewelers | Injured hawk                          | P/U; OK; Released                                        | N/A             | KF       |         |
| 3/30/2022 | 1942 W Locust     | Dog @ large                           | P/U; Impounded; ATL owner                                | N/A             | KF       |         |
|           | 5918 Martin Cir   | Stray cat trapped                     | P/U; Impounded; ATL owner                                | N/A             | KF       |         |
|           | Mitchell Jewelers | F/U regarding hawk                    | Returned trash can                                       | N/A             | KF       |         |
| 3/31/2022 | 12th X University | Opossum                               | P/U                                                      | N/A             | KF       |         |
|           | 920 W Elm         | Dog @ large                           | Spoke to owner; Police called; 1C                        | 1C              | KF       |         |
|           | CMC               | Dog @ large                           | UTL; Extra patrol                                        | N/A             | KF       |         |
|           | 1005 E Main       | Welfare concern                       | Puppy tangled up; No food/ water; Left notice to call AC | 2W              | KF       |         |
|           | 1004 E Main       | *CE; Junk appliances                  | *Washers & dryers                                        | 1W              | KF       |         |
|           | 1003 E Main       | Wild chickens                         | UTC; Will trap                                           | F/U             | KF       |         |
|           | 1008 Parkview     | Welfare concern                       | Elderly dog w/out food; Barely able to stand             | 2W              | KF       |         |
|           | 310 N 8th         | Dog @ large                           | Spoke to owner; 3W                                       | 3W              | KF       |         |



# City of Durant

## Neighborhood Services

### Daily Animal Control Log (Page)

March-2022

| Date      | Location/Address           | Type of Call                          | Action Taken                | Citation Issued | Initials | Comment |
|-----------|----------------------------|---------------------------------------|-----------------------------|-----------------|----------|---------|
| 3/1/2022  | Four Seasons (The Village) | Black German Shep @L.                 | Utl                         |                 | SP       |         |
| 3/2/2022  | 900 Brookside              | Tan dog at large                      | Verbal Warning              |                 | SP       |         |
|           | 301 Briarwood              | Raccoon                               | removed                     |                 | SP       |         |
|           | 1102 Parkview              | Tan dog at large                      | Neighbor left with it       |                 | SP       |         |
|           | 1220 Cedar                 | Owner of tan dog                      | Warning/she is rehoming dog |                 | SP       |         |
| 3/5/2022  | 602 N first                | Black and white dog                   | Secure verbal warning       |                 | SP       |         |
|           | 49th and Wilson            | Tan Dog                               | Picked up                   |                 | SP       |         |
|           | 1200 blk Geo               | Chi at large                          | Picked up                   |                 | SP       |         |
|           | Sports complex             | Black and tan dog at softball field   | Picked up                   |                 | SP       |         |
|           | 600 blk S 11th             | Sig 30 cat                            | Removed                     |                 | SP       |         |
| 3/6/2022  | 917 N 5th                  | Dog not secured                       | Verbal warning dog put up   |                 | SP       |         |
|           | 18th and Elm               | Tan and white bulldog @L              | Utl                         |                 | SP       |         |
|           | 3010 Kande Ln              | Sig 30 cat                            | Utl                         |                 | SP       |         |
|           | Woodmanor app              | Baby opossum in front of office       | Utl                         |                 | SP       |         |
| 3/7/2022  | Pound                      |                                       |                             |                 | SP       |         |
| 3/8/2022  | Pound                      |                                       |                             |                 | SP       |         |
| 3/9/2022  | Sports complex             | dog at large                          | Wrote citation              | 1C              | SP       |         |
|           | Pound                      | Pick up dog                           | Wrote citation              | 1C              | SP       |         |
|           | S 9th and Texas            | Large red dog by old church           | Utl                         |                 | SP       |         |
|           | Hwy 78                     | Cow out                               | Owner responded put up      |                 | SP       |         |
|           | South 5th and Tenn.        | White momma dog at large              | Was put up Verbal warning   |                 | SP       |         |
|           | 412 Tenn.                  | Welfare on starving dog in backyard   | Follow up with Kate         |                 | SP       |         |
| 3/12/2022 | 12th and Chuckwa           | Opossum in street                     | Removed                     |                 | SP       |         |
|           | Carl's Jr.                 | 2 dogs running around                 | UTL                         |                 | SP       |         |
|           | 4th and Alabama            | Black dog                             | Utl                         |                 | SP       |         |
|           | 5000 blk Wilson            | Tan dog in street                     | Picked up/Impound           |                 | SP       |         |
| 3/13/2022 | 110 West Pine              | Neighbors black dog loose             | Dog was put up              |                 | SP       |         |
|           | 9th and Ark.               | Dog in street                         | Picked up/Impound           |                 | SP       |         |
|           | 702 Liveoak                | Neighbor is feeding dog harmful bones | VW                          |                 | SP       |         |
| 3/14/2022 | Pound maint.               |                                       |                             |                 |          |         |
| 3/15/2022 | Pound maint.               |                                       |                             |                 |          |         |
| 3/16/2022 | Off sick                   |                                       |                             |                 |          |         |
| 3/19/2022 |                            |                                       |                             |                 |          |         |

# City of Durant

## Neighborhood Services

### Daily Code Enforcement Log (Cottrell)

March-2022

| Date     | Name           | Location/Address       | Inspection Type                                                 | Action Taken                                                                                                             | Abatement Letter Sent | OA / CTA | Citation Issued | Code Violation | Initials | Comments |
|----------|----------------|------------------------|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------|----------|-----------------|----------------|----------|----------|
| 3/1/2022 |                | 500 Blk West Evergreen | Pile of Boxes at Curb                                           | Removed                                                                                                                  |                       |          |                 | TD             | P.C.     |          |
|          |                | 1005 N 7th             | Workout Bike & Trash at Curb                                    | House Is Vacant Will Send Courtesy Letter                                                                                | CL                    |          |                 | TD             | P.C.     |          |
|          |                | 1203 W Elm             | Debris Piled In Alley                                           | Courtesy Letter                                                                                                          | CL                    |          |                 | TD             | P.C.     |          |
|          |                | 1010 Harmony Dr        | Homeless Camp                                                   | Appears To Be Vacant                                                                                                     |                       |          |                 | O              | P.C.     |          |
|          |                | 201 E Main             | Dilapidated Building, Piles of Debris & Trash                   | Courtesy Letter                                                                                                          | CL                    |          |                 | D/TD           | P.C.     |          |
|          |                | 815 S 9th              | Checked For CE                                                  |                                                                                                                          |                       | In Prog  |                 | TD             | P.C.     |          |
|          |                | 215 S 13th             | Checked For CE                                                  |                                                                                                                          |                       | OA       |                 | D/TD           | P.C.     |          |
|          |                | 702 Virginia           | Checked For CE                                                  |                                                                                                                          |                       | OA       |                 | D/TD           | P.C.     |          |
|          |                | 820 W Elm              | Checked For CE                                                  |                                                                                                                          |                       | In Prog  |                 | JA/TD          | P.C.     |          |
|          |                | 429 E Cedar            | Checked For CE                                                  |                                                                                                                          |                       | In Prog  |                 | TD             | P.C.     |          |
|          |                | 508 NE 2nd             | Checked For CE                                                  |                                                                                                                          |                       | In Prog  |                 | TD             | P.C.     |          |
|          |                | 717 N 14th             | Checked For CE                                                  |                                                                                                                          |                       | OA       |                 | JV             | P.C.     |          |
|          |                | S 9th                  | Checked For CE                                                  |                                                                                                                          |                       | OA       |                 | TD             | P.C.     |          |
| 3/2/2022 |                | 815 N 7th              | Complaint of trash around house and roof damage                 | Owner is in process of fixing roof and had trash picked up                                                               |                       | OA       |                 | D/TD/MC        | P.C.     |          |
|          |                | Lot by Walmart         | Trash and debris on property                                    | Will Letter                                                                                                              | L                     |          |                 | TD             | P.C.     |          |
|          |                | 702 W Pine             | No active water                                                 | Gave owner 24hr to have plan of action                                                                                   |                       |          |                 | O              | P.C.     |          |
|          | Animal Control | 403 S 6th              | Complaint of trash and animal cruelty                           | Owner got rolloff and was cleaning, ACO said animal was fine                                                             |                       |          |                 | TD/ACO/MC      | P.C.     |          |
|          |                | 644 S 3rd              | Trash in front yard & under carport, junk vehicle side of house | Will Letter                                                                                                              | L                     |          |                 | TD/JV          | P.C.     |          |
|          |                | Lot at S 1st & W Texas | Trash and brush                                                 | Will Letter                                                                                                              | L                     |          |                 | TD             | P.C.     |          |
|          |                | 108 W Georgia          | F/U on pile of debris at curb                                   | Owner Removed                                                                                                            |                       |          |                 | TD             | P.C.     |          |
|          |                | 503 NE 5th             | F/U on Trash and trash on trailer                               | Owner Removed                                                                                                            |                       |          |                 | TD             | P.C.     |          |
|          |                | 311 N 11th             | Limb and brush in yard                                          | Owners are on list                                                                                                       |                       |          |                 | TD/MC          | P.C.     |          |
|          |                | 314 N 11th             | Limb and brush in yard                                          | Owners are on list                                                                                                       |                       |          |                 | TD/MC          | P.C.     |          |
| 3/3/2022 |                | 1901 W Mississippi     | Homeless Camp                                                   | Vacated notified streets and public waste                                                                                |                       |          |                 | O              | P.C.     |          |
|          |                | S 3rd                  | Homeless Camp                                                   | Vacated notified streets and public waste                                                                                |                       |          |                 | O              | P.C.     |          |
|          |                | NE 5th & Pine          | Homeless Camp                                                   | Vacated notified streets and public waste                                                                                |                       |          |                 | O              | P.C.     |          |
|          |                | Cedar & Malone         | Complaint of homeless in vacant haunted house                   | Signs of someone staying there but no contact made will F/U                                                              |                       |          |                 | O              | P.C.     |          |
|          |                | 702 W Pine             | No active water account                                         | Owner is getting pipes fixed and getting water activated has 3 weeks                                                     |                       |          |                 | MC/O           | P.C.     |          |
|          |                | 504 N 1st              | F/U on temp sign                                                | OA                                                                                                                       |                       |          |                 | O              | P.C.     |          |
|          |                | 103 W Elm              | F/U on temp sign                                                | Gave business 48 hours to remove or issue a fine                                                                         |                       |          |                 | O/MC           | P.C.     |          |
|          |                | Main & Radio           | Man selling flags and banners                                   | Instructed him to get permit and remove all flags that violate ordinance, he was told not to open back up without permit |                       |          |                 | O/MC           | P.C.     |          |
| 3/4/2022 |                | S 9th                  | Homeless Camp                                                   | Vacated camp, informed them if seen there again they will be trespassing                                                 |                       |          |                 | O/MC           | P.C.     |          |
|          |                | 1117 W Texas           | Couch at curb                                                   | Owner is having city pick it up                                                                                          |                       |          |                 | TD/MC          | P.C.     |          |
|          | Animal Control | 704 S 14th             | Dog loose                                                       | No contact made, notified ACO                                                                                            |                       |          |                 | ACO            | P.C.     |          |
|          |                | Sunny Side Rd          | Dumping on city property                                        | Let the landfill know                                                                                                    |                       |          |                 | TD             | P.C.     |          |
|          |                | 415 Northridge Dr      | Complaint of junk on property                                   | Attempted to MC, sent letter                                                                                             | CL                    |          |                 | TD             | P.C.     |          |
|          |                | 1605 W Olive           | F/U on People living in junk vehicle                            | Vehicle was removed from property                                                                                        |                       |          |                 | JV             | P.C.     |          |
|          |                | 2704 Thomas Way        | Large pile of items at curb                                     | Notified property manager                                                                                                |                       |          |                 | TD/MC          | P.C.     |          |
| 3/7/2022 |                | University             | Tent with people living in it                                   | They refused to leave, PD showed up and removed them                                                                     |                       |          |                 | O/MC           | P.C.     |          |

# City of Durant

## Neighborhood Services

### Daily Code Enforcement Log (Cottrell)

March-2022

| Date      | Name                    | Location/Address          | Inspection Type                                                       | Action Taken                                                               | Abatement Letter Sent | OA / CTA | Citation Issued | Code Violation | Initials | Comments |
|-----------|-------------------------|---------------------------|-----------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------|----------|-----------------|----------------|----------|----------|
|           |                         | 1525 Larkspur             | Complaint of car parked at curb                                       | No car found, spoke to homeowner about the complaint                       |                       |          |                 | O/MC           | P.C.     |          |
|           |                         | 523 N Washington          | Temp sign permit expired                                              | Notified owner and sign was removed                                        |                       |          |                 | O              | P.C.     |          |
|           |                         | 804 S 2nd                 | Couch in yard                                                         | Owner is hauling off                                                       |                       |          |                 | TD/MC          | P.C.     |          |
|           |                         | 1201 W Georgia            | Wrecked car at curb                                                   | Owner is removing it today                                                 |                       |          |                 | JV/MC          | P.C.     |          |
|           | Animal Control          | W Beech                   | Dog running loose                                                     | Lost dog, notified ACO                                                     |                       |          |                 | ACO            | P.C.     |          |
|           |                         | 1015 W Beech              | Carport full of items                                                 | Left over from yard sale they will remove                                  |                       |          |                 | TD/MC          | P.C.     |          |
|           |                         | Signs                     |                                                                       | Removed                                                                    |                       |          |                 | O              | P.C.     |          |
|           |                         | 801 S 2nd                 | Large pile of brush on lot                                            | Letter                                                                     | L                     |          |                 | TD             | P.C.     |          |
|           |                         | 805 S 2nd                 | Large pile of brush and trash on lot                                  | Letter                                                                     | L                     |          |                 | TD             | P.C.     |          |
| 3/8/2022  |                         | 1124 S 9th                | Complaint of damaged fences by neighbor                               | Informed him that it is a civil matter and he will need to take that route |                       |          |                 | O/MC           | P.C.     |          |
|           |                         | 1319 N 4th                | Vehicle improperly parked in street                                   | Owner moved the car                                                        |                       |          |                 | O/MC           | P.C.     |          |
|           | Animal Control          | 609 N 9th                 | Dog out of fence owners not home                                      | Got dog back in and left door hanger                                       |                       |          |                 | ACO            | P.C.     |          |
|           |                         | 610 N 9th                 | Trash and items stored on porch and carport                           | Courtesy letter                                                            | CL                    |          |                 | TD             | P.C.     |          |
|           | Forrest hill apartments | 1121 N 6th                | Dresser, bed frame and trash                                          | Called property manager                                                    |                       |          |                 | TD/MC          | P.C.     |          |
|           | Forrest hill apartments | Plum St                   | Mattress and trash                                                    | Called property manager                                                    |                       |          |                 | TD/MC          | P.C.     |          |
|           |                         | 1521 W Cedar              | Tv,AC's, vacuum, and trash                                            | Courtesy letter                                                            | CL                    |          |                 | TD             | P.C.     |          |
|           |                         | 1521 1/2 W Cedar          | Huge pile of debris                                                   | Courtesy letter                                                            | CL                    |          |                 | TD             | P.C.     |          |
|           |                         | 204 Meadow Lark           | F/U on abandoned car, trash                                           | In progress                                                                |                       |          |                 | JV/TD          | P.C.     |          |
|           |                         | 1705 W Cedar              | Couch in yard                                                         | 24hr                                                                       |                       |          |                 | TD             | P.C.     |          |
| 3/10/2022 |                         | 705 N 1st                 | Recliner in alley                                                     | 24hr                                                                       |                       |          |                 | TD/MC          | P.C.     |          |
|           |                         | 800 N 2nd                 | Couch at dumpster                                                     | Attempted to contact property manager                                      |                       |          |                 | TD             | P.C.     |          |
|           |                         | 1916 Mason                | Small pile of debris at rd                                            | Warning                                                                    |                       |          |                 | TD             | P.C.     |          |
|           |                         | 1912 Mason                | Large pile of debris at rd                                            | 24hr                                                                       |                       |          |                 | TD             | P.C.     |          |
|           |                         | 2105 Mason                | Couch, trash, and junk appliances                                     | Courtesy letter                                                            | CL                    |          |                 | TD/JA          | P.C.     |          |
|           | Animal Control          | 1415 W Mulberry           | Dog out of fence                                                      | Owner was given a warning                                                  |                       |          |                 | MC/ACO         | P.C.     |          |
|           |                         | 1201 W Georgia            | F/U on wrecked car at curb                                            | Owner removed                                                              |                       |          |                 | JV             | P.C.     |          |
|           |                         | Thomas Circle West        | Trash and bedding around dumpster                                     | Notified property manager                                                  |                       |          |                 | TD/MC          | P.C.     |          |
|           |                         | Thomas Circle East        | Trash and furniture around dumpster                                   | Notified property manager                                                  |                       |          |                 | TD/MC          | P.C.     |          |
| 3/11/2022 |                         | 736 S 3rd                 | Truck in back bed loaded with trash bags, junk appliances in backyard | Sent courtesy letter                                                       | CL                    |          |                 | JV/JA/TD       | P.C.     |          |
|           |                         | 627 S 11th                | Wind blew polycart into road                                          | Pulled it up to house left hanger                                          |                       |          |                 | TD             | P.C.     |          |
|           |                         | 425 S 11th                | Wind blew polycart into road                                          | Pulled it up to house left hanger                                          |                       |          |                 | TD             | P.C.     |          |
|           |                         | 1124 W Mulberry           | Wind blew polycart into road                                          | Pulled it up to house left hanger                                          |                       |          |                 | TD             | P.C.     |          |
|           |                         | StoneBrook cr & Blanchard | Wind blew polycart into road                                          | Pulled it up to house left hanger                                          |                       |          |                 | TD             | P.C.     |          |
|           |                         | 711 Blanchard             | Abandon house someone tried kicking door in                           | Contacting owner                                                           |                       |          |                 | D              | P.C.     |          |
|           |                         | 1032 Stonebrook Cr        | Trash and debris in yard and on driveway                              | Will contact property manager                                              |                       |          |                 | TD             | P.C.     |          |
|           |                         | 724 S 9th                 | F/U on trash and debris                                               | Owner removed                                                              |                       |          |                 | TD             | P.C.     |          |
|           |                         | Signs x20                 |                                                                       |                                                                            |                       |          |                 | O              | P.C.     |          |
| 3/14/2022 |                         | 1311 N 5th                | Limbs over sidewalk                                                   | Hanger                                                                     |                       |          |                 | TS             | P.C.     |          |
|           |                         | 1303 N 5th                | Limbs over sidewalk                                                   | Spoke to owner                                                             |                       |          |                 | TS             | P.C.     |          |
|           |                         | 1217 N 5th                | Limbs over sidewalk                                                   | Hanger                                                                     |                       |          |                 | TS             | P.C.     |          |
|           |                         | 1211 N 5th                | Limbs over sidewalk                                                   | Hanger                                                                     |                       |          |                 | TS             | P.C.     |          |
|           |                         | 1205 N 5th                | Limbs over sidewalk                                                   | Hanger                                                                     |                       |          |                 | TS             | P.C.     |          |
|           |                         | 1331 N 6th                | Limbs over sidewalk, polycart over full                               | Hanger                                                                     |                       |          |                 | TS/TD          | P.C.     |          |
|           |                         | 1323 N 6th                | Limbs over sidewalk, trash and mattress behind house                  | Warning                                                                    |                       |          |                 | TS/TD          | P.C.     |          |
|           |                         | 1309 N 6th                | Limbs over sidewalk                                                   | Courtesy letter                                                            | CL                    |          |                 | TS             | P.C.     |          |

# City of Durant

## Neighborhood Services

### Daily Code Enforcement Log (Cottrell)

March-2022

| Date      | Name           | Location/Address   | Inspection Type                                      | Action Taken                                                      | Abatement Letter Sent | OA / CTA | Citation Issued | Code Violation  | Initials | Comments |
|-----------|----------------|--------------------|------------------------------------------------------|-------------------------------------------------------------------|-----------------------|----------|-----------------|-----------------|----------|----------|
|           |                | 1303 N 6th         | Limbs over sidewalk                                  | Courtesy letter                                                   | CL                    |          |                 | TS              | P.C.     |          |
|           |                | 1209 N 6th         | Pile of brush, Pile of trash, washer and dryer       | Letter                                                            | L                     |          |                 | TD/JA           | P.C.     |          |
|           |                | 1210 N 7th         | Debris and trash in back                             | Letter                                                            | L                     |          |                 | TD              | P.C.     |          |
|           |                | 1202 N 7th         | Trash on porch and next to house                     | Spoke to owner about cleaning                                     |                       |          |                 | TD/MC           | P.C.     |          |
|           |                |                    | Appliances on porch, trash piled in back             | Letter                                                            | L                     |          |                 | TD/JA           | P.C.     |          |
|           |                | 521 N 4th          | Large Pile of trash in back                          | Courtesy letter                                                   | CL                    |          |                 | TD              | P.C.     |          |
|           |                | 911 N 6th          | Large Pile of trash in back                          | Courtesy letter                                                   | CL                    |          |                 | TD              | P.C.     |          |
|           |                | 424 W Pine         | Mattress on porch, junk car                          | Warning                                                           |                       |          |                 | TD              | P.C.     |          |
|           | Animal Control | 4101 Sunny Side Rd | Animal neglect, junk cars, trash and junk appliances | Fines for animals, court letter for others                        | L                     |          |                 | ACO/JA/JV/TD/MC | P.C.     |          |
| 3/15/2022 |                | 1317 W Live Oak    | Large brush pile in alley                            | Courtesy letter                                                   | CL                    |          |                 | TD              | P.C.     |          |
|           |                | 1523 W Olive       | Trash piled under carport                            | 24hr                                                              | L                     |          |                 | TD              | P.C.     |          |
|           |                | 1422 W Elm         | Limbs and debris beside house and on porch           | Letter                                                            | L                     |          |                 | TD              | P.C.     |          |
|           |                | 605 Washington     | Pile of mattresses and debris                        | Letter                                                            | L                     |          |                 | TD              | P.C.     |          |
|           |                | 1309 Grand         | Recliner and boxes at curb                           | Owner is removing                                                 |                       |          |                 | TD/MC           | P.C.     |          |
|           |                | 1319 Grand         | Treadmill and boxes at curb                          | Owner is removing                                                 |                       |          |                 | TD/MC           | P.C.     |          |
|           |                | 411 N              | F/U on trash and debris                              | In prog.                                                          |                       |          |                 | TD              | P.C.     |          |
|           | Animal Control | 904 Brookside      | Complaint of dog loose and trash                     | Spoke to the owner about cleaning the yard, gave warning for dogs |                       |          |                 | TD/ACO/MC       | P.C.     |          |
| 3/16/2022 |                | 629 S 10th         | Tall grass and weeds                                 | Hanger                                                            |                       |          |                 | TD              | P.C.     |          |
|           |                | 621 S 10th         | Tall grass and weeds                                 | Hanger                                                            |                       |          |                 | TD              | P.C.     |          |
|           |                | 630 S 10th         | Trash next to polycart                               | Warning                                                           |                       |          |                 | TD              | P.C.     |          |
|           |                | 921 W Georgia      | Trash and debris in driveway                         | Warning                                                           |                       |          |                 | TD              | P.C.     |          |
|           |                | 935 W Georgia      | Carpet and debris under carport                      | Warning                                                           |                       |          |                 | TD              | P.C.     |          |
|           |                | 209 W Main         | Welcome flag on sidewalk                             | Spoke to owner about getting permit or removing sign              |                       |          |                 | O/MC            | P.C.     |          |
|           |                | 1005 N 7th         | Trash bags at curb and in drive                      | Warning                                                           |                       |          |                 | TD              | P.C.     |          |
|           |                | 435 Venus Rd       | Report of trailer loaded with trash                  | Found no trailer or trash at address given                        |                       |          |                 | TD              | P.C.     |          |
|           |                | Mailed CE Letters  |                                                      |                                                                   |                       |          |                 | O               | P.C.     |          |
| 3/17/2022 |                | 205 SE 5th         | Illegal usage of water                               | No contact, left warning to call with plan of action              |                       |          |                 | O               | P.C.     |          |
|           | Animal Control | W Main St          | Animal welfare check                                 | Animal was healthy                                                |                       |          |                 | ACO/MC          | P.C.     |          |
|           |                | 1939 W Locust      | Large box with debris in it at curb                  | Warning                                                           |                       |          |                 | TD              | P.C.     |          |
|           |                | 802 W Willow       | Large pile of brush at curb                          | Warning                                                           |                       |          |                 | TD              | P.C.     |          |
|           |                | 1303 N 8th         | Large pile of brush at curb                          | Warning                                                           |                       |          |                 | TD              | P.C.     |          |
|           |                | 802 W Locust       | Large pile of brush at curb                          | Warning                                                           |                       |          |                 | TD              | P.C.     |          |
|           |                | 811 W University   | Washer and dryer behind building                     | Contact property manager                                          |                       |          |                 | JA              | P.C.     |          |
|           |                | 1211 N 5th         | Limbs over sidewalk                                  | Met with home owner and went over violation                       |                       |          |                 | TS/MC           | P.C.     |          |
|           |                | Alley on W Cedar   | Contractor parked in alley                           | Spoke to owner and truck was moved                                |                       |          |                 | O/MC            | P.C.     |          |
| 3/18/2022 |                | 3501 Dawna Dr      | Posted for CE                                        |                                                                   |                       |          |                 | TD              | P.C.     |          |
|           |                | 644 S 3rd          | Posted for CE                                        |                                                                   |                       |          |                 | TD/JV/TS        | P.C.     |          |
|           |                | S 1st & Texas      | Posted for CE                                        |                                                                   |                       |          |                 | TD              | P.C.     |          |
|           |                | 801 S 2nd          | Posted for CE                                        |                                                                   |                       |          |                 | TD              | P.C.     |          |
|           |                | 701 W Alabama      | Posted for CE                                        |                                                                   |                       |          |                 | TD              | P.C.     |          |
|           |                | 1207 N 7th         | Posted for CE                                        |                                                                   |                       |          |                 | TD              | P.C.     |          |
|           |                | 4101 Sunnyside     | Posted for CE                                        |                                                                   |                       |          |                 | TD/JV/JA        | P.C.     |          |
|           |                | 805 S 2nd          | Posted for CE                                        |                                                                   |                       |          |                 | TD              | P.C.     |          |
|           |                | 801 S 7th          | Posted for CE                                        |                                                                   |                       |          |                 | D/TD            | P.C.     |          |
|           |                | 709 S 7th          | Posted for CE                                        |                                                                   |                       |          |                 | D/TD            | P.C.     |          |
|           |                | 704 W Tennessee    | Posted for CE                                        |                                                                   |                       |          |                 | D/TD            | P.C.     |          |
|           |                | Union Pacific R.R  | Posted for CE                                        |                                                                   |                       |          |                 | D/TS            | P.C.     |          |

# City of Durant

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|-----------|----------------|--------------------|-------------------------------------------------------------|--------------------------------------------------------------------------------|-----------------------|----------|-----------------|----------------|----------|----------|
|           |                | 3516 Rock Bluff Rd | Yard sale/ No permit                                        | Told them to shut down or get permit online.                                   |                       |          |                 | O/MC           | P.C.     |          |
|           |                | 705 S 7th          | Trash all around house, multiple junk appliances            | Courtesy letter                                                                | CL                    |          |                 | TD/JA          | P.C.     |          |
|           |                | 626 W Tennessee    | Piles of brush, trash and appliances                        | Courtesy letter                                                                | CL                    |          |                 | TD/JA          | P.C.     |          |
|           |                | 510 W Tennessee    | Brush and trash in yard                                     | Courtesy letter                                                                | CL                    |          |                 | TD             | P.C.     |          |
|           |                | 520 W Georgia      | Trash and debris under carport                              | Courtesy letter                                                                | CL                    |          |                 | TD             | P.C.     |          |
|           |                | 4423 Sunnyside     | Very tall grass and weeds                                   | Hanger                                                                         |                       |          |                 | TD             | P.C.     |          |
|           |                | 1608 W Main        | Mattresses and trash in back                                | Spoke to owners about cleaning                                                 |                       |          |                 | TD/JA/MC       | P.C.     |          |
| 3/22/2022 |                | 417 W Willow       | Couch and bedding under carport                             | Owner is getting it hauled off                                                 |                       |          |                 | TD/MC          | P.C.     |          |
|           |                | 412 W Willow       | Trash Bags In alley                                         | Warning                                                                        |                       |          |                 | TD             | P.C.     |          |
|           |                | 1220 & a Half      | Report of trash in alley                                    | Spoke to a resident said wind blew trash in but they cleaned it                |                       |          |                 | TD/MC          | P.C.     |          |
|           |                | N 4th & Beech      | Couch dumped at curb                                        | Loaded and hauled off                                                          |                       |          |                 | TD             | P.C.     |          |
|           |                | 311 N 4th          | Bags of leaves                                              | Spoke to owner about pickup and rules                                          |                       |          |                 | TD/MC          | P.C.     |          |
|           |                | 319 N 4th          | Leaves and shrubs at curb                                   | Spoke to owner about pickup and rules                                          |                       |          |                 | TD/MC          | P.C.     |          |
|           |                | E Evergreen        | TV, 3 large black bags of trash dumped                      | Hauled to city dump                                                            |                       |          |                 | JA/TD          | P.C.     |          |
|           |                | 211 W Elm          | Mattress, couch and trash                                   | Courtesy letter                                                                | CL                    |          |                 | TD             | P.C.     |          |
|           |                | Signs              |                                                             |                                                                                |                       |          |                 | O              | P.C.     |          |
|           |                | 603 N 2nd          | Trash in yard and shop                                      | Letter                                                                         | L                     |          |                 | TD             | P.C.     |          |
|           |                | 1001 W Georgia     | Mattress and dresser at curb                                | Warning                                                                        |                       |          |                 | TD             | P.C.     |          |
|           |                | 919 W Mississippi  | Dog loose running around                                    | Found owner, gave warning                                                      |                       |          |                 | ACO/MC         | P.C.     |          |
|           |                | 504 N 13th         | Stray cats in house, staying in camper                      | Animal control is taking owner traps, notified owner they can dwell in camper. |                       |          |                 | ACO/O/MC       | P.C.     |          |
| 3/23/2022 |                | 818 N 5th          | F/U on JV, D, TD                                            | Will contact property owner                                                    |                       |          |                 | JV,D,TD        | P.C.     |          |
|           |                | 421 W Arkansas     | Someone possibly living in tent in backyard                 | Attempted to make contact, will F/U                                            |                       |          |                 | O              | P.C.     |          |
|           |                | 501 NE 4th         | Trash and mattress around dumpster                          | 24hr                                                                           |                       |          |                 | TD             | P.C.     |          |
|           |                | 313 N 12th         | Polycart overloaded, tarp strung out next to it             | Warning                                                                        |                       |          |                 | TD             | P.C.     |          |
|           |                | 1200 Blk W Cedar   | Tent blowing down road                                      | Dismantled and hauled off                                                      |                       |          |                 | TD             | P.C.     |          |
|           |                | 501 N 15th         | Spoke to Pastor about a property they may own               | They didn't own the property in question                                       |                       |          |                 | MC/O           | P.C.     |          |
|           |                | 312 S 15th         | Couches, mattress, trash & debris around house and on porch | 24hr                                                                           |                       |          |                 | TD             | P.C.     |          |
|           |                | 512 W Willow       | Trash in yard and shop building                             | Letter                                                                         | L                     |          |                 | TD/JV          | P.C.     |          |
|           |                | 1305 N 5th         | Trash piled behind house, ice box on porch                  | Letter                                                                         | L                     |          |                 | TD/JA          | P.C.     |          |
|           |                | West Side Storage  | Items and debris piled up beside unit                       | Talked to owner they are aware and removing                                    |                       |          |                 | TD/MC          | P.C.     |          |
| 3/24/2022 |                | NE 5th & E Pine    | Report of homeless camp                                     | Just trash and items leftover from previous camp                               |                       |          |                 | TD             | P.C.     |          |
|           | Animal Control | 518 N 6th          | Report of illegally owned animals                           | No dogs were found on property                                                 |                       |          |                 | ACO/MC         | P.C.     |          |
|           |                | 615 E Evergreen    | Temp sign/No permit                                         | Spoke to owner sign was removed                                                |                       |          |                 | O/MC           | P.C.     |          |
|           |                | 1318 N 7th         | Polycart overloaded, Debris & trash in backyard             | Warning                                                                        |                       |          |                 | TD             | P.C.     |          |
|           | Animal Control | 1215 W Elm         | Animal neglect                                              | Removed all animals, both involved received tickets                            |                       |          |                 | ACO/MC         | P.C.     |          |
|           |                | 523 N 12th         | Mattress and debris near curb                               | Owner is having removed                                                        |                       |          |                 | TD/JA/MC       | P.C.     |          |
|           |                | 722 W Beech        | Several washers against house                               | Owner is hauling off                                                           |                       |          |                 | JA/MC          | P.C.     |          |
|           |                | 320 W Mulberry     | Recliner at curb                                            | Owner was given until monday to remove                                         |                       |          |                 | TD/MC          | P.C.     |          |
|           |                | 1201 Briarwood     | Couch dumped at dumpster                                    | Spoke to property manager, they are removing.                                  |                       |          |                 | TD/MC          | P.C.     |          |
| 3/25/2022 |                | 500 Meadowlark     | Polycart at curb                                            | Hanger                                                                         |                       |          |                 | O              | P.C.     |          |
|           |                | 3903W Arkansas     | Leaves & brush at curb                                      | Hanger                                                                         |                       |          |                 | TD             | P.C.     |          |

# City of Durant

## Neighborhood Services

### Daily Code Enforcement Log (Cottrell)

March-2022

| Date      | Name           | Location/Address | Inspection Type                                                           | Action Taken                                                         | Abatement Letter Sent | OA / CTA | Citation Issued | Code Violation | Initials | Comments |
|-----------|----------------|------------------|---------------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------|----------|-----------------|----------------|----------|----------|
|           |                | 3901 W Arkansas  | Bags of leaves                                                            | Hanger                                                               |                       |          |                 | TD             | P.C.     |          |
|           |                | 1120 W Locust    | Polycart at curb                                                          | Owner removed                                                        |                       |          |                 | MC/O           | P.C.     |          |
|           |                | 607 N 11th       | Polycart at curb                                                          | Owner removed                                                        |                       |          |                 | MC/O           | P.C.     |          |
|           |                | 613 N 11th       | Polycart at curb                                                          | Owner removed                                                        |                       |          |                 | MC/O           | P.C.     |          |
|           |                | 618 N 11th       | Polycart at curb                                                          | House was vacant, i pulled polycart up to house                      |                       |          |                 | O              | P.C.     |          |
|           |                | 820 N 4th        | Loveseat & recliner at curb                                               | Owner has until monday                                               |                       |          |                 | TD/MC          | P.C.     |          |
|           |                | 310 N 8th        | Old heater and trash behind house                                         | Spoke to owner about removing                                        |                       |          |                 | MC/TD/JA       | P.C.     |          |
|           |                | 722 W Beech      | Report of raw sewage                                                      | Attempted to contact RP, couldn't find any raw sewage.               |                       |          |                 | D              | P.C.     |          |
| 3/28/2022 |                | 3501 Dawna Dr    | Large pile of brush & debris at curb                                      | Met with owner to go over violation                                  |                       |          |                 | MC/TD          | P.C.     |          |
|           |                | 104 A W Main     | Temp sign/No permit                                                       | Owner removed                                                        |                       |          |                 | O/MC           | P.C.     |          |
|           |                | 104 B W Main     | Temp sign/No permit                                                       | Owner removing                                                       |                       |          |                 | O/MC           | P.C.     |          |
|           |                | Signs            |                                                                           |                                                                      |                       |          |                 | O              | P.C.     |          |
|           |                | 1227 W Waco      | Bags of leaves next to house                                              | Hanger                                                               |                       |          |                 | TD             | P.C.     |          |
|           |                | 1247 W Waco      | Brush behind house                                                        | Hanger                                                               |                       |          |                 | TD             | P.C.     |          |
|           |                | 1124 Hill        | Large pile of leaves in bags                                              | Hanger                                                               |                       |          |                 | TD             | P.C.     |          |
|           |                | 1108 Hill        | Ice Box next to house                                                     | Owner is moving it inside                                            |                       |          |                 | JA/MC          | P.C.     |          |
|           |                | 315 W Willow     | Limb and leaves                                                           |                                                                      |                       |          |                 | TD             | P.C.     |          |
|           |                | 2022 W Evergreen | Brush in back                                                             |                                                                      |                       |          |                 | TD             | P.C.     |          |
|           |                | 611 N 19th       | Brush at curb                                                             |                                                                      |                       |          |                 | TD             | P.C.     |          |
|           |                | H 36 Harmony     | Brush and trash at curb                                                   | Courtesy Letter                                                      | CL                    |          |                 | TD             | P.C.     |          |
|           |                | 15th & Alabama   | Trash bag of limbs in road                                                | Removed                                                              |                       |          |                 | TD             | P.C.     |          |
| 3/30/2022 |                | 523 N 12th       | F/U on mattress and trash at curb                                         | Owner removed                                                        |                       |          |                 | TD             | P.C.     |          |
|           |                | 605 Washington   | F/U on mattress and trash in alley                                        | Owner removed                                                        |                       |          |                 | TD             | P.C.     |          |
|           |                | 522 N 15th       | Brush and leaves at curb                                                  | Hanger                                                               |                       |          |                 | TD             | P.C.     |          |
|           |                | 822 N 15th       | Bags of leaves at curb                                                    | Hanger                                                               |                       |          |                 | TD             | P.C.     |          |
|           |                | 1421 W Olive     | Bags of leaves beside house                                               | Spoke to owner about pickup list                                     |                       |          |                 | TD/MC          | P.C.     |          |
|           |                | 823 N 17th       | Large pile of brush and limbs                                             | Owner is on list                                                     |                       |          |                 | TD/MC          | P.C.     |          |
|           | Animal Control | 1302 N 7th       | Dog loose (missing)                                                       | Dog was found                                                        |                       |          |                 | ACO/MC         | P.C.     |          |
|           |                | 210 Sunnymeadows | Brush and polycart left at curb                                           | Owner is getting on list, moved polycart                             |                       |          |                 | TD/MC          | P.C.     |          |
|           |                | 211 Sunnymeadows | Limbs at curb                                                             | Owner is getting on list                                             |                       |          |                 | TD/MC          | P.C.     |          |
|           |                | 602 N 13th       | Unsecured building, door kicked open, limbs over alley, dilapidated fence | Will send letter                                                     | L                     |          |                 | D/TS           | P.C.     |          |
|           |                | 1318 N 7th       | Trash piled in backyard, polycart over filled, house is vacant            | Will attempt to contact owner or send courtesy letter                | CL                    |          |                 | TD             | P.C.     |          |
|           |                | 3423 N 1st       | Temp sign                                                                 | Meet with owner to discuss ordinance and what we can and cannot have |                       |          |                 | O/MC           | P.C.     |          |
| 3/31/2022 |                | 5400 W Main      | Temp signs                                                                | Attempted contact will F/U                                           |                       |          |                 | O              | P.C.     |          |
|           |                | 1422 W Elm       | Trash and debris, junk car, junk appliances, dilapidated building in back | Send letter                                                          | L                     |          |                 | TD/JV/JA/D     | P.C.     |          |
|           |                | 1607 W Maple     | Complaint of polycarts left at curb                                       | Warning                                                              |                       |          |                 | TD             | P.C.     |          |
|           |                | 1605 W Olive     | Trash in back yard                                                        | Spoke to owner, they removed                                         |                       |          |                 | TD/MC          | P.C.     |          |
|           |                | 815 E Flordia    | No active water account                                                   | Owner addressed issue                                                |                       |          |                 | D/MC           | P.C.     |          |
|           |                | 112 W Wilson     | Sign placed in sight triangle                                             | Will contact property manager                                        |                       |          |                 | O              | P.C.     |          |
|           |                | 3011 N 1st       | Report of sign violation                                                  | Sign was legal                                                       |                       |          |                 | O              | P.C.     |          |
|           |                | 3301 N 1st       | Report of sign violation                                                  | Sign was legal                                                       |                       |          |                 | O              | P.C.     |          |
|           |                | 3825 N 1st       | Report of sign violation                                                  | Sign was legal                                                       |                       |          |                 | O              | P.C.     |          |
|           |                | N 9th            | Trash bag busted in middle of road                                        | Picked up and removed                                                |                       |          |                 | TD             | P.C.     |          |

# City of Durant

## Neighborhood Services

### Daily Code Enforcement Log (Jackson)

March-2022

| Date      | Name                 | Location/Address      | Inspection Type                      | Action Taken                             | Abatement Letter Sent | OA / CTA | Citation Issued | Code Violation | Initials | Comments                                                                    |
|-----------|----------------------|-----------------------|--------------------------------------|------------------------------------------|-----------------------|----------|-----------------|----------------|----------|-----------------------------------------------------------------------------|
| 3/1/2022  |                      | 904 W Meadowlark      | Add on inspection                    | Did not pass                             |                       |          |                 | O              | S.J.     | Bathroom addition, did not meet minimum requirements of Building IRC (2015) |
|           | Hands Of Hope        | 724 W Main            | Car vs Building                      | Excessive Damage                         |                       |          |                 | O              | S.J.     |                                                                             |
|           |                      | Nuisance Court        |                                      |                                          |                       |          |                 |                | S.J.     |                                                                             |
|           |                      | 1003 E Main           | Illegal Dumping in water way         | Notified DEQ                             |                       |          |                 | TD             | S.J.     |                                                                             |
|           |                      | 1005 E Main           | Illegal Dumping in water way         | Notified DEQ                             |                       |          |                 | TD             | S.J.     |                                                                             |
|           | ANIMAL CONTROL       | 311 E Arkansas        | Follow up/Roosters                   | Making positive progress                 |                       |          |                 | ACO/MC         | S.J.     |                                                                             |
|           |                      | 312 E Arkansas        | Routine/Debris                       | Left door hanger                         |                       |          |                 | TD/MC          | S.J.     | Owner called, out of town and will clean over the weekend                   |
|           | Money Talks          | 1128 E Main           | Follow up/Dilapidated trailers       | In progress                              |                       |          |                 | D              | S.J.     |                                                                             |
|           | ANIMAL CONTROL       | 1223 E Main           | Dog at large                         | Escaped                                  |                       |          |                 | ACO/MC         | S.J.     | Did not belong at that address                                              |
|           |                      | 221 W Louisiana       | Complaint/Trash and Debris           | Courtesy Letter                          | CL                    |          |                 | TD             | S.J.     |                                                                             |
| 3/2/2022  | Union Pacific        | Malone & Cedar        | Dilapidated structure on RR property | Called                                   |                       |          |                 | D/TD           | S.J.     | Spoke with U.P. waiting a call back                                         |
|           | Kiamichi RR          | Radio & Arkansas      | Homeless camp/Overgrown trees        | Emailed director                         |                       |          |                 | O/TS/MC        | S.J.     |                                                                             |
|           |                      | 2931 W Main           | Inquiring about homeless camp        | Notified RR                              |                       |          |                 | TD/MC          | S.J.     |                                                                             |
|           |                      | 1210 University Place | Possibly living in camper            | Spoke with PD about address              |                       |          |                 | O              | S.J.     |                                                                             |
|           |                      | 221 W Louisiana       | Trash & Debris/Junk Appliances       | Courtesy Letter                          | C X 2                 |          |                 | TD/JA          | S.J.     |                                                                             |
|           | ANIMAL CONTROL       | 2204 Wilson St        | Abandoned Dog                        |                                          |                       |          |                 | ACO/MC         | S.J.     |                                                                             |
|           |                      | 1421 W Mississippi    | Possible water leak                  | Billing said no                          |                       |          |                 | O/MC           | S.J.     |                                                                             |
| 3/4/2022  |                      | 602 W Alabama         | Trash & Debris                       | Courtesy Letter                          | C X 1                 |          |                 | TD             | S.J.     |                                                                             |
|           |                      | 604 W Alabama         | Trash & Debris                       | Courtesy Letter                          | C X 1                 |          |                 | TD             | S.J.     |                                                                             |
|           | All Star Investments | Terry Holder          |                                      |                                          | C X 1                 |          |                 | TD             | S.J.     | Owner of 602, 604 W Alabama                                                 |
|           | ANIMAL CONTROL       | Harmony H 18          | Follow up                            | In Compliance                            |                       |          |                 | ACO/MC         | S.J.     |                                                                             |
|           | ANIMAL CONTROL       | 2204 Wilson           | Pick up stray                        |                                          |                       |          |                 | ACO            | S.J.     |                                                                             |
|           |                      | 303 Holcomb           | Trash, Junk vehicle                  | 24 HRS to comply                         |                       |          |                 | TD/JV/MC       | S.J.     | PD assisted possible stolen property                                        |
| 3/7/2022  |                      | 303 Holcomb           | Follow up                            | In Compliance                            |                       |          |                 | TD/JV          | S.J.     |                                                                             |
|           |                      | 800 Block S 9th       | Follow up                            | Stolen Property retrieved                |                       |          |                 | TD             | S.J.     | PD assisted                                                                 |
|           |                      | 603 S 12th            | Parking violation                    | Warning                                  |                       |          |                 | O              | S.J.     | Improperly parked                                                           |
|           |                      | 621 W Texas           | No active water                      | 48HR to comply                           |                       |          |                 | D/MC           | S.J.     |                                                                             |
| 3/8/2022  |                      | 911 Crooked Oak       | No active water                      | 48HR to comply                           |                       |          |                 | D/MC           | S.J.     |                                                                             |
|           | ANIMAL CONTROL       | 1521 N 10th           | Follow up/dog bite                   |                                          |                       |          |                 | ACO/MC         | S.J.     |                                                                             |
|           |                      | 921 Chuckwa           | Mattress/Poly Cart at curb           | Door Hanger                              |                       |          |                 | TD/MC          | S.J.     |                                                                             |
|           |                      | 1116 W Elm            | Limbs/Poly cart at curb              | Door Hanger                              |                       |          |                 | TD             | S.J.     |                                                                             |
|           | Taco Casa            | 324 N 10th            | Trash on empty lot                   | Spoke with manager                       |                       |          |                 | TD/MC          | S.J.     |                                                                             |
|           |                      | 221 NE 4th            | Junk Vehicle/Trash                   | Sent courtesy letter                     | C X 2                 |          |                 | JV/TD/MC       | S.J.     |                                                                             |
|           |                      | 205 SE 5th            | Trash scattered                      | Door Hanger                              |                       |          |                 | TD             | S.J.     |                                                                             |
|           | ANIMAL CONTROL       | 1822 W elm            | Surrendered Dog                      | Surrendered Dog                          |                       |          |                 | ACO/MC         | S.J.     |                                                                             |
|           |                      | 508 S 14th            | Limbs at curb                        | 24 HR                                    |                       |          |                 | TD/MC          | S.J.     |                                                                             |
|           |                      | 425 S 12th            | Trash at curb                        | Door Hanger                              |                       |          |                 | TD             | S.J.     |                                                                             |
|           |                      | 1221 W Alabama        | Limbs in Alley                       | 24 HR                                    |                       |          |                 | TD/MC          | S.J.     |                                                                             |
|           |                      | 521 S 9th             | Limbs on Alabama                     | 24 HR                                    |                       |          |                 | TD/MC          | S.J.     |                                                                             |
| 3/9/2022  |                      | 1122 N 3rd            | Junk Vehicle                         | Mailed Certified Letters                 | Certified X 2         |          |                 | JV             | S.J.     | Owner of car Corey Ladd, Property Charisse Ladd                             |
|           |                      | 702 S 9th             | Numerous cars in alley               | 48 HRS to remove                         |                       |          |                 | JV/MC          | S.J.     | PD assisted                                                                 |
|           |                      | 1502 Maple            | Made contact with owner of 621 W Tx  | Follow up on squatters                   |                       |          |                 | D/MC           | S.J.     |                                                                             |
|           |                      | 621 W Texas           | No active water                      | Gave til Monday to remove personal items |                       |          |                 | D/MC           | S.J.     |                                                                             |
| 3/10/2022 |                      | 704 W Tennessee       | Dilapidated Structure                | Will Letter                              | L                     |          |                 | D/MC           | S.J.     |                                                                             |
|           |                      | 801 S 7th             | Dilapidated Structure                | Will Letter                              | L                     |          |                 | D/MC           | S.J.     |                                                                             |
|           |                      | 709 S 7th             | Dilapidated Structure                | Will Letter                              | L                     |          |                 | D/MC           | S.J.     |                                                                             |
|           |                      | 715 Meadowlark Ln     | Outside Trash Service                | Spoke to property owner                  |                       |          |                 | O/MC           | S.J.     |                                                                             |
|           |                      | 304 N 49th            | Outside Trash Service                | Spoke to property owner                  |                       |          |                 | O/MC           | S.J.     |                                                                             |
|           |                      | 3600 Lazy Ln          | No trash service                     | Mailed courtesy letter                   | L                     |          |                 | O              | S.J.     |                                                                             |
| 3/11/2022 |                      | 125 S McLean          | Burnt boat                           | Spoke with property owner                |                       |          |                 | TD/MC          | S.J.     |                                                                             |
|           |                      | Political Signs       | Not prohibited                       | Picked up                                |                       |          |                 | O              | S.J.     | Dustin Reid, election board had no information on him                       |

# City of Durant

## Neighborhood Services

### Daily Code Enforcement Log (Jackson)

March-2022

| Date      | Name                    | Location/Address   | Inspection Type                                         | Action Taken                                            | Abatement Letter Sent | OA / CTA | Citation Issued | Code Violation | Initials | Comments                                                                |
|-----------|-------------------------|--------------------|---------------------------------------------------------|---------------------------------------------------------|-----------------------|----------|-----------------|----------------|----------|-------------------------------------------------------------------------|
| 3/14/2022 |                         | 4712 Anna Drive    | Ordinance Question                                      | Educated                                                |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           |                         | 1324 N 8th         | Tree down in alley                                      | Explained owners responsibility                         |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           |                         | 410 W Plum         | Complaint, raw sewage                                   | 24 hrs to correct                                       |                       |          |                 | O/MC           | S.J.     |                                                                         |
| 3/15/2022 |                         | 68 Waldron         | Hazardous material                                      | DIA has notified EPA                                    |                       |          |                 | D/MC           | S.J.     | DIA property, parks department going to secure                          |
|           |                         | 621 W Texas        | Follow up/Trash & Debris                                | In Progress                                             |                       |          |                 | TD/MC          | S.J.     |                                                                         |
|           |                         | 911 Crooked Oak    | Follow up/Active water account                          | In Compliance                                           |                       |          |                 | D/MC           | S.J.     |                                                                         |
|           |                         | 410 Plum           | Complaint, raw sewage                                   | Issue corrected                                         |                       |          |                 | O              | S.J.     |                                                                         |
|           |                         | 412 W Willow       | Trash & Debris                                          | Owner correcting                                        |                       |          |                 | TD/MC          | S.J.     |                                                                         |
| 3/21/2022 |                         | 1300 W Evergreen   | Temp sign                                               | Owner took down                                         |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           | Lucky Stop #11          | 217 N Washington   | Owner complaining rodent in store                       | Advised to call exterminator                            |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           |                         | 1122 N 3rd         | Check for compliance                                    | Nothing done, court @ 3                                 |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           |                         | Municipal Court    |                                                         |                                                         |                       |          |                 | O/JV           | S.J.     |                                                                         |
|           |                         | Pick up signs      |                                                         |                                                         |                       |          |                 | O              | S.J.     |                                                                         |
|           |                         | 501 Lee Ave        | Complaint/neighbor said new owner was wanting a trailer | Reached out to 580 Realty                               |                       |          |                 | O/MC           | S.J.     | Trying to get potential buyer contact info                              |
| 3/22/2022 | Library                 | 1505 W Main        | AC not running properly                                 | Called Central                                          |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           | Senior Citizen Building | 1421 Chuckwa       | Walk through                                            |                                                         |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           |                         | 4000 Wilson        | New construction flooded neighbors & road               | Contacted owner                                         |                       |          |                 |                | S.J.     | City cleaned road owner to clean rest when dry enough                   |
|           | ANIMAL CONTROL          | 924 W Louisiana    | Attempted to make contact about welfare of dogs         | Left hanger                                             |                       |          |                 | ACO            | S.J.     |                                                                         |
|           |                         | 919 W Louisiana    | Follow up/condemned                                     | New owner & has started clean up process                |                       |          |                 | D/MC           | S.J.     |                                                                         |
|           | ANIMAL CONTROL          | 504 N 13th         | Cats in house                                           | Requested traps                                         |                       |          |                 | ACO/MC         | S.J.     |                                                                         |
| 3/23/2022 | ANIMAL CONTROL          | 505 N 13th         | Cats in house                                           | Delivered traps, no one home to leave with              |                       |          |                 | ACO            | S.J.     |                                                                         |
|           | ANIMAL CONTROL          | 914 Parkview       | Pick up dead dog                                        |                                                         |                       |          |                 | ACO            | S.J.     | PD assisted                                                             |
|           | ANIMAL CONTROL          | 1518 Martin Circle | Pick up cat that had been trapped                       |                                                         |                       |          |                 | ACO            | S.J.     |                                                                         |
|           | ANIMAL CONTROL          | 704 Stonebrook     | Dog at large                                            | Owner was located, verbal warning given                 |                       |          |                 | ACO/MC         | S.J.     |                                                                         |
|           | Senior Citizen Building | 1421 Chuckwa       | Walk through                                            | COC was given                                           |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           | Loves Truck Stop        | 5278 W Main        | Solid Waste refused to pick up, urine in water bottles  | Following up with James Dalton & Kenneth Claborn        |                       |          |                 | O/MC           | S.J.     |                                                                         |
| 3/24/2022 |                         | NE 5th & Magnolia  | Complaint/homeless camp                                 | No one there only trash                                 |                       |          |                 |                | S.J.     | Public Works has been notified about the trash                          |
|           |                         | 1201 W Elm         | Poly carts left at curb                                 | Left door hanger                                        |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           |                         | 1203 W Elm         | Poly carts left at curb                                 | Left door hanger                                        |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           |                         | 1215 W Elm         | Poly carts left at curb                                 | Spoke with tenant                                       |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           | ANIMAL CONTROL          | 1215 W Elm         | Tenants surrendered dogs                                | ACO picked up/tickets written                           |                       |          |                 | ACO/MC         | S.J.     |                                                                         |
|           |                         | 408 S 7th          | Complaint/living in camper                              | Didn't find signs                                       |                       |          |                 | O              | S.J.     |                                                                         |
|           | ANIMAL CONTROL          | 410 S 7th          | Dog at large                                            | Verbal warning                                          |                       |          |                 | ACO/MC         | S.J.     |                                                                         |
|           |                         | 4101 Sunnyside     | Follow up/trash                                         | Spoke with owner                                        |                       |          |                 | TD/JA/JV/MC    | S.J.     |                                                                         |
|           |                         | 222 E Evergreen    | Trash & Debris                                          | Called property manager                                 |                       |          |                 | TDMC           | S.J.     | Maintenance crew was sent there                                         |
|           |                         | 125 Foote          | Unsecured                                               | Will Letter                                             |                       |          |                 | D/MC           | S.J.     |                                                                         |
|           |                         | 1921 W Main        | Neighbor throwing debris over fence                     | Civil Matter                                            |                       |          |                 | O/TD/MC        | S.J.     |                                                                         |
|           |                         | 108 E Main         | Emailed Rustin over burn out                            | Asked to be flagged off and no trespassing signs placed |                       |          |                 | D/MC           | S.J.     | Demo was scheduled for this week, landfill would not let in due to rain |
|           | Union Pacific           | Cedar & Malone     | Dilapidated structure                                   | Spoke with them                                         |                       |          |                 | D/MC           | S.J.     | Gave to April 30 to clear                                               |
| 3/25/2022 |                         | 1215 W Texas       | Follow up/Trash & Debris                                | In compliance                                           |                       |          |                 | TD/MC          | S.J.     |                                                                         |
|           |                         | 611 N 19th         | Question about easement                                 | Explained ordinance                                     |                       |          |                 | TS/GW/MC       | S.J.     |                                                                         |
|           |                         | 109 E Mulberry     | Question about set back                                 | Referred to Building official                           |                       |          |                 | O/MC           | S.J.     |                                                                         |
|           | ANIMAL CONTROL          | 5219 Robin Hood    | Delivered trap                                          |                                                         |                       |          |                 | ACO            | S.J.     |                                                                         |
|           |                         | 321 Magnolia       | No active water account                                 | Could not make contact                                  |                       |          |                 | D              | S.J.     |                                                                         |
| 3/28/2022 | ANIMAL CONTROL          | Wilson St          | Report of horse loose                                   |                                                         |                       |          |                 | ACO            | S.J.     |                                                                         |
|           | ANIMAL CONTROL          | 2525 Monterey      | See if they had missing horse                           | Theirs accounted for                                    |                       |          |                 | ACO/MC         | S.J.     |                                                                         |



# City of Durant

## Neighborhood Services

### Daily Code Enforcement Log (Jackson)

March-2022

| Date      | Name           | Location/Address | Inspection Type                             | Action Taken                                           | Abatement Letter Sent | OA / CTA | Citation Issued | Code Violation | Initials | Comments                                                            |
|-----------|----------------|------------------|---------------------------------------------|--------------------------------------------------------|-----------------------|----------|-----------------|----------------|----------|---------------------------------------------------------------------|
|           | ANIMAL CONTROL | 1st & Mulberry   | Pick up dead cat                            |                                                        |                       |          |                 | ACO            | S.J.     |                                                                     |
|           |                |                  | Pick up garage sale signs                   |                                                        |                       |          |                 | O              | S.J.     |                                                                     |
|           |                | 722 W Beech      | Sewer complaint                             | Issue is inside the house, suggested calling a plumber |                       |          |                 | D/MC           | S.J.     |                                                                     |
|           | ANIMAL CONTROL | 311 S 13th       | Assisted ACO                                | Took report for dog bite from Saturday                 |                       |          |                 | ACO/MC         | S.J.     |                                                                     |
| 3/29/2022 |                | 3501 Dawna       | Check prior to nuisance court               |                                                        |                       |          |                 | TD             | S.J.     |                                                                     |
|           |                | 644 S 3rd        | Check prior to nuisance court               |                                                        |                       |          |                 | TD,TS,JV       | S.J.     |                                                                     |
|           |                | S 1st & W Texas  | Check prior to nuisance court               |                                                        |                       |          |                 | TD             | S.J.     |                                                                     |
|           |                | 801 S 2nd        | Check prior to nuisance court               |                                                        |                       |          |                 | TD             | S.J.     |                                                                     |
|           |                | 701 W Alabama    | Check prior to nuisance court               |                                                        |                       |          |                 | TD             | S.J.     |                                                                     |
|           |                | 1207 N 7th       | Check prior to nuisance court               |                                                        |                       |          |                 | TD             | S.J.     |                                                                     |
|           |                | 4101 Sunnyside   | Check prior to nuisance court               |                                                        |                       |          |                 | TD,JV,JA       | S.J.     |                                                                     |
|           |                | 805 S 2nd        | Check prior to nuisance court               |                                                        |                       |          |                 | TD             | S.J.     |                                                                     |
|           |                | 709 S 7th        | Check prior to nuisance court               |                                                        |                       |          |                 | D/TD           | S.J.     | Property to be sold                                                 |
|           |                | 801 S 7th        | Check prior to nuisance court               |                                                        |                       |          |                 | D/TD           | S.J.     | 60 days to comply                                                   |
|           |                | 704 W Tennessee  | Check prior to nuisance court               |                                                        |                       |          |                 | D/TD           | S.J.     | Property to be sold                                                 |
|           | Union Pacific  | Cedar & Katy     | Check prior to nuisance court               |                                                        |                       |          |                 | D              | S.J.     | Gave to April 30                                                    |
|           |                | 406 W Tennessee  | Check prior to nuisance court               |                                                        |                       |          |                 | D              | S.J.     | Ordered to abate                                                    |
|           | ANIMAL CONTROL | 2400 Chuckwa     | Follow up on abandoned horse                |                                                        |                       |          |                 | ACO/MC         | S.J.     |                                                                     |
|           | ANIMAL CONTROL | 200 W Main       | Picked up wounded hawk                      | Released in country                                    |                       |          |                 | ACO/MC         | S.J.     | Was not wounded, possibly stunned                                   |
|           |                | Animal Shelter   | Picked up trash                             |                                                        |                       |          |                 | TD             | S.J.     |                                                                     |
| 3/30/2022 |                | 3226 Little John | Complaint/Dust blowing off new construction |                                                        |                       |          |                 | O/MC           | S.J.     | New construction behind, dust from house pad into her pool          |
|           |                | 4012 Wilson      | Follow up/ New construction                 |                                                        |                       |          |                 | O              | S.J.     |                                                                     |
|           |                | 109 E Mulberry   | Question about putting up a retaining wall  | Had Pierce look at it                                  |                       |          |                 | O              | S.J.     |                                                                     |
|           |                | City Lot S Foote | Homeless in tents                           | Trespassed and asked them to vacate                    |                       |          |                 | O/MC           | S.J.     |                                                                     |
|           |                | 719 N 12th       | Pics for nuisance letters                   | Lettered                                               | L                     |          |                 | TD/JV          | S.J.     |                                                                     |
|           |                | 125 S Foote      | Pics for nuisance letters                   | Lettered                                               | L                     |          |                 | D              | S.J.     |                                                                     |
|           |                | 517 W Georgia    | Pics for nuisance letters                   | Lettered                                               | L                     |          |                 | D              | S.J.     | Unsecured                                                           |
|           |                | 403 E Florida    | No active water account                     | Vacant                                                 |                       |          |                 | O              | S.J.     |                                                                     |
|           |                | 324 W Mulberry   | No active water account                     | They supposed to talk billing tomorrow                 |                       |          |                 | D              | S.J.     |                                                                     |
| 3/31/2022 |                | City Lot S Foote | Homeless in tents                           | PD trespassed them                                     |                       |          |                 | O/MC           | S.J.     |                                                                     |
|           |                | 815 E Florida    | No active water account                     | Just moved in, made arrangements to pay                |                       |          |                 | D/MC           | S.J.     |                                                                     |
|           | ANIMAL CONTROL | 1124 W Evergreen | Dog at large                                | Put back in fence                                      |                       |          |                 | ACO            | S.J.     |                                                                     |
|           | ANIMAL CONTROL | 1104 Parkview    | Welfare check                               | Gave 5 days to decide what to do with dog              |                       |          |                 | ACO/MC         | S.J.     |                                                                     |
|           | ANIMAL CONTROL | 920 W Elm        | Assisted ACO                                | Dogs at large                                          |                       |          |                 | ACO/MC         | S.J.     | PD had to be called, tenants did not want to give their information |
|           |                | 4012 Wilson      | Complaint about sewer from neighbors        | M&O notified                                           |                       |          |                 | O/MC           | S.J.     | Did not find any issues                                             |
|           |                | 204 E Pine       | Follow up on lot                            | In progress in making improvements                     |                       |          |                 | TD/MC          | S.J.     |                                                                     |

# Tickets and Warnings

## Neighborhood Services

Mar-22

COTTRELL, PAUL

| Tickets | Warnings | Total |
|---------|----------|-------|
| 0       | 0        | 0     |

JACKSON, SHAWN

| Tickets | Warnings | Total |
|---------|----------|-------|
| 0       | 0        | 0     |

FULTON, KATELAND

| Tickets | Warnings | Total |
|---------|----------|-------|
| 8       | 102      | 110   |

PAGE, SONYA

| Tickets | Warnings | Total |
|---------|----------|-------|
| 2       | 1        | 3     |

|               |           |            |            |
|---------------|-----------|------------|------------|
| <b>Total:</b> | <b>10</b> | <b>103</b> | <b>113</b> |
|---------------|-----------|------------|------------|



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Ryan Brewer, Parks and Recreation Manager  
**Re:** Parks and Recreation Department Monthly Report - March 2022

---

### Council Information / Action Requested

### City Staff Information / Action Follow-up, if Council authorizes this action:

### ATTACHMENTS:

1. Parks and Recreation Dept Monthly Report March 2022



# THE CITY OF DURANT

## Parks and Recreation Department

**TO:** Durant City Council  
**FROM:** Ryan Brewer, Director of Parks and Recreation  
**DATE:** April 7, 2022  
**SUBJECT:** Monthly Report for March 2022

### **Parks Department**

The following work in March was completed

1. Replaced playground mulch under all the playground structures in the parks
2. Purchased a Playground structure to replace one of the existing playground structures in a park.
3. Started mowing park grounds and other city grounds

### **Durant Multi Sports Complex**

The following work has been completed or started in March at the Sports complex

1. Purchased CIP approved skid steer.
2. Finished adding dirt to ball field.
3. Painted field lines for soccer
4. Signed lease agreement for Turf Tank line painting robot.



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** David Houser, Chief  
**Re:** Police Department Monthly Report - February 2022

---

See/Review Attached Report

In March, we identified and onboarded two police recruits. Chron Wallace is a COPS graduate and will begin as a certified officer; David Fisher is uncertified and will attend CLEET's basic academy.

Staffing changes took place via promotional opportunities. Congratulations to Captain Brad Nelson, Lieutenants Randall Cheney and Matthew Polson and Sergeants Shane Walker and Nick Spencer.

The Department continues to recruit and tests regularly every two weeks to fill vacant positions. Currently, background investigations are being conducted on applicants and more are in the pipeline.

### **Council Information / Action Requested**

Information Only

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

None

### **ATTACHMENTS:**

1. NIBRS FEB 2022

# Durant Police Department



3104 Carl Albert Drive  
Durant, Ok 74701-5015  
Phone 580-924-3737 Fax 580-924-8928  
David Houser, Chief of Police

## MONTHLY DEPARTMENTAL REPORT Feb-22

In accordance with the mandatory monthly report to the Oklahoma Bureau of Investigation and the National Incident Based Reporting system, the following offenses were reported

| OFFENSES                        | Feb-22 | Feb-21 | YTD 2022 |
|---------------------------------|--------|--------|----------|
| <i>NIBRS-GROUP "A" OFFENSES</i> |        |        |          |
| ARSON                           | 0      | 0      | 0        |
| ASSAULT                         | 12     | 10     | 16       |
| BRIBERY                         | 0      | *      | 0        |
| BURGLARY/BREAKING & ENTERING    | 11     | 4      | 19       |
| COUNTERFEITING/FORGERY          | 1      | *      | 3        |
| DESTRUCTION/DAMAGE/VANDALISM    | 8      | *      | 10       |
| DRUG/NARCOTIC OFFENSES          | 17     | *      | 54       |
| EMBEZZLEMENT                    | 1      | *      | 2        |
| EXTORTION/BLACKMAIL             | 0      | *      | 0        |
| FRAUD                           | 3      | *      | 13       |
| GAMBLING                        | 0      | *      | 0        |
| HOMICIDE                        | 0      | 0      | 0        |
| KIDNAPPING/ABDUCTION            | 0      | *      | 0        |
| LARCENY/THEFT                   | 37     | 19     | 76       |
| MOTOR VEHICLE THEFT             | 4      | 2      | 12       |
| PORNOGRAPHY/OBSCENE MATERIAL    | 0      | *      | 0        |
| PROSTITUTION                    | 0      | *      | 0        |
| ROBBERY                         | 0      | 0      | 0        |
| SEX OFFENSES/FORCIBLE           | 0      | 0      | 3        |
| SEX OFFENSES/NONFORCIBLE        | 0      | 0      | 0        |
| STOLEN PROPERTY                 | 3      | *      | 6        |
| WEAPON LAW                      | 5      | *      | 6        |
| TOTAL                           | 102    | 35     | 220      |

\* Stats were not individually reported using UCR system



# Durant Police Department

3104 Carl Albert Drive  
 Durant, Ok 74701-5015  
 Phone 580-924-3737 Fax 580-924-8928  
 David Houser, Chief of Police

## MONTHLY DEPARTMENTAL REPORT Feb-22

| <b>OFFENSES</b>                 | <b>Feb-22</b> | <b>Feb-21</b> | <b>YTD 2022</b> |
|---------------------------------|---------------|---------------|-----------------|
| <i>NIBRS-GROUP "B" OFFENSES</i> |               |               |                 |
| BAD CHECKS                      | 0             | *             | 0               |
| CURFEW/LOITERING/VAGRANCY       | 0             | *             | 0               |
| DISORDERLY CONDUCT              | 13            | *             | 24              |
| DRIVING UNDER THE INFLUENCE     | 9             | 16            | 20              |
| DRUNKENNESS                     | 13            | *             | 23              |
| FAMILY OFFENSES/NONVIOLENT      | 4             | *             | 4               |
| LIQUOR LAW                      | 0             | *             | 1               |
| PEEPING TOM                     | 0             | *             | 0               |
| RUNAWAY                         | 4             | *             | 7               |
| TESPASS OF REAL PROPERTY        | 3             | *             | 5               |
| ALL OTHER OFFENSES              | 45            | *             | 90              |
| <b>TOTAL</b>                    | <b>91</b>     | <b>16</b>     | <b>174</b>      |

\* Stats were not individually reported using UCR system

| <b>CALLS FOR SERVICE</b>       | <b>Feb-22</b> | <b>Feb-21</b> | <b>YTD 2022</b> |
|--------------------------------|---------------|---------------|-----------------|
| Durant Police Department       | 1,648         | 1,884         | 3,379           |
| Bryan County*                  | 1,424         | 1,828         | 2,920           |
| <b>TOTAL CALLS FOR SERVICE</b> | <b>3,072</b>  | <b>3,712</b>  | <b>6,299</b>    |

\*Bryan County *Calls for Service* include all calls received for any jurisdictions participating in the CAD System and contracting with the City of Durant for communication services: Achilles PD; Bryan County Sheriff's Office; Bennington PD; Bokchito PD; Bryan County District Attorney's Office; Caddo PD; Calera PD; Choctaw Nation Tribal; Colbert PD; OHP; and SOSU PD



# Durant Police Department

3104 Carl Albert Drive

Durant, Ok 74701-5015

Phone 580-924-3737 Fax 580-924-8928

David Houser, Chief of Police

## MONTHLY DEPARTMENTAL REPORT

### Feb-22

| <b>ARRESTS</b> | <b>Feb-22</b> | <b>Feb-21</b> | <b>YTD 2022</b> |
|----------------|---------------|---------------|-----------------|
| ADULT          | 135           | 111           | 269             |
| JUVENILE       | 3             | 5             | 6               |
| <b>TOTAL</b>   | 138           | 116           | 275             |

| <b>CITATIONS</b>              | <b>Feb-22</b> | <b>Feb-21</b> | <b>YTD 2022</b> |
|-------------------------------|---------------|---------------|-----------------|
| Traffic/Non-Traffic Citations | 410           | 448           | 798             |
| Warnings                      | 196           | 90            | 315             |

| <b>MOTOR VEHICLE COLLISIONS</b> | <b>Feb-22</b> | <b>Feb-21</b> | <b>YTD 2022</b> |
|---------------------------------|---------------|---------------|-----------------|
| Injury Accidents                | 2             | 7             | 10              |
| Property Damage Accidents       | 33            | 43            | 59              |
| Private Property Accidents      | 15            | 6             | 19              |
| Fatality Accidents              | 0             | 0             | 0               |
| <b>TOTAL ACCIDENTS</b>          | 50            | 56            | 88              |

|                          |                                  |    |    |    |
|--------------------------|----------------------------------|----|----|----|
| <b>DOMESTIC VIOLENCE</b> | Included in "A" Offnses-Assaults | 4  | 10 | 8  |
| <b>EOD Actions</b>       |                                  | 10 | 11 | 20 |

Emergency Order of Detentions include the preparation of reports and affidavit to commit persons for an emergency mental health evaluation, having the officer stand by while the evaluation is conducted by a mental health professional, and then the transport to an approved state mental health institution for treatment. (Norman, McAlester, Ada or Sulphur)

|                       |    |     |     |
|-----------------------|----|-----|-----|
| <b>RESERVE HOURS</b>  | 70 | 175 | 202 |
| <b>CHAPLAIN HOURS</b> | 28 | 43  | 58  |



| GROUP "A" OFFENSES       | JAN  | FEB  | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC | YR TOTAL |
|--------------------------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----------|
| ARSON                    | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| ASSAULT                  | 4    | 12   |     |     |     |     |     |     |     |     |     |     | 16       |
| BRIBERY                  | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| BURGLARY/B&E             | 8    | 11   |     |     |     |     |     |     |     |     |     |     | 19       |
| COUNTFT/FORGERY          | 2    | 1    |     |     |     |     |     |     |     |     |     |     | 3        |
| DESTRN/DAMG/VAND         | 2    | 8    |     |     |     |     |     |     |     |     |     |     | 10       |
| DRUG/NARCOTIC            | 37   | 17   |     |     |     |     |     |     |     |     |     |     | 54       |
| EMBEZZLEMENT             | 1    | 1    |     |     |     |     |     |     |     |     |     |     | 2        |
| EXTORTION/BLKMAIL        | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| FRAUD                    | 10   | 3    |     |     |     |     |     |     |     |     |     |     | 13       |
| GAMBLING                 | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| HOMICIDE                 | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| KIDNAP/ABDUCT            | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| LARCENY/THEFT            | 39   | 37   |     |     |     |     |     |     |     |     |     |     | 76       |
| MTR VEH THEFT            | 8    | 4    |     |     |     |     |     |     |     |     |     |     | 12       |
| PORN/OBSC MATERIAL       | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| PROSTITUTION             | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| ROBBERY                  | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| SEX OFF/FORCIBLE         | 3    | 0    |     |     |     |     |     |     |     |     |     |     | 3        |
| SEX OFF/NON-FORCE        | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| STOLEN PROPERTY          | 3    | 3    |     |     |     |     |     |     |     |     |     |     | 6        |
| WEAPONS                  | 1    | 5    |     |     |     |     |     |     |     |     |     |     | 6        |
| Group "A" TOTAL          | 118  | 102  | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 220      |
| GROUP "B" OFFENSES       | JAN  | FEB  | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC | YR TOTAL |
| BAD CHECKS               | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| CURFEW/LOITER/VAGRANT    | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| DISORDERLY CONDUCT       | 11   | 13   |     |     |     |     |     |     |     |     |     |     | 24       |
| DUI                      | 11   | 9    |     |     |     |     |     |     |     |     |     |     | 20       |
| DRUNKENNESS              | 10   | 13   |     |     |     |     |     |     |     |     |     |     | 23       |
| FAMILY OFFENSES/NON-V    | 0    | 4    |     |     |     |     |     |     |     |     |     |     | 4        |
| LIQUOR                   | 1    | 0    |     |     |     |     |     |     |     |     |     |     | 1        |
| PEEPING TOM              | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| RUNAWAY                  | 3    | 4    |     |     |     |     |     |     |     |     |     |     | 7        |
| TRESPASS OF REAL PROP    | 2    | 3    |     |     |     |     |     |     |     |     |     |     | 5        |
| ALL OTHER OFFENSES       | 45   | 45   |     |     |     |     |     |     |     |     |     |     | 90       |
| Group "B" TOTAL          | 83   | 91   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 174      |
| DURANT PD CFS            | 1731 | 1648 |     |     |     |     |     |     |     |     |     |     | 3379     |
| BRYAN COUNTY LE CFS      | 1496 | 1424 |     |     |     |     |     |     |     |     |     |     | 2920     |
| Calls For Service TOTAL  | 3227 | 3072 | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 6299     |
| ARRESTS-ADULT            | 134  | 135  |     |     |     |     |     |     |     |     |     |     | 269      |
| ARRESTS-JUVENILE         | 3    | 3    |     |     |     |     |     |     |     |     |     |     | 6        |
| Arrests TOTAL            | 137  | 138  | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 275      |
| CITATIONS                | 388  | 410  |     |     |     |     |     |     |     |     |     |     | 798      |
| WARNINGS                 | 119  | 196  |     |     |     |     |     |     |     |     |     |     | 315      |
| MVC INJURY               | 8    | 2    |     |     |     |     |     |     |     |     |     |     | 10       |
| MVC PROP DAMAGE          | 26   | 33   |     |     |     |     |     |     |     |     |     |     | 59       |
| MVC PRIVATE PROP         | 4    | 15   |     |     |     |     |     |     |     |     |     |     | 19       |
| MVC FATALITY             | 0    | 0    |     |     |     |     |     |     |     |     |     |     | 0        |
| MVC TOTAL                | 38   | 50   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 88       |
| DOMESTIC VIOLENCE (ASLT) | 4    | 4    |     |     |     |     |     |     |     |     |     |     | 8        |
| EOD                      | 10   | 10   |     |     |     |     |     |     |     |     |     |     | 20       |
| RESERVE HOURS            | 132  | 70   |     |     |     |     |     |     |     |     |     |     | 202      |
| CHAPLAIN HOURS           | 30   | 28   |     |     |     |     |     |     |     |     |     |     | 58       |



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Margret Southerland, Senior Citizen Center Director  
**Re:** Ron Cross Senior Activity Center Monthly Report - March 2022

---

### **Council Information / Action Requested**

Information only.

**City Staff Information / Action Follow-up, if Council authorizes this action:**

**ATTACHMENTS:**



# THE CITY OF DURANT

## Ron Cross Senior Activity Center

04.01.2022

City Manager:

Highlights for 02.28-03.04:

Meals on Wheels, Rotary Club Meeting, AARP Grant Review and Submission for review to Grants, Dr. Plumb Meeting. Senior Citizens Advisory Committee Meeting, DCFA Meeting and report. Coordinating with James Dalton, Mark Pierce and SONP on RCSAC project as well as with Wade Boyd for dry-run fire suppression. Sent Tom Marcum OHAI rental agreement amendments. Administrative duties and invoice reconciliation.

Highlights for 03.07-03.11:

Meals on Wheels, Rotary Club Meeting, Dry Run on Fire Suppression, Met with Pam Adair on INCODE/Budget Entry. Met with James Dalton on RCSAC Budget. Meeting with BlueZones Project. 2 days of vacation. Submitted payroll. Administrative duties.

Highlights for 03.14-03.18:

Rotary Club Meeting, created 1<sup>st</sup> Annual RCSAC Earth Day Planting Event. Connected with Master Gardeners of Durant on Greenhouse project. BlueZones Project Phase Planning. Boys and Girls Club follow-up to help with the Earth Day project. BlueZones Project to partner with the City of Durant on 1<sup>st</sup> Annual RCSAC Earth Day Planting Event. St. Patrick's Day Marketing. Administrative duties.

Highlights for 03.21-03.25:

Rotary Club Meeting, coordinating with SONP, OHAI, and RSVP on possible opening date and rental agreement, meeting with Mark Pierce over RCSAC issues and needs, met with RSVP. Met with The Mission. Met new Interim Project Manager with the Blue Zones Project. Walk-through with Wade Boyd, Mark Pierce, Mike Claborn, Ferris Electric, Philip Hightower and Shawn Jackson at RCSAC on latest needs and updates. Sent all non-fire related needs list to James Dalton and John Dean. Ordered safety items for RCSAC. Submitted Payroll. Administrative duties.

Highlights for 03.28-03.31:

Meals on Wheels, Rotary Club Meeting, Hugelbed coordination with Parks and Recs interim director, Brandon Hendricks. Met with Patty Swink on needs to complete the Greenhouse Project, Fire Suppression testing at RCSAC meeting with Ferris and Cavins. Met with Mark Pierce, Mike Claborn, and Phillip Hightower on RCSAC Renovation Project. Budget re-working and Budget meeting with City Manager. Meet and Greet with Senator James Lankford, purchasing for the RCSAC, received safety items for RCSAC.

Warmest Regards,

Maggie Southerland, Sr. Center Coordinator



# THE CITY OF DURANT

## Office of the Street Department

Monthly Report  
April 1, 2021 – April 31, 2022

### Tasks Completed:

1. Asphalt street repair was done at many locations throughout the city
2. Street sweeping was done at various locations within the community
3. Traffic signal maintenance was done at various locations within the city
4. We have poured several 5 yards of concrete throughout the city
5. Filled 75 potholes in the city
6. Fixed 20 street cuts throughout the city
7. We have replaced 10 traffic lights throughout the city
8. We replaced 1 video processor on a traffic light at the Main and University Place intersection

### Planned Tasks:

1. Continue street maintenance activities
2. Drainage improvements at Carl Albert Park
3. Relocate and improve signage throughout the city
4. City wide pothole repair (asphalt and/or concrete)
5. Continue repairing street cuts throughout the city

Respectfully Submitted,

Carl Meade



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** An chen Lai, Finance Director/Treasurer  
**Re:** Discussion, Consideration and Possible Acceptance of FY 2020-2021 Annual Financial Statements and Independent Auditor's Reports, including Single Audit Report

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Mr. Jake Winkler, CPA, with Arledge and Associates is presenting and discussing the City of Durant FY 2020-2021 Annual Financial Statements and Independent Auditor's Reports for the fiscal year ended June 30,2021. The Report is for all funds of the City of Durant and related Public Trusts.

### **Council Information / Action Requested**

Your review and acceptance of the Fiscal Year 2020-2021 Auditor's Report is requested.

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

Once accepted by the Council, The City Treasurer's Office will distribute the Reports to all required Financial Institutions and Agencies.

The distribution is needed to keep the City compliant with all Federal,State and Debt covenant requirements.

### **ATTACHMENTS:**

1. FY 20-21 ANNUAL FINANCIAL STATEMENTS AND AUDITOR'S REPORT Durant 21 FINAL
2. FY 20-21 Durant Single Audit Report
3. FY 20-21 DURANT, CITY OF-REQUIRED COMM LETTERHEAD



# **DURANT**

## **· OKLAHOMA ·**

### **ANNUAL FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORTS**

**AS OF AND FOR THE FISCAL YEAR ENDED  
JUNE 30, 2021**



# **THE CITY OF DURANT, OKLAHOMA**

## **ANNUAL FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORTS**

**AS OF AND FOR THE FISCAL YEAR ENDED  
JUNE 30, 2021**

**CITY OF DURANT, OKLAHOMA**  
**ANNUAL FINANCIAL REPORT**  
**As of and for the Year Ended June 30, 2021**

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**CITY OF DURANT, OKLAHOMA**  
**ANNUAL FINANCIAL REPORT**  
**As of and for the Year Ended June 30, 2021**

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**CITY OF DURANT, OKLAHOMA**  
**ANNUAL FINANCIAL REPORT**  
**As of and for the Year Ended June 30, 2021**

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## INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and Members of the City Council  
City of Durant, Oklahoma

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Durant, Oklahoma (the "City"), as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditor's Responsibility***

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### ***Opinions***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City, as of June 30, 2021, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

## ***Other Matters***

### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information, pension plan information, and other post-employment benefit information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### ***Other Information***

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining and individual fund financial statements and schedules, as listed in the table of contents, are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual fund financial statements and schedules, as listed in the table of contents, are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual fund financial statements and schedules, as listed in the table of contents, are fairly stated in all material respects in relation to the basic financial statements as a whole.

### ***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated March 24, 2022, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

*Arlidge & Associates, P.C.*

Edmond, Oklahoma  
March 24, 2022

**MANAGEMENT'S DISCUSSION AND ANALYSIS**

Our discussion and analysis of the City of Durant's financial performance provides an overview of the City's financial activities for the fiscal year ended June 30, 2021. Please read it in conjunction with the City's financial statements, which follow this section.

## **FINANCIAL HIGHLIGHTS**

- For the fiscal year ended June 30, 2021, the City's total net position increased by \$8,118,857 or 7.6% from the prior year.
- During the year, the City's expenses for governmental activities were \$31,310,855 and were funded by program revenues of \$5,067,985 and further funded with taxes and other general revenues that totaled \$32,031,909.
- In the City's business-type activities, such as utilities, total program revenues exceeded expenses by \$5,324,803.
- For budgetary reporting purposes, the General Fund reported revenues exceeding estimates by \$2,256,570 or 12.2%, while expenditures were under the final appropriations by \$2,684,656 or 13.3%.

## **OVERVIEW OF THE FINANCIAL STATEMENTS**

The financial statements presented herein include all of the activities of the City of Durant (the "City") and its component units using the integrated approach as prescribed by GASB. Included in this report are government-wide statements for each of the three categories of activities, governmental, business-type, and discretely-presented component units. The government-wide financial statements present the complete financial picture of the City's reporting entity from the economic resources measurement focus using the accrual basis of accounting. They present governmental activities and business type activities separately and combined. These statements include all assets of the City (including infrastructure capital assets) as well as all liabilities (including all long-term debt), and also include all deferred outflows and deferred inflows.

### **Reporting the City as a Whole**

#### **The Statement of Net Position and the Statement of Activities**

One of the most frequently asked questions about the City's finances is, "Has the City's overall financial condition improved, declined or remained steady over the past year?" The Statement of Net Position and the Statement of Activities report information about the City as a whole and about its activities in a way that helps answer this question. These statements include all assets, deferred outflows, liabilities, and deferred inflows using the accrual basis of accounting. All of the current year's revenues and expenses are taken into account regardless of when cash is received or paid.

These two government-wide statements report the City's net position and changes in them from the prior year. You can think of the City's net position – the difference between assets, deferred outflows, liabilities, and deferred inflows – as one way to measure the City's financial condition, or position. Over time, increases or decreases in the City's net position are one indicator of whether its financial health is improving, deteriorating, or remaining steady. However, you must consider other nonfinancial factors, such as changes in the City's tax base, the condition of the City's roads, and the quality of services to assess the overall health and performance of the City.

Unaudited

The Statement of Net Position and the Statement of Activities divide the City into three categories:

- Governmental activities -- Most of the City's basic services are reported here, including the police, fire, general administration, streets, economic development and parks. Sales taxes, franchise fees, fines, and state and federal grants finance most of these activities.
- Business-type activities -- For certain activities, the City charges a fee to customers to help cover all or most of the cost of certain services it provides. The City's water, wastewater, sanitation and airport activities are reported here.
- Discretely-presented component units -- These account for activities of the City's reporting entity that do not meet the criteria for blending. The City's discretely-presented component units report industrial development activities, tourism-economic development activities and public works projects.

### **Reporting the City's Most Significant Funds**

#### **Fund Financial Statements**

The fund financial statements provide detailed information about the most significant funds -- not the City as a whole. Some funds are required to be established by State law and by bond covenants. However, management establishes many other funds to help it control and manage money for particular purposes or to show that it is meeting legal responsibilities for using certain taxes, grants and other money.

*Governmental funds* -- Most of the City's basic services are reported in governmental funds, which focus on how money flows into and out of those funds and the balances left at year-end that are available for spending. These funds are reported using an accounting method called modified accrual accounting, which measures cash and all other financial assets that can readily be converted to cash. The governmental fund statements provide a detailed short-term view of the City's general government operations and the basic service it provides. Governmental fund information helps determine whether there are more or fewer financial resources that can be spent in the near future to finance the City's programs. The differences of results in the governmental fund financial statements to those in the government-wide financial statements are explained in a reconciliation following each governmental fund financial statement.

*Proprietary funds* -- When the City charges customers for the services it provides -- whether to outside customers or to other units of the City -- these services are generally reported in proprietary funds. Proprietary funds are reported in the same way that all activities are reported in the government-wide financial statements. In fact, the City's enterprise funds are essentially the same as the business-type activities we report in the government-wide statements but provide more detail and additional information, such as cash flows.

Unaudited

**CITY OF DURANT, OKLAHOMA**  
**MANAGEMENT DISCUSSION & ANALYSIS**  
**June 30, 2021**

**A FINANCIAL ANALYSIS OF THE CITY AS A WHOLE**

**Net Position**

The City's combined net position increased from \$107,062,964 to \$114,685,093 between fiscal years 2020 and 2021. Looking at the net position of governmental and business-type activities separately, governmental activities increased \$5,789,039, while business-type activities increased \$2,329,818.

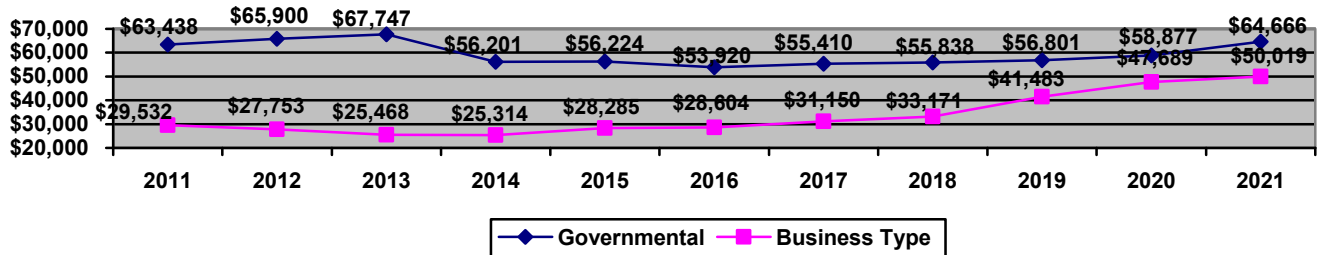
**Table 1**  
**Net Position**

|                                        | Governmental Activities |                      | % Inc. Dec. | Business-type Activities |                     | % Inc. Dec. | Total Primary Government |                      | % Inc. Dec. |
|----------------------------------------|-------------------------|----------------------|-------------|--------------------------|---------------------|-------------|--------------------------|----------------------|-------------|
|                                        | *                       |                      |             | *                        |                     |             | *                        |                      |             |
|                                        | 2021                    | 2020                 |             | 2021                     | 2020                |             | 2021                     | 2020                 |             |
| <b>Assets:</b>                         |                         |                      |             |                          |                     |             |                          |                      |             |
| Current and other assets               | \$ 28,462,106           | \$ 18,759,463        | 52%         | \$ 20,913,478            | \$ 23,477,197       | -11%        | \$ 49,375,584            | \$ 42,236,660        | 17%         |
| Capital assets, net                    | 51,455,130              | 49,906,708           | 3%          | 56,927,836               | 53,829,334          | 6%          | 108,382,966              | 103,736,042          | 4%          |
| <b>Total assets</b>                    | <b>79,917,236</b>       | <b>68,666,171</b>    | <b>16%</b>  | <b>77,841,314</b>        | <b>77,306,531</b>   | <b>1%</b>   | <b>157,758,550</b>       | <b>145,972,702</b>   | <b>8%</b>   |
| <b>Deferred Outflows of Resources:</b> |                         |                      |             |                          |                     |             |                          |                      |             |
| Deferred amount related to pensions    | 4,152,372               | 3,549,161            | 17%         | 549,014                  | 455,993             | 20%         | 4,701,386                | 4,005,154            | 17%         |
| <b>Total deferred outflows</b>         | <b>4,152,372</b>        | <b>3,549,161</b>     | <b>17%</b>  | <b>549,014</b>           | <b>455,993</b>      | <b>20%</b>  | <b>4,701,386</b>         | <b>4,005,154</b>     | <b>17%</b>  |
| <b>Liabilities:</b>                    |                         |                      |             |                          |                     |             |                          |                      |             |
| Long-term debt                         | 12,403,077              | 8,994,332            | 38%         | 27,612,897               | 29,309,638          | -6%         | 40,015,974               | 38,303,970           | 4%          |
| Other liabilities                      | 5,683,266               | 2,159,596            | 163%        | 477,238                  | 447,715             | 7%          | 6,160,504                | 2,607,311            | 136%        |
| <b>Total liabilities</b>               | <b>18,086,343</b>       | <b>11,153,928</b>    | <b>62%</b>  | <b>28,090,135</b>        | <b>29,757,353</b>   | <b>-6%</b>  | <b>46,176,478</b>        | <b>40,911,281</b>    | <b>13%</b>  |
| <b>Deferred Inflows of Resources:</b>  |                         |                      |             |                          |                     |             |                          |                      |             |
| Deferred amount related to pensions    | 1,317,471               | 1,758,181            | -25%        | 280,894                  | 245,430             | 14%         | 1,598,365                | 2,003,611            | -20%        |
| <b>Net Position:</b>                   |                         |                      |             |                          |                     |             |                          |                      |             |
| Net investment in capital assets       | 50,298,828              | 49,558,540           | 1%          | 41,088,432               | 39,231,001          | 5%          | 91,387,260               | 88,789,541           | 3%          |
| Restricted                             | 5,922,588               | 5,625,785            | 5%          | 832,224                  | 673,004             | 24%         | 6,754,812                | 6,298,789            | 7%          |
| Unrestricted                           | 8,444,378               | 4,118,898            | 105%        | 8,098,643                | 7,855,736           | 3%          | 16,543,021               | 11,974,634           | 38%         |
| <b>Total net position</b>              | <b>\$ 64,665,794</b>    | <b>\$ 59,303,223</b> | <b>9%</b>   | <b>\$50,019,299</b>      | <b>\$47,759,741</b> | <b>5%</b>   | <b>\$114,685,093</b>     | <b>\$107,062,964</b> | <b>7%</b>   |

\*Prior year numbers not restated for MDA purposes. See note 7. Prior period adjustment.

Total net position of the City's governmental activities increased to approximately \$64.7 million. \$56,221,416 of that net position is either restricted as to the purposes they can be used for or are invested in capital assets (buildings, roads, bridges, and so on). Consequently, unrestricted net position amounted to \$8,444,378 at the end of this year. Total net position of the business-type activities increased to approximately \$50.0 million. However, \$41,920,656 of net position is either restricted as to the purposes they can be used for or are invested in capital assets. Consequently, unrestricted net position amounted to \$8,098,643 at the end of the year.

**Total Net Position at Year End**  
**(in 000's)**



Unaudited



**CITY OF DURANT, OKLAHOMA**  
**MANAGEMENT DISCUSSION & ANALYSIS**  
**June 30, 2021**

**Changes in Net Position**

For the year ended June 30, 2021, net position of the primary government changed as follows:

**Table 2**  
**Changes in Net Position**

|                                      | Governmental Activities |                     | % Inc. (Dec.) | Business-Type Activities |                     | % Inc. (Dec.) | Total Primary Government |                     | % Inc. (Dec.) |
|--------------------------------------|-------------------------|---------------------|---------------|--------------------------|---------------------|---------------|--------------------------|---------------------|---------------|
|                                      | *                       |                     |               | *                        |                     |               | *                        |                     |               |
|                                      | 2021                    | 2020                |               | 2021                     | 2020                |               | 2021                     | 2020                |               |
| Revenues:                            |                         |                     |               |                          |                     |               |                          |                     |               |
| Program revenues:                    |                         |                     |               |                          |                     |               |                          |                     |               |
| Charges for services                 | \$ 1,502,051            | \$ 1,084,733        | 38%           | \$ 13,606,454            | \$ 12,773,610       | 7%            | \$ 15,108,505            | \$ 13,858,343       | 9%            |
| Operating grants/contributions       | 3,315,768               | 2,294,270           | 45%           | -                        | -                   | -             | 3,315,768                | 2,294,270           | 45%           |
| Capital grants/contributions         | 250,166                 | 1,442,763           | -83%          | 2,459,778                | 4,835,685           | -49%          | 2,709,944                | 6,278,448           | -57%          |
| General revenues:                    |                         |                     |               |                          |                     |               |                          |                     |               |
| Sales and use taxes                  | 22,421,540              | 19,812,894          | 13%           | -                        | -                   | -             | 22,421,540               | 19,812,894          | 13%           |
| Other taxes                          | 4,612,615               | 4,118,731           | 12%           | -                        | -                   | -             | 4,612,615                | 4,118,731           | 12%           |
| Other general revenue                | 1,845,717               | 886,403             | 108%          | 157,052                  | 200,211             | -22%          | 2,002,769                | 1,086,614           | 84%           |
| Total revenues                       | 33,947,857              | 29,639,794          | 15%           | 16,223,284               | 17,809,506          | -9%           | 50,171,141               | 47,449,300          | 6%            |
| Program expenses:                    |                         |                     |               |                          |                     |               |                          |                     |               |
| General government                   | 5,609,161               | 4,916,849           | 14%           | -                        | -                   | -             | 5,609,161                | 4,916,849           | 14%           |
| Public safety                        | 12,703,521              | 11,265,730          | 13%           | -                        | -                   | -             | 12,703,521               | 11,265,730          | 13%           |
| Public works                         | 3,228,412               | 3,429,702           | -6%           | -                        | -                   | -             | 3,228,412                | 3,429,702           | -6%           |
| Culture and recreation               | 2,681,754               | 2,715,392           | -1%           | -                        | -                   | -             | 2,681,754                | 2,715,392           | -1%           |
| Cemetery                             | 169,901                 | 164,821             | 3%            | -                        | -                   | -             | 169,901                  | 164,821             | 3%            |
| Economic development                 | 3,181,074               | 3,097,549           | 3%            | -                        | -                   | -             | 3,181,074                | 3,097,549           | 3%            |
| Industrial dev. (payment to DIA)     | 1,127,034               | 152,749             | 638%          | -                        | -                   | -             | 1,127,034                | 152,749             | 638%          |
| Community dev. (payment to DCFA)     | 2,217,243               | 1,981,082           | 12%           | -                        | -                   | -             | 2,217,243                | 1,981,082           | 12%           |
| Tourism-Econ dev (payment to DTEDA)  | 373,004                 | 384,391             | -3%           | -                        | -                   | -             | 373,004                  | 384,391             | -3%           |
| Interest on long-term debt           | 19,751                  | 17,897              | 10%           | 400,480                  | 260,209             | 54%           | 420,231                  | 278,106             | 51%           |
| Water                                | -                       | -                   | -             | 3,055,564                | 3,260,793           | -6%           | 3,055,564                | 3,260,793           | -6%           |
| Sewer                                | -                       | -                   | -             | 2,625,579                | 2,816,899           | -7%           | 2,625,579                | 2,816,899           | -7%           |
| Sanitation                           | -                       | -                   | -             | 3,257,473                | 3,168,979           | 3%            | 3,257,473                | 3,168,979           | 3%            |
| Airport                              | -                       | -                   | -             | 1,402,333                | 1,037,314           | 35%           | 1,402,333                | 1,037,314           | 35%           |
| Total expenses                       | 31,310,855              | 28,126,162          | 11%           | 10,741,429               | 10,544,194          | 2%            | 42,052,284               | 38,670,356          | 9%            |
| Excess (deficiency) before transfers | 2,637,002               | 1,513,632           | 74%           | 5,481,855                | 7,265,312           | -25%          | 8,118,857                | 8,778,944           | -8%           |
| Transfers                            | 3,152,037               | 989,056             | 219%          | (3,152,037)              | (989,056)           | 219%          | -                        | -                   | -             |
| <b>Increase in net position</b>      | <b>\$ 5,789,039</b>     | <b>\$ 2,502,688</b> | <b>131%</b>   | <b>\$ 2,329,818</b>      | <b>\$ 6,276,256</b> | <b>-63%</b>   | <b>\$ 8,118,857</b>      | <b>\$ 8,778,944</b> | <b>-8%</b>    |

\*Prior year numbers not restated for MDA purposes. See note 7. Prior period adjustment.

The City's governmental activities' current year increase in net position of \$5,789,039 represents a 131% increase from the increase in net position from the prior year. The business-type activities' current year increase in net position of \$2,329,818 represents a 63% decrease from the increase in net position from the prior year.

Some of the greater differences as noted in Table 1 and 2 are explained as follows:

- Governmental activities capital grants and contributions decreased 83% due mainly to the decrease in Homeland Security grant of \$952,381 from prior year.
- Governmental activities operating grants and contributions increased 45% due to the receipt of the CARES grant in the current year.
- Governmental activities other general revenue increased 108% due to an increase in payments received component unit from prior year.
- Business-type activities capital grants and contributions decreased 49% due mainly to the decrease in grants from the Federal Aviation Administration.
- Business-type activities interest on long-term debt expenses increased by 54% due to an increase in interest on various notes payable.

Unaudited

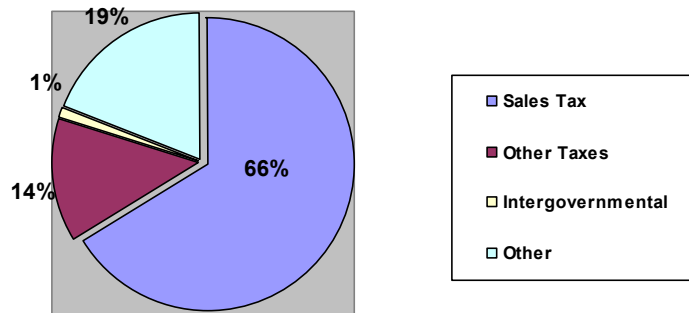
- Transfers changed significantly due to the reclassification of grant and capital asset activity between governmental and business-type activities.

### **Governmental Activities**

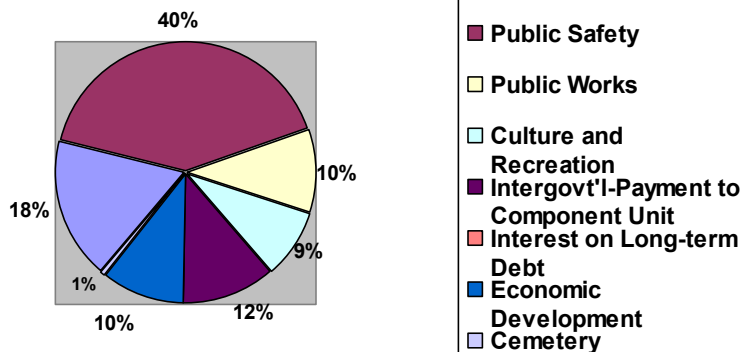
To aid in the understanding of the Statement of Activities some additional explanation is given. Of particular interest is the format that is significantly different than a typical Statement of Revenues, Expenses, and Changes in Fund Balance. You will notice that expenses are listed in the first column with revenues from that particular program reported to the right. The result is a Net (Expense)/Revenue. The reason for this kind of format is to highlight the relative financial burden of each of the functions on the City's taxpayers. It also identifies how much each function draws from the general revenues or if it is self-financing through fees and grants or contributions. All other governmental revenues are reported as general. It is important to note all taxes are classified as general revenue even if restricted for a specific purpose.

For the year ended June 30, 2021, the City's governmental activities were funded as follows:

**Governmental Activities Sources**



**Governmental Activities Uses**



Unaudited

**CITY OF DURANT, OKLAHOMA**  
**MANAGEMENT DISCUSSION & ANALYSIS**  
**June 30, 2021**

For the year ended June 30, 2021, total expenses for governmental activities amounted to \$31,310,855. Of these total expenses, taxpayers and other general revenues funded \$32,031,909, while those directly benefiting from the program funded \$3,565,934 from grants and other contributions and \$1,502,051 from charges for services.

**Net Cost of Durant's Governmental Activities**

|                                                 | <b><u>Total Cost<br/>of Services</u></b> |                     | <b><u>Percentage<br/>Change</u></b> | <b><u>Net Revenue<br/>(Expense) of Services</u></b> |                       | <b><u>Percentage<br/>Change</u></b> |
|-------------------------------------------------|------------------------------------------|---------------------|-------------------------------------|-----------------------------------------------------|-----------------------|-------------------------------------|
|                                                 | <u>2021</u>                              | <u>2020</u>         | <u>2021-2020</u>                    | <u>2021</u>                                         | <u>2020</u>           | <u>2021-2020</u>                    |
| General government                              | \$5,609,161                              | \$4,916,849         | 14.1%                               | (\$4,942,657)                                       | (\$4,430,077)         | 11.6%                               |
| Public safety                                   | 12,703,521                               | 11,265,730          | 12.8%                               | (9,029,538)                                         | (8,523,387)           | 5.9%                                |
| Public works                                    | 3,228,412                                | 3,429,702           | -5.9%                               | (3,054,596)                                         | (3,166,148)           | -3.5%                               |
| Culture and recreation                          | 2,681,754                                | 2,715,392           | -1.2%                               | (2,386,185)                                         | (2,132,425)           | 11.9%                               |
| Cemetery                                        | 169,901                                  | 164,821             | 3.1%                                | (112,014)                                           | (132,377)             | -15.4%                              |
| Economic development                            | 3,181,074                                | 3,097,549           | 2.7%                                | (2,980,848)                                         | (2,383,863)           | 25.0%                               |
| Industrial development -<br>payments to DIA     | 1,127,034                                | 152,749             | 637.8%                              | (1,127,034)                                         | (152,749)             | 637.8%                              |
| Community development -<br>payments to DCFA     | 2,217,243                                | 1,981,082           | 11.9%                               | (2,217,243)                                         | (1,981,082)           | 11.9%                               |
| Tourism-Econ development -<br>payments to DTEDA | 373,004                                  | 384,391             | -3.0%                               | (373,004)                                           | (384,391)             | -3.0%                               |
| Interest on long-term debt                      | 19,751                                   | 17,897              | 10.4%                               | (19,751)                                            | (17,897)              | 10.4%                               |
| <b>Total</b>                                    | <b>\$31,310,855</b>                      | <b>\$28,126,162</b> | <b>11.3%</b>                        | <b>(\$26,242,870)</b>                               | <b>(\$23,304,396)</b> | <b>12.6%</b>                        |

**Business-type Activities**

In reviewing the business-type activities net (expense)/revenue, the following highlights should be noted:

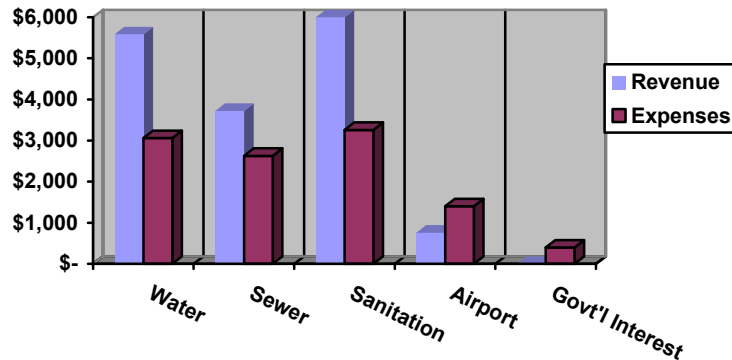
**Net Cost of Durant's Business-Type Activities**

|                                            | <b><u>Total Cost<br/>of Services</u></b> |                     | <b><u>Percentage<br/>Change</u></b> | <b><u>Net Revenue<br/>(Expense) of Services</u></b> |                    | <b><u>Percentage<br/>Change</u></b> |
|--------------------------------------------|------------------------------------------|---------------------|-------------------------------------|-----------------------------------------------------|--------------------|-------------------------------------|
|                                            | <u>2021</u>                              | <u>2020</u>         | <u>2021-2020</u>                    | <u>2021</u>                                         | <u>2020</u>        | <u>2021-2020</u>                    |
| Water                                      | \$3,055,564                              | \$3,260,793         | -6.3%                               | \$2,527,323                                         | \$878,325          | 187.7%                              |
| Sewer                                      | 2,625,579                                | 2,816,899           | -6.8%                               | 1,096,346                                           | 1,233,167          | -11.1%                              |
| Sanitation                                 | 3,257,473                                | 3,168,979           | 2.8%                                | 2,743,401                                           | 2,580,458          | 6.3%                                |
| Airport                                    | 1,402,333                                | 1,037,314           | 35.2%                               | (641,787)                                           | 2,633,360          | -124.4%                             |
| Governmental interest on<br>long-term debt | 400,480                                  | 260,209             | 53.9%                               | (400,480)                                           | (260,209)          | 53.9%                               |
| <b>Total</b>                               | <b>\$10,741,429</b>                      | <b>\$10,544,194</b> | <b>1.9%</b>                         | <b>\$5,324,803</b>                                  | <b>\$7,065,101</b> | <b>-24.6%</b>                       |

- Total business-type activities reported net revenues of \$5,324,803 for the year ended June 30, 2021.
- Water, sewer and sanitation activities reported net revenues for the year ended June 30, 2021, while airport and governmental interest on long-term debt reported net expenses of \$641,787 and \$400,480, respectively.

Unaudited

**Business-Type Activities Revenue and Expense**  
**(in 000's)**



#### **A FINANCIAL ANALYSIS OF THE CITY'S FUNDS**

As the City completed its 2021 fiscal year, the governmental funds reported a combined total fund balance of \$22,974,979 or a 33.6% increase from the prior year. The enterprise funds reported total net position of \$49,083,938 or a 4.4% increase from 2020.

Other fund highlights include:

- For the year ended June 30, 2021, the General Fund's total fund balance increased by \$3,516,416 or 72.4%.
- The Durant Tax Increment Finance Authority Fund's total fund balance increased by \$164,962 or 7.48%.
- The Capital Improvement Fund's total fund balance increased by \$1,475,776 or 75.2%.

#### **General Fund Budgetary Highlights**

For the year ended June 30, 2021, the General Fund reported actual budgetary basis revenues above final estimates by \$2,256,570 or a 12.2% positive variance. General Fund actual budgetary basis expenditures were under final appropriations by \$2,684,656 or a 13.3% positive variance.

#### **CAPITAL ASSET AND DEBT ADMINISTRATION**

##### **Capital Assets**

At the end of June 30, 2021, the City had \$108,382,966 invested in capital assets, net of depreciation, including police and fire equipment, buildings, park facilities, water lines and sewer lines. (See table below).

Unaudited

**CITY OF DURANT, OKLAHOMA**  
**MANAGEMENT DISCUSSION & ANALYSIS**  
**June 30, 2021**

| <b>Primary Government Capital Assets</b><br>(Net of accumulated depreciation) |                     |                     |                      |                     |                      |                      |
|-------------------------------------------------------------------------------|---------------------|---------------------|----------------------|---------------------|----------------------|----------------------|
|                                                                               | <b>Governmental</b> |                     | <b>Business-Type</b> |                     | <b>Total</b>         |                      |
|                                                                               | <b>Activities</b>   |                     | <b>Activities</b>    |                     | <b></b>              |                      |
|                                                                               | <u>2021</u>         | <u>2020</u>         | <u>2021</u>          | <u>2020</u>         | <u>2021</u>          | <u>2020</u>          |
| Land                                                                          | \$5,381,392         | \$5,341,392         | \$2,674,435          | \$2,674,435         | \$8,055,827          | \$8,015,827          |
| Buildings                                                                     | 17,678,815          | 18,293,672          | 9,850,386            | 10,958,205          | 27,529,201           | 29,251,877           |
| Improvements                                                                  | 1,863,055           | 2,022,286           | 11,712,575           | 12,316,742          | 13,575,630           | 14,339,028           |
| Machinery & equipment                                                         | 5,160,507           | 4,267,977           | 3,032,076            | 2,897,462           | 8,192,583            | 7,165,439            |
| Infrastructure                                                                | 19,776,907          | 19,160,917          | 24,264,361           | 23,640,949          | 44,041,268           | 42,801,866           |
| Construction in progress                                                      | 1,594,454           | 820,464             | 5,394,003            | 1,341,541           | 6,988,457            | 2,162,005            |
| <b>Totals</b>                                                                 | <u>\$51,455,130</u> | <u>\$49,906,708</u> | <u>\$56,927,836</u>  | <u>\$53,829,334</u> | <u>\$108,382,966</u> | <u>\$103,736,042</u> |

This year's more significant capital asset additions are discussed below:

- The City placed in service a 2020 Spartan Fire truck totaling \$499,590.
- The City placed in service a small wheel excavator totaling \$245,048.
- The City placed in service a N 5<sup>th</sup> St Main to Walnut street project totaling \$221,797.
- The City placed in service a Mockingbird/Washington street project totaling \$308,475.
- The City placed in service a Mooney Lift Station upgrade project totaling \$281,470.
- The City placed in service a Water Storage Tank rehab project totaling \$359,850.
- The City placed in service a Tubacex Utility Extension project totaling \$868,158.

See Note 5 to the financial statements for more detail information on the City's capital assets and changes therein.

**Long- Term Debt**

At year-end, the City had \$30,450,868 in long-term debt outstanding which represents an \$817,130 or 2.6% decrease from the prior year. The City's changes in long-term debt by type of debt are as follows:

| <b>Primary Government Long-Term Debt</b> |                     |                    |                      |                     |                     |                     |                   |
|------------------------------------------|---------------------|--------------------|----------------------|---------------------|---------------------|---------------------|-------------------|
|                                          | <b>Governmental</b> |                    | <b>Business-Type</b> |                     | <b>Total</b>        |                     | <b>Total</b>      |
|                                          | <b>Activities</b>   |                    | <b>Activities</b>    |                     | <b></b>             |                     | <b>Percentage</b> |
|                                          | (restated)          |                    | (restated)           |                     | (restated)          |                     | <b>Change</b>     |
|                                          | <u>2021</u>         | <u>2020</u>        | <u>2021</u>          | <u>2020</u>         | <u>2021</u>         | <u>2020</u>         | <u>2021-2020</u>  |
| Capital lease obligations                | \$1,156,302         | \$348,168          | \$ -                 | \$ -                | \$1,156,302         | \$348,168           | 232.1%            |
| Notes payable                            | -                   | -                  | 26,139,892           | 27,848,352          | 26,139,892          | 27,848,352          | -6.1%             |
| Landfill closure liability               | -                   | -                  | 457,016              | 506,602             | 457,016             | 506,602             | -9.8%             |
| Meter deposit liability                  | -                   | -                  | 551,047              | 524,854             | 551,047             | 524,854             | 5.0%              |
| Accrued comp absences                    | 1,892,132           | 1,686,110          | 254,479              | 353,912             | 2,146,611           | 2,040,022           | 5.2%              |
| <b>Totals</b>                            | <u>\$3,048,434</u>  | <u>\$2,034,278</u> | <u>\$27,402,434</u>  | <u>\$29,233,720</u> | <u>\$30,450,868</u> | <u>\$31,267,998</u> | -2.6%             |

Unaudited

For the year ended June 30, 2021, the significant transactions that occurred were the issuance of 3 new capital lease obligations totaling \$1,015,302 and an additional draw of \$1,413,374 on the ORF-19-0019-CW OWRB Note, along with normal debt retirements.

See Note 6 to the financial statements for more detail information on the City's long-term debt and changes therein.

## **ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES**

**Sales Tax Collection** – Sales tax collections in fiscal year 2020-2021 increased over the previous fiscal year by -11.92% while sales tax collection for the fiscal year of 2021-2022 reflect an 11.74% increase over the same period in 2020-2021.

**Penny for the Sales Tax Extension** – In February 11, 2020, an extension of the one-cent sales tax was approved by voters for twenty more years. The extension began in July 1, 2021 after the first penny expired and will cease June 30, 2041.

The city sales tax collection has increased ten consecutive years since 2011-2012. The rate at June 30, 2021 was 4.375-cent tax on each dollar of taxable sales. The distribution of the distribution of the sales tax is as follows:

|                                             |       |
|---------------------------------------------|-------|
| Economic Development (effective 1/1/04)     | .25%  |
| Multi-Sports Facilities (effective 10/1/04) | .25%  |
| SOSU Improvements (effective 10/1/04)       | .25%  |
| Capital Improvements (effective 7/1/21)     | 1.00% |
| General Operations                          | 2.00% |
| DISD Improvements (effective 7/1/08)        | .625% |

### **Major Economic Development projects:**

#### **Choctaw Nation Casino & Resort**

Choctaw Nation of Oklahoma broke ground in April 2019 on an expansion project at its resort property in Durant, Oklahoma. The number of rooms in the luxury hotel increased by 1,000 making it a total of more than 1,600, the largest hotel room count in the state. Choctaw Nation plans invested more than \$500 million on the project and this is the fourth expansion project since the original casino opened in 2006. The Sky Tower opened in June 2021. This project created more than 1,000 new jobs.

#### **SG Blocks, Inc.**

SG Blocks, Inc. (NASDAQ: SGBX) ("SG Blocks" or the "Company"), a leading designer, innovator and fabricator of container-based structures, announced today that in furtherance of its September 2020 acquisition of ECHO DCL in Durant, Oklahoma, a new 10,300 square foot building extension will be used to greatly increase the Company's capacity for container modifications, reinforcements, and the construction of light gauge steel purpose-driven modules. This additional square footage is the first step in a multi-phased plan to develop the SG Echo manufacturing campus. The original acquisition of ECHO DCL by SG Blocks in September 2020 allowed SG Blocks to vertically integrate a large portion of costs of goods sold, as well as increase margins and productivity in the crucial areas of design and manufacturing.

Unaudited

**Cardinal FG**

Cardinal Glass underwent a \$25 million expansion project, which was completed in June 2021. The project consisted of adding a new state of the art tempering line, as well as additional warehouse facilities. This project created sixteen new quality jobs.

**Lost Street Brewing Company, LLC**

Lost Street Brewing Company is a local brewery that opened in spring 2021. The manufacturing facility consists of a ten-barrel, two vessel, handcrafted, natural gas powered, stainless steel brew house, two liquor tanks, five fermentation tanks, four brite tanks, heat exchangers, glycol chiller system, kegging system, canning line, and a 600 square foot walk-in cooler for finished product. The brewery is located in a recently acquired and renovated 18,000 square foot historic building located within the Durant Main Street District. Total private investment of the project is expected to reach more than \$1.5 million. The Durant Industrial Authority invested an additional \$25,000 for infrastructure improvements to support this operation.

**Property Acquisition**

The Durant Industrial Authority acquired a 20-acre parcel, located at the intersection of Hillcrest and South McLean. This parcel brings the East Industrial Park to approximately contiguous acres. This purchase closed in May 2021.

The Durant Industrial Authority purchased an approximate one-acre tract, with a metal building, located along Arkansas Street. The purchase of this property closed in July 2021.

**New Website Development**

Through a partnership with the City of Durant, the Durant Industrial Authority website underwent a major redesign which was completed in May 2021.

**Projects in Process for Upcoming Fiscal year 2021-2022**

Durant Industrial Authority is in negotiations with SG Blocks for the sale of the 114-acre East Industrial Park for an expansion project that will include approximately 80,000 of manufacturing space, a rail spur, and additional warehouse facilities.

ETS Lindgren is on the brink of an expansion project at their facility located on Waldron Road. The project will cost an estimated \$8 million and will create ten new jobs. The project will be completed in early 2022.

**CONTACTING THE CITY OF DURANT'S FINANCIAL MANAGEMENT**

This financial report is designed to provide our citizens, taxpayers, customers and creditors with a general overview of the City's finances and to show the City's accountability for the money it receives. If you have questions about this report or need additional financial information, please contact the Durant City Manager via phone at 580-931-6605 or the Durant City Treasurer at 580-931-6651 or via mail at City of Durant-P.O. Box 578-Durant, OK 74702-0578.

Unaudited

**CITY OF DURANT, OKLAHOMA**  
**ANNUAL FINANCIAL REPORT**  
**As of and for the Year Ended June 30, 2021**

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**BASIC FINANCIAL STATEMENTS – GOVERNMENT-WIDE**



**CITY OF DURANT, OKLAHOMA**  
**ANNUAL FINANCIAL REPORT**  
**As of and for the Year Ended June 30, 2021**

**Statement of Net Position— June 30, 2021**

|                                           | Primary Government         |                             |                | Component Units                   |                                                |                                                           |
|-------------------------------------------|----------------------------|-----------------------------|----------------|-----------------------------------|------------------------------------------------|-----------------------------------------------------------|
|                                           | Governmental<br>Activities | Business-type<br>Activities | Total          | Durant<br>Industrial<br>Authority | Durant<br>Community<br>Facilities<br>Authority | Durant<br>Tourism<br>Economic<br>Development<br>Authority |
| <b>ASSETS:</b>                            |                            |                             |                |                                   |                                                |                                                           |
| Cash and cash equivalents                 | \$ 18,701,405              | \$ 17,367,308               | \$ 36,068,713  | \$ 1,233,332                      | \$ 2,180,983                                   | \$ 857,032                                                |
| Investments                               | 41,316                     | -                           | 41,316         | 353,001                           | -                                              | -                                                         |
| Investment in Durant TIF Authority bonds  | -                          | -                           | -              | 3,100,000                         | -                                              | -                                                         |
| Accounts receivable, net of allowance     | -                          | 2,432,569                   | 2,432,569      | -                                 | -                                              | -                                                         |
| Miscellaneous taxes receivable            | 136,629                    | -                           | 136,629        | -                                 | -                                              | -                                                         |
| Court fine receivable, net of allowance   | 63,464                     | -                           | 63,464         | -                                 | -                                              | -                                                         |
| Internal balances                         | (935,361)                  | 935,361                     | -              | -                                 | -                                              | -                                                         |
| Due to/from component unit                | (39,808)                   | -                           | (39,808)       | -                                 | -                                              | 39,808                                                    |
| Advance to/from other funds               | (155,240)                  | 155,240                     | -              | -                                 | -                                              | -                                                         |
| Advance to/from component unit            | 2,850,000                  | -                           | 2,850,000      | (2,850,000)                       | -                                              | -                                                         |
| Due from other governments                | 7,697,274                  | 23,000                      | 7,720,274      | 382,105                           | -                                              | -                                                         |
| Notes receivable                          | -                          | -                           | -              | 993,667                           | -                                              | -                                                         |
| Other receivables                         | 102,427                    | -                           | 102,427        | -                                 | -                                              | -                                                         |
| Capital assets:                           |                            |                             |                |                                   |                                                |                                                           |
| Land and construction in progress         | 6,975,846                  | 8,068,438                   | 15,044,284     | 1,875,565                         | 266,000                                        | -                                                         |
| Other capital assets, net of depreciation | 44,479,284                 | 48,859,398                  | 93,338,682     | 15,160                            | -                                              | -                                                         |
| Total assets                              | 79,917,236                 | 77,841,314                  | 157,758,550    | 5,102,830                         | 2,446,983                                      | 896,840                                                   |
| <b>DEFERRED OUTFLOWS OF RESOURCES:</b>    |                            |                             |                |                                   |                                                |                                                           |
| Deferred amount related to pensions       | 4,152,372                  | 549,014                     | 4,701,386      | 5,354                             | -                                              | -                                                         |
| Deferred amount on refunding              | -                          | -                           | -              | -                                 | 390,545                                        | -                                                         |
| Total deferred outflows                   | 4,152,372                  | 549,014                     | 4,701,386      | 5,354                             | 390,545                                        | -                                                         |
| <b>LIABILITIES:</b>                       |                            |                             |                |                                   |                                                |                                                           |
| Accounts payable                          | 4,407,300                  | 181,895                     | 4,589,195      | 522                               | 31                                             | 13,224                                                    |
| Accrued payroll liabilities               | 574,140                    | 38,020                      | 612,160        | -                                 | -                                              | -                                                         |
| Accrued interest payable                  | -                          | 257,323                     | 257,323        | 141                               | 24,940                                         | -                                                         |
| Due to other governments                  | 6,757                      | -                           | 6,757          | -                                 | -                                              | -                                                         |
| Claims liability                          | 626,003                    | -                           | 626,003        | -                                 | -                                              | -                                                         |
| Due to bondholders                        | 4,506                      | -                           | 4,506          | -                                 | -                                              | -                                                         |
| Unearned revenue                          | 64,560                     | -                           | 64,560         | -                                 | -                                              | -                                                         |
| Long-term liabilities:                    |                            |                             |                |                                   |                                                |                                                           |
| Due within one year                       | 455,030                    | 2,639,574                   | 3,094,604      | 154,317                           | 1,412,733                                      | -                                                         |
| Due in more than one year                 | 11,948,047                 | 24,973,323                  | 36,921,370     | 490,782                           | 3,788,687                                      | -                                                         |
| Total liabilities                         | 18,086,343                 | 28,090,135                  | 46,176,478     | 645,762                           | 5,226,391                                      | 13,224                                                    |
| <b>DEFERRED INFLOWS OF RESOURCES:</b>     |                            |                             |                |                                   |                                                |                                                           |
| Deferred amount related to pensions       | 1,317,471                  | 280,894                     | 1,598,365      | 4,130                             | -                                              | -                                                         |
| <b>NET POSITION:</b>                      |                            |                             |                |                                   |                                                |                                                           |
| Net investment in capital assets          | 50,298,828                 | 41,088,432                  | 91,387,260     | 1,798,903                         | 266,000                                        | -                                                         |
| Restricted                                | 5,922,588                  | 832,224                     | 6,754,812      | -                                 | -                                              | -                                                         |
| Unrestricted (deficit)                    | 8,444,378                  | 8,098,643                   | 16,543,021     | 2,659,389                         | (2,654,863)                                    | 883,616                                                   |
| Total net position                        | \$ 64,665,794              | \$ 50,019,299               | \$ 114,685,093 | \$ 4,458,292                      | \$ (2,388,863)                                 | \$ 883,616                                                |

**CITY OF DURANT, OKLAHOMA**  
**ANNUAL FINANCIAL REPORT**  
As of and for the Year Ended June 30, 2021

**Statement of Activities –Year Ended June 30, 2021**

| Functions/Programs                                            | Program Revenue |                      |                                    |                                  | Net (Expense) Revenue and Changes in Net Position |                          |                | Component Units             |                                       |                                               |
|---------------------------------------------------------------|-----------------|----------------------|------------------------------------|----------------------------------|---------------------------------------------------|--------------------------|----------------|-----------------------------|---------------------------------------|-----------------------------------------------|
|                                                               | Expenses        | Charges for Services | Operating Grants and Contributions | Capital Grants and Contributions | Primary Government                                |                          | Total          | Durant Industrial Authority | Durant Community Facilities Authority | Durant Tourism Economic Development Authority |
|                                                               |                 |                      |                                    |                                  | Governmental Activities                           | Business-type Activities |                |                             |                                       |                                               |
| <b>Primary government</b>                                     |                 |                      |                                    |                                  |                                                   |                          |                |                             |                                       |                                               |
| Governmental activities:                                      |                 |                      |                                    |                                  |                                                   |                          |                |                             |                                       |                                               |
| General government                                            | \$ 5,609,161    | \$ 448,204           | \$ 218,300                         | \$ -                             | \$ (4,942,657)                                    | \$ -                     | \$ (4,942,657) | \$ -                        | \$ -                                  | \$ -                                          |
| Public safety                                                 | 12,703,521      | 808,819              | 2,691,339                          | 173,825                          | (9,029,538)                                       | -                        | (9,029,538)    | -                           | -                                     | -                                             |
| Public works                                                  | 3,228,412       | 3,779                | 170,037                            | -                                | (3,054,596)                                       | -                        | (3,054,596)    | -                           | -                                     | -                                             |
| Culture and recreation                                        | 2,681,754       | 196,799              | 22,429                             | 76,341                           | (2,386,185)                                       | -                        | (2,386,185)    | -                           | -                                     | -                                             |
| Cemetery                                                      | 169,901         | 44,450               | 13,437                             | -                                | (112,014)                                         | -                        | (112,014)      | -                           | -                                     | -                                             |
| Economic development                                          | 3,181,074       | -                    | 200,226                            | -                                | (2,980,848)                                       | -                        | (2,980,848)    | -                           | -                                     | -                                             |
| Industrial development (Payment to DIA)                       | 1,127,034       | -                    | -                                  | -                                | (1,127,034)                                       | -                        | (1,127,034)    | -                           | -                                     | -                                             |
| Community development (Payment to DCFA)                       | 2,217,243       | -                    | -                                  | -                                | (2,217,243)                                       | -                        | (2,217,243)    | -                           | -                                     | -                                             |
| Tourism-Econ Dev (Payment to DTEDA)                           | 373,004         | -                    | -                                  | -                                | (373,004)                                         | -                        | (373,004)      | -                           | -                                     | -                                             |
| Interest on long-term debt                                    | 19,751          | -                    | -                                  | -                                | (19,751)                                          | -                        | (19,751)       | -                           | -                                     | -                                             |
| Total governmental activities                                 | 31,310,855      | 1,502,051            | 3,315,768                          | 250,166                          | (26,242,870)                                      | -                        | (26,242,870)   | -                           | -                                     | -                                             |
| Business-type activities                                      |                 |                      |                                    |                                  |                                                   |                          |                |                             |                                       |                                               |
| Water                                                         | 3,055,564       | 4,191,302            | -                                  | 1,391,585                        | -                                                 | 2,527,323                | 2,527,323      | -                           | -                                     | -                                             |
| Sewer                                                         | 2,625,579       | 2,699,752            | -                                  | 1,022,173                        | -                                                 | 1,096,346                | 1,096,346      | -                           | -                                     | -                                             |
| Sanitation                                                    | 3,257,473       | 6,000,874            | -                                  | -                                | -                                                 | 2,743,401                | 2,743,401      | -                           | -                                     | -                                             |
| Airport                                                       | 1,402,333       | 714,526              | -                                  | 46,020                           | -                                                 | (641,787)                | (641,787)      | -                           | -                                     | -                                             |
| Governmental interest on long-term debt                       | 400,480         | -                    | -                                  | -                                | -                                                 | (400,480)                | (400,480)      | -                           | -                                     | -                                             |
| Total business-type activities                                | 10,741,429      | 13,606,454           | -                                  | 2,459,778                        | -                                                 | 5,324,803                | 5,324,803      | -                           | -                                     | -                                             |
| Total primary government                                      | \$ 42,052,284   | \$ 15,108,505        | \$ 3,315,768                       | \$ 2,709,944                     | (26,242,870)                                      | 5,324,803                | (20,918,067)   | -                           | -                                     | -                                             |
| <b>Component Units</b>                                        |                 |                      |                                    |                                  |                                                   |                          |                |                             |                                       |                                               |
| Industrial development                                        | \$ 178,068      | \$ -                 | \$ -                               | \$ -                             |                                                   |                          |                | (178,068)                   | -                                     | -                                             |
| Community development                                         | 1,362,183       | -                    | 25,002                             | -                                |                                                   |                          |                | -                           | (1,337,181)                           | -                                             |
| Tourism-Economic development                                  | 244,944         | 600                  | -                                  | -                                |                                                   |                          |                | -                           | -                                     | (244,344)                                     |
| Total component units                                         | \$ 1,785,195    | \$ 600               | \$ 25,002                          | \$ -                             |                                                   |                          |                | (178,068)                   | (1,337,181)                           | (244,344)                                     |
| <b>General revenues:</b>                                      |                 |                      |                                    |                                  |                                                   |                          |                |                             |                                       |                                               |
| Taxes:                                                        |                 |                      |                                    |                                  |                                                   |                          |                |                             |                                       |                                               |
| Sales and use taxes                                           |                 |                      |                                    |                                  | 22,421,540                                        | -                        | 22,421,540     | -                           | -                                     | -                                             |
| Franchise and public service taxes                            |                 |                      |                                    |                                  | 1,012,201                                         | -                        | 1,012,201      | -                           | -                                     | -                                             |
| E-911 taxes                                                   |                 |                      |                                    |                                  | 460,051                                           | -                        | 460,051        | -                           | -                                     | -                                             |
| Tourism taxes                                                 |                 |                      |                                    |                                  | 373,003                                           | -                        | 373,003        | -                           | -                                     | -                                             |
| Tax increment financing (TIF) taxes                           |                 |                      |                                    |                                  | 2,767,360                                         | -                        | 2,767,360      | -                           | -                                     | -                                             |
| Intergovernmental revenue not restricted to specific programs |                 |                      |                                    |                                  | 387,285                                           | -                        | 387,285        | -                           | -                                     | -                                             |
| Investment income                                             |                 |                      |                                    |                                  | 37,180                                            | 43,820                   | 80,980         | 2,705                       | 6,202                                 | 2,747                                         |
| Miscellaneous                                                 |                 |                      |                                    |                                  | 319,033                                           | 113,232                  | 432,265        | 424,734                     | -                                     | -                                             |
| Payments received from primary government                     |                 |                      |                                    |                                  | -                                                 | -                        | -              | 1,127,034                   | 2,217,244                             | 373,003                                       |
| Payments received from component unit                         |                 |                      |                                    |                                  | 1,102,239                                         | -                        | 1,102,239      | -                           | -                                     | -                                             |
| Transfers - internal activity                                 |                 |                      |                                    |                                  | 3,152,037                                         | (3,152,037)              | -              | -                           | -                                     | -                                             |
| Total general revenues and transfers                          |                 |                      |                                    |                                  | 32,031,909                                        | (2,994,985)              | 29,036,924     | 1,554,473                   | 2,223,446                             | 375,750                                       |
| Change in net position                                        |                 |                      |                                    |                                  | 5,789,039                                         | 2,329,818                | 8,118,857      | 1,376,405                   | 886,265                               | 131,406                                       |
| Net position - beginning, restated                            |                 |                      |                                    |                                  | 58,876,755                                        | 47,689,481               | 106,566,236    | 3,081,887                   | (3,275,128)                           | 752,210                                       |
| Net position - ending                                         |                 |                      |                                    |                                  | \$ 64,665,794                                     | \$ 50,019,299            | \$ 114,685,093 | \$ 4,458,292                | \$ (2,388,863)                        | \$ 883,616                                    |

See accompanying notes to the Basic Financial Statements.

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**BASIC FINANCIAL STATEMENTS - GOVERNMENTAL FUNDS**

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**Governmental Funds Balance Sheet - June 30, 2021**

|                                                         | General             | Special Revenue Funds          |                               |                                        | Capital Project Funds    |                           | Other Governmental Funds | Total Governmental Funds |
|---------------------------------------------------------|---------------------|--------------------------------|-------------------------------|----------------------------------------|--------------------------|---------------------------|--------------------------|--------------------------|
|                                                         |                     | 1/4% Economic Development Fund | 5/8% Sales Tax Education Fund | Durant Tax Increment Finance Authority | Capital Improvement Fund | 1% Sales Tax Revenue Fund |                          |                          |
| <b>ASSETS</b>                                           |                     |                                |                               |                                        |                          |                           |                          |                          |
| Cash and cash equivalents                               | \$ 7,330,043        | \$ 2,557,931                   | \$ -                          | \$ 581,640                             | \$ 3,034,325             | \$ -                      | \$ 1,583,069             | \$ 15,087,008            |
| Investments                                             | -                   | -                              | -                             | -                                      | -                        | -                         | 41,316                   | 41,316                   |
| Receivables:                                            |                     |                                |                               |                                        |                          |                           |                          |                          |
| Advance to component unit                               | -                   | 2,850,000                      | -                             | -                                      | -                        | -                         | -                        | 2,850,000                |
| Due from other funds                                    | -                   | -                              | -                             | -                                      | -                        | -                         | 498                      | 498                      |
| Due from other governments                              | 1,646,966           | 153,556                        | 434,750                       | 3,078,003                              | 1,263,409                | 614,227                   | 506,363                  | 7,697,274                |
| Miscellaneous taxes receivable                          | 96,821              | -                              | -                             | -                                      | -                        | -                         | 39,808                   | 136,629                  |
| Court fines receivable, net                             | 63,464              | -                              | -                             | -                                      | -                        | -                         | -                        | 63,464                   |
| Other receivables                                       | 27,532              | -                              | -                             | -                                      | -                        | -                         | 74,895                   | 102,427                  |
| Total assets                                            | <u>\$ 9,164,826</u> | <u>\$ 5,561,487</u>            | <u>\$ 434,750</u>             | <u>\$ 3,659,643</u>                    | <u>\$ 4,297,734</u>      | <u>\$ 614,227</u>         | <u>\$ 2,245,949</u>      | <u>\$ 25,978,616</u>     |
| <b>LIABILITIES, DEFERRED INFLOWS AND FUND BALANCES:</b> |                     |                                |                               |                                        |                          |                           |                          |                          |
| Liabilities:                                            |                     |                                |                               |                                        |                          |                           |                          |                          |
| Accounts payable                                        | \$ 116,713          | \$ -                           | \$ -                          | \$ 44                                  | \$ 605,072               | \$ -                      | \$ 806                   | \$ 722,635               |
| Accrued payroll liabilities                             | 540,385             | -                              | -                             | -                                      | -                        | -                         | 21,774                   | 562,159                  |
| Advance from DCUA                                       | -                   | -                              | -                             | -                                      | 155,240                  | -                         | -                        | 155,240                  |
| Due to other funds                                      | 498                 | -                              | -                             | -                                      | -                        | -                         | -                        | 498                      |
| Due to component unit                                   | -                   | -                              | -                             | -                                      | -                        | -                         | 39,808                   | 39,808                   |
| Due to other governments                                | 6,757               | -                              | -                             | -                                      | -                        | -                         | -                        | 6,757                    |
| Due to bondholders                                      | 4,506               | -                              | -                             | -                                      | -                        | -                         | -                        | 4,506                    |
| Unearned revenue                                        | 64,560              | -                              | -                             | -                                      | -                        | -                         | -                        | 64,560                   |
| Total liabilities                                       | <u>733,419</u>      | <u>-</u>                       | <u>-</u>                      | <u>44</u>                              | <u>760,312</u>           | <u>-</u>                  | <u>62,388</u>            | <u>1,556,163</u>         |
| Deferred Inflows of Resources:                          |                     |                                |                               |                                        |                          |                           |                          |                          |
| Deferred revenue                                        | <u>55,503</u>       | <u>-</u>                       | <u>-</u>                      | <u>1,288,340</u>                       | <u>99,055</u>            | <u>-</u>                  | <u>4,576</u>             | <u>1,447,474</u>         |
| Fund balances:                                          |                     |                                |                               |                                        |                          |                           |                          |                          |
| Restricted                                              | -                   | 3,903,696                      | 434,750                       | 2,371,259                              | -                        | 612,546                   | 971,596                  | 8,293,847                |
| Assigned                                                | 3,989,979           | 1,657,791                      | -                             | -                                      | 3,438,367                | 1,681                     | 1,207,389                | 10,295,207               |
| Unassigned                                              | <u>4,385,925</u>    | <u>-</u>                       | <u>-</u>                      | <u>-</u>                               | <u>-</u>                 | <u>-</u>                  | <u>-</u>                 | <u>4,385,925</u>         |
| Total fund balances                                     | <u>8,375,904</u>    | <u>5,561,487</u>               | <u>434,750</u>                | <u>2,371,259</u>                       | <u>3,438,367</u>         | <u>614,227</u>            | <u>2,178,985</u>         | <u>22,974,979</u>        |
| Total liabilities, deferred inflows and fund balances   | <u>\$ 9,164,826</u> | <u>\$ 5,561,487</u>            | <u>\$ 434,750</u>             | <u>\$ 3,659,643</u>                    | <u>\$ 4,297,734</u>      | <u>\$ 614,227</u>         | <u>\$ 2,245,949</u>      | <u>\$ 25,978,616</u>     |

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**Governmental Funds Statement of Changes in Fund Balances – Year Ended June 30, 2021**

|                                                           | General Fund  | Special Revenue Funds          |                               |                                        | Capital Project Funds    |                           | Other Governmental Funds | Total Governmental Funds |
|-----------------------------------------------------------|---------------|--------------------------------|-------------------------------|----------------------------------------|--------------------------|---------------------------|--------------------------|--------------------------|
|                                                           |               | 1/4% Economic Development Fund | 5/8% Sales Tax Education Fund | Durant Tax Increment Finance Authority | Capital Improvement Fund | 1% Sales Tax Revenue Fund |                          |                          |
| <b>REVENUES</b>                                           |               |                                |                               |                                        |                          |                           |                          |                          |
| Taxes                                                     | \$ 12,379,068 | \$ 1,121,656                   | \$ 3,203,078                  | \$ 2,588,963                           | \$ -                     | \$ 4,486,627              | \$ 3,072,149             | \$ 26,851,541            |
| Intergovernmental                                         | 2,824,478     | -                              | -                             | -                                      | 2,596,788                | -                         | 63,796                   | 5,485,062                |
| Charges for services                                      | 236,082       | -                              | -                             | -                                      | -                        | -                         | 95,065                   | 331,147                  |
| Licenses and permits                                      | 427,341       | -                              | -                             | -                                      | -                        | -                         | -                        | 427,341                  |
| Fines and forfeitures                                     | 691,498       | -                              | -                             | -                                      | -                        | -                         | -                        | 691,498                  |
| Investment income                                         | 19,762        | 7,811                          | -                             | 472                                    | 4,378                    | -                         | 1,876                    | 34,299                   |
| Miscellaneous                                             | 350,587       | -                              | -                             | 200,226                                | 403,140                  | -                         | 11,941                   | 965,894                  |
| Total revenues                                            | 16,928,816    | 1,129,467                      | 3,203,078                     | 2,789,661                              | 3,004,306                | 4,486,627                 | 3,244,827                | 34,786,782               |
| <b>EXPENDITURES</b>                                       |               |                                |                               |                                        |                          |                           |                          |                          |
| Current:                                                  |               |                                |                               |                                        |                          |                           |                          |                          |
| General government                                        | 2,087,022     | -                              | 3,163,287                     | -                                      | -                        | -                         | -                        | 5,250,309                |
| Public safety                                             | 9,948,969     | -                              | -                             | -                                      | -                        | -                         | 783,245                  | 10,732,214               |
| Public works                                              | 1,926,683     | -                              | -                             | -                                      | -                        | -                         | -                        | 1,926,683                |
| Culture and recreation                                    | 2,048,961     | -                              | -                             | -                                      | -                        | -                         | 205                      | 2,049,166                |
| Cemetery                                                  | 124,747       | -                              | -                             | -                                      | -                        | -                         | -                        | 124,747                  |
| Economic development                                      | 171,849       | -                              | -                             | 2,624,699                              | -                        | -                         | -                        | 2,796,548                |
| Capital outlay                                            | 47,411        | -                              | -                             | -                                      | 10,798,672               | -                         | 181,443                  | 11,027,526               |
| Debt service:                                             |               |                                |                               |                                        |                          |                           |                          |                          |
| Principal                                                 | -             | -                              | -                             | -                                      | 167,005                  | -                         | 35,220                   | 202,225                  |
| Interest and other charges                                | -             | -                              | -                             | -                                      | 8,898                    | -                         | 10,231                   | 19,129                   |
| Total expenditures                                        | 16,355,642    | -                              | 3,163,287                     | 2,624,699                              | 10,974,575               | -                         | 1,010,344                | 34,128,547               |
| Excess (deficiency) of revenues over (under) expenditures | 573,174       | 1,129,467                      | 39,791                        | 164,962                                | (7,970,269)              | 4,486,627                 | 2,234,483                | 658,235                  |
| <b>OTHER FINANCING SOURCES (USES)</b>                     |               |                                |                               |                                        |                          |                           |                          |                          |
| Transfers in                                              | 4,942,209     | -                              | -                             | -                                      | 8,033,147                | -                         | 840,402                  | 13,815,758               |
| Transfers out                                             | (2,149,206)   | -                              | -                             | -                                      | (502,404)                | (4,434,490)               | (9,790)                  | (7,095,890)              |
| Transfers from component unit                             | 150,239       | 52,000                         | -                             | -                                      | 900,000                  | -                         | -                        | 1,102,239                |
| Transfers to component unit                               | -             | (1,127,034)                    | -                             | -                                      | -                        | -                         | (2,590,247)              | (3,717,281)              |
| Proceeds from issuance of debt                            | -             | -                              | -                             | -                                      | 1,015,302                | -                         | -                        | 1,015,302                |
| Total other financing sources and uses                    | 2,943,242     | (1,075,034)                    | -                             | -                                      | 9,446,045                | (4,434,490)               | (1,759,635)              | 5,120,128                |
| Net change in fund balances                               | 3,516,416     | 54,433                         | 39,791                        | 164,962                                | 1,475,776                | 52,137                    | 474,848                  | 5,778,363                |
| Fund balances - beginning, restated                       | 4,859,488     | 5,507,054                      | 394,959                       | 2,206,297                              | 1,962,591                | 562,090                   | 1,704,137                | 17,196,616               |
| Fund balances - ending                                    | \$ 8,375,904  | \$ 5,561,487                   | \$ 434,750                    | \$ 2,371,259                           | \$ 3,438,367             | \$ 614,227                | \$ 2,178,985             | \$ 22,974,979            |

See accompanying notes to the Basic Financial Statements.

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**Fund Balance – Net Position:**

**Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position:**

|                                               |               |
|-----------------------------------------------|---------------|
| <b>Total fund balance, governmental funds</b> | \$ 22,974,979 |
|-----------------------------------------------|---------------|

Amounts reported for governmental activities in the Statement of Net Position are different because:

|                                                                                                                                                                                 |            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Capital assets used in governmental activities are not current financial resources and therefore are not reported in the funds, net of accumulated depreciation of \$85,627,943 | 51,338,898 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|

Certain long-term assets are not available to pay current period expenditures and therefore are deferred in the funds:

|                            |           |
|----------------------------|-----------|
| Due from other governments | 1,288,340 |
| Grants receivable          | 106,528   |
| Other receivables          | 4,217     |
| Court fines receivable     | 48,389    |
|                            | 1,447,474 |

Certain other long-term assets are not current financial resources and, therefore, they, along with deferred outflows, are not reported in the funds:

|                                   |           |
|-----------------------------------|-----------|
| Pension related deferred outflows | 4,152,372 |
|                                   | 4,152,372 |

Internal service funds are used by management to charge the costs of certain activities, such as insurance, to individual funds. A portion of the net position of the internal service fund is included in governmental activities in the Statement of Net Position:

|                                                                                                          |           |
|----------------------------------------------------------------------------------------------------------|-----------|
| Net position of the Internal Service Funds                                                               | 3,028,028 |
| Internal service fund interfund balance resulting from net revenues reported in business-type activities | (935,361) |
|                                                                                                          | 2,092,667 |

Certain long-term liabilities are not due and payable from current financial resources and, therefore, they, along with deferred inflows, are not reported in the funds:

|                                  |              |
|----------------------------------|--------------|
| Capital lease obligations        | (1,151,057)  |
| Due to others - TIF Authority    | (3,659,599)  |
| Accrued compensated absences     | (1,857,826)  |
| Net pension liability            | (9,354,643)  |
| Pension related deferred inflows | (1,317,471)  |
|                                  | (17,340,596) |

|                                                                          |               |
|--------------------------------------------------------------------------|---------------|
| Net Position of Governmental Activities in the Statement of Net Position | \$ 64,665,794 |
|--------------------------------------------------------------------------|---------------|

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**Changes in Fund Balances - Net Position Reconciliation:**

**Net change in fund balances - total governmental funds:** \$ 5,778,363

Amounts reported for Governmental Activities in the Statement of Activities are different because:

Governmental funds report capital outlays as expenditures while governmental activities report depreciation expense to allocate those expenditures over the life of the assets:

|                                       |                    |
|---------------------------------------|--------------------|
| Capital asset purchases capitalized   | 4,317,961          |
| Book value on capital assets disposed | (37,700)           |
| Depreciation expense                  | <u>(2,816,922)</u> |
|                                       | <u>1,463,339</u>   |

Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the funds:

|                            |                |
|----------------------------|----------------|
| Change in deferred revenue | <u>241,666</u> |
|                            | <u>241,666</u> |

In the Statement of Activities, the net cost of pension benefits earned is calculated and reported as pension expense. The fund financial statements report pension contributions as pension expenditures. This amount represents the difference between pension contributions and calculated pension expense.

|  |                  |
|--|------------------|
|  | <u>(971,983)</u> |
|  | <u>(971,983)</u> |

Debt proceeds provide current financial resources to governmental funds, but issuing debt increases long-term liabilities in the Statement of Net Position. Repayment of debt principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the Statement of Net Position:

|                         |                  |
|-------------------------|------------------|
| Debt proceeds received  | (1,015,302)      |
| Debt principal payments | <u>202,225</u>   |
|                         | <u>(813,077)</u> |

Some expenses reported in the Statement of Activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds:

|                                        |                  |
|----------------------------------------|------------------|
| Change in due to others-TIF Authority  | (343,359)        |
| Change in accrued compensated absences | <u>(209,353)</u> |
|                                        | <u>(552,712)</u> |

Internal service funds are used by management to charge the costs of certain activities, such as insurance, to individual funds. A portion of the change in net position of the internal service fund is included in governmental activities in the Statement of Net Position:

|                                                                                           |                  |
|-------------------------------------------------------------------------------------------|------------------|
| Total change in net position of the internal service funds                                | 909,375          |
| Net revenues (expenses) of the internal service fund reported in business-type activities | <u>(265,932)</u> |
|                                                                                           | <u>643,443</u>   |

**Change in net position of governmental activities** \$ 5,789,039

See accompanying notes to the Basic Financial Statements.

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**BASIC FINANCIAL STATEMENTS - PROPRIETARY FUNDS**



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**Proprietary Funds Statement of Net Position - June 30, 2021**

|                                           | Enterprise Funds             |                              |              |                           |
|-------------------------------------------|------------------------------|------------------------------|--------------|---------------------------|
|                                           | Utility<br>Authority<br>Fund | Airport<br>Authority<br>Fund | Total        | Internal<br>Service Funds |
| <b>ASSETS</b>                             |                              |                              |              |                           |
| Current assets:                           |                              |                              |              |                           |
| Cash and cash equivalents                 | \$ 4,726,232                 | \$ 699,994                   | \$ 5,426,226 | \$ 3,614,397              |
| Restricted cash and cash equivalents      | 11,941,082                   | -                            | 11,941,082   | -                         |
| Advance to other funds                    | 474,923                      | -                            | 474,923      | -                         |
| Due from other governments                | -                            | 23,000                       | 23,000       | -                         |
| Accounts receivable, net                  | 2,410,138                    | 22,431                       | 2,432,569    | -                         |
| Total current assets                      | 19,552,375                   | 745,425                      | 20,297,800   | 3,614,397                 |
| Noncurrent assets:                        |                              |                              |              |                           |
| Capital assets:                           |                              |                              |              |                           |
| Land and other non-depreciable assets     | 7,437,256                    | 631,182                      | 8,068,438    | 36,232                    |
| Other capital assets, net of depreciation | 33,724,697                   | 15,134,701                   | 48,859,398   | 80,000                    |
| Total noncurrent assets                   | 41,161,953                   | 15,765,883                   | 56,927,836   | 116,232                   |
| Total assets                              | 60,714,328                   | 16,511,308                   | 77,225,636   | 3,730,629                 |
| <b>DEFERRED OUTFLOWS OF RESOURCES:</b>    |                              |                              |              |                           |
| Deferred amounts related to pensions      | 526,682                      | 22,332                       | 549,014      | -                         |
| <b>LIABILITIES</b>                        |                              |                              |              |                           |
| Current liabilities:                      |                              |                              |              |                           |
| Accounts payable                          | 121,409                      | 60,486                       | 181,895      | 25,066                    |
| Accrued payroll liabilities               | 35,886                       | 2,134                        | 38,020       | 11,981                    |
| Advance from DCUA                         | -                            | 319,683                      | 319,683      | -                         |
| Accrued interest payable                  | 257,323                      | -                            | 257,323      | -                         |
| Estimated liability for claims            | -                            | -                            | -            | 626,003                   |
| Current portion of:                       |                              |                              |              |                           |
| Meter deposit liability                   | 110,209                      | -                            | 110,209      | -                         |
| Notes payable                             | 2,435,179                    | 45,887                       | 2,481,066    | 5,245                     |
| Landfill closure liability                | 22,851                       | -                            | 22,851       | -                         |
| Accrued compensated absences              | 25,236                       | 212                          | 25,448       | 3,431                     |
| Total current liabilities                 | 3,008,093                    | 428,402                      | 3,436,495    | 671,726                   |
| Noncurrent liabilities:                   |                              |                              |              |                           |
| Meter deposit liability                   | 440,838                      | -                            | 440,838      | -                         |
| Notes payable                             | 23,466,574                   | 192,252                      | 23,658,826   | -                         |
| Landfill closure liability                | 434,165                      | -                            | 434,165      | -                         |
| Accrued compensated absences              | 227,121                      | 1,910                        | 229,031      | 30,875                    |
| Net pension liability                     | 202,035                      | 8,428                        | 210,463      | -                         |
| Total noncurrent liabilities              | 24,770,733                   | 202,590                      | 24,973,323   | 30,875                    |
| Total liabilities                         | 27,778,826                   | 630,992                      | 28,409,818   | 702,601                   |
| <b>DEFERRED INFLOWS OF RESOURCES:</b>     |                              |                              |              |                           |
| Deferred amounts related to pensions      | 266,622                      | 14,272                       | 280,894      | -                         |
| <b>NET POSITION</b>                       |                              |                              |              |                           |
| Net investment in capital assets          | 25,560,688                   | 15,527,744                   | 41,088,432   | 110,987                   |
| Restricted for debt service               | 832,224                      | -                            | 832,224      | -                         |
| Unrestricted                              | 6,802,650                    | 360,632                      | 7,163,282    | 2,917,041                 |
| Total net position                        | \$ 33,195,562                | \$ 15,888,376                | 49,083,938   | \$ 3,028,028              |

Amounts reported for business-type activities in the Statement of Net Position are different because: Internal service funds are used by management to charge the costs of certain activities, such as insurance, to individual funds. An interfund receivable or payable has been recorded in the business-type activities for its share of the net income or loss of the internal service funds.

|                                            |               |
|--------------------------------------------|---------------|
| Net position of the Internal Service Funds | 935,361       |
| Net position of business-type activities   | \$ 50,019,299 |

See accompanying notes to the Basic Financial Statements.

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**Proprietary Funds Statement of Changes in Net Position - Year Ended June 30, 2021**

|                                                      | Enterprise Funds             |                           |               |                           |
|------------------------------------------------------|------------------------------|---------------------------|---------------|---------------------------|
|                                                      | Utility<br>Authority<br>Fund | Airport<br>Authority Fund | Total         | Internal Service<br>Funds |
| <b>OPERATING REVENUES</b>                            |                              |                           |               |                           |
| Charges for services:                                |                              |                           |               |                           |
| Water charges                                        | \$ 3,957,413                 | \$ -                      | \$ 3,957,413  | \$ -                      |
| Sewer charges                                        | 2,572,018                    | -                         | 2,572,018     | -                         |
| Water and sewer taps                                 | 103,831                      | -                         | 103,831       | -                         |
| Penalties                                            | 114,815                      | -                         | 114,815       | -                         |
| Non-payment fees                                     | 161,116                      | -                         | 161,116       | -                         |
| Sanitation charges                                   | 4,516,939                    | -                         | 4,516,939     | -                         |
| Landfill gate fees                                   | 920,269                      | -                         | 920,269       | -                         |
| Lab tests                                            | 21,341                       | -                         | 21,341        | -                         |
| Airport                                              | -                            | 700,014                   | 700,014       | -                         |
| Rentals                                              | 113,232                      | -                         | 113,232       | -                         |
| Transfer station fees                                | 381,701                      | -                         | 381,701       | -                         |
| Recycable products                                   | 18,397                       | -                         | 18,397        | -                         |
| Self insurance charges                               | -                            | -                         | -             | 3,107,481                 |
| Miscellaneous                                        | 124,088                      | 14,512                    | 138,600       | 1,206,724                 |
| Total operating revenues                             | 13,005,160                   | 714,526                   | 13,719,686    | 4,314,205                 |
| <b>OPERATING EXPENSES</b>                            |                              |                           |               |                           |
| Public works administration                          | 349,073                      | -                         | 349,073       | -                         |
| Utility billing                                      | 499,211                      | -                         | 499,211       | -                         |
| Water/sewer line maintenance                         | 912,309                      | -                         | 912,309       | -                         |
| Water treatment plant                                | 1,008,916                    | -                         | 1,008,916     | -                         |
| Wastewater treatment                                 | 874,039                      | -                         | 874,039       | -                         |
| Collection - solid waste                             | 957,846                      | -                         | 957,846       | -                         |
| General government                                   | 175,732                      | -                         | 175,732       | -                         |
| Lake Durant                                          | 48,718                       | -                         | 48,718        | -                         |
| Disposal - solid waste                               | 1,404,607                    | -                         | 1,404,607     | -                         |
| Airport                                              | -                            | 601,788                   | 601,788       | -                         |
| Claims expense                                       | -                            | -                         | -             | 3,408,576                 |
| Depreciation expense                                 | 2,491,705                    | 738,750                   | 3,230,455     | 19,188                    |
| Total operating expenses                             | 8,722,156                    | 1,340,538                 | 10,062,694    | 3,427,764                 |
| Operating income (loss)                              | 4,283,004                    | (626,012)                 | 3,656,992     | 886,441                   |
| <b>NON-OPERATING REVENUES (EXPENSES)</b>             |                              |                           |               |                           |
| Investment income                                    | 41,678                       | 2,142                     | 43,820        | 2,861                     |
| Gain (loss) on sale of capital assets                | 750                          | -                         | 750           | -                         |
| Interest expense and fiscal charges                  | (911,927)                    | (10,099)                  | (922,026)     | (622)                     |
| Total non-operating revenue (expenses)               | (869,499)                    | (7,957)                   | (877,456)     | 2,239                     |
| Net income (loss) before contributions and transfers | 3,413,505                    | (633,969)                 | 2,779,536     | 888,680                   |
| Capital contributions                                | 5,916,203                    | 88,015                    | 6,004,218     | 20,695                    |
| Transfers in                                         | 3,017,486                    | 255,270                   | 3,272,756     | -                         |
| Transfers out                                        | (9,799,010)                  | (193,614)                 | (9,992,624)   | -                         |
| Change in net position                               | 2,548,184                    | (484,298)                 | 2,063,886     | 909,375                   |
| Total net position - beginning, restated             | 30,647,378                   | 16,372,674                | 47,020,052    | 2,118,653                 |
| Total net position - ending                          | \$ 33,195,562                | \$ 15,888,376             | \$ 49,083,938 | \$ 3,028,028              |

Change in net position - enterprise funds \$ 2,063,886

Amounts reported for business-type activities in the Statement of Activities are different because: Internal service funds are used by management to charge the costs of certain activities, such as insurance, to individual funds. An interfund receivable or payable has been recorded in the business-type activities for its share of the net income or loss of the

Change in net position of the Internal Service Fund 265,932

Change in the net position of the business-type activities \$ 2,329,818

See accompanying notes to the Basic Financial Statements.

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**Proprietary Funds Statement of Cash Flows - Year Ended June 30, 2021**

|                                                                                                | Enterprise Funds         |                        |                         | Internal Service Funds |
|------------------------------------------------------------------------------------------------|--------------------------|------------------------|-------------------------|------------------------|
|                                                                                                | Utilities Authority Fund | Airport Authority Fund | Total Proprietary Funds |                        |
| <b>CASH FLOWS FROM OPERATING ACTIVITIES</b>                                                    |                          |                        |                         |                        |
| Receipts from customers                                                                        | \$ 12,657,851            | \$ 719,811             | \$ 13,377,662           | \$ 4,314,205           |
| Payments to suppliers                                                                          | (2,952,438)              | (431,048)              | (3,383,486)             | (3,173,250)            |
| Payments to employees                                                                          | (3,465,995)              | (131,415)              | (3,597,410)             | (269,736)              |
| Receipts of customer meter deposits                                                            | 132,483                  | -                      | 132,483                 | -                      |
| Refunds of customer meter deposits                                                             | (106,290)                | -                      | (106,290)               | -                      |
| Other receipts (payments)                                                                      | (488,256)                | 327,908                | (160,348)               | -                      |
| Net Cash Provided by Operating Activities                                                      | <u>5,777,355</u>         | <u>485,256</u>         | <u>6,262,611</u>        | <u>871,219</u>         |
| <b>CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES</b>                                         |                          |                        |                         |                        |
| Transfers from other funds                                                                     | 3,017,486                | 255,270                | 3,272,756               | -                      |
| Transfers to other funds                                                                       | (9,799,010)              | (193,614)              | (9,992,624)             | -                      |
| Net Cash Provided by (Used in) Noncapital Financing Activities                                 | <u>(6,781,524)</u>       | <u>61,656</u>          | <u>(6,719,868)</u>      | <u>-</u>               |
| <b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES</b>                                |                          |                        |                         |                        |
| Proceeds from sale of capital assets                                                           | 750                      | -                      | 750                     | -                      |
| Purchases of capital assets                                                                    | (34,661)                 | (313,078)              | (347,739)               | (83,576)               |
| Proceeds from capital grant and contributions                                                  | -                        | 7,905                  | 7,905                   | -                      |
| Proceeds from issuance of capital debt                                                         | 1,413,374                | -                      | 1,413,374               | -                      |
| Principal paid on capital debt                                                                 | (3,077,810)              | (44,024)               | (3,121,834)             | (4,943)                |
| Interest and fiscal charges paid on capital debt                                               | (876,038)                | (10,099)               | (886,137)               | (622)                  |
| Net Cash Provided by (Used in) Capital and Related Financing Activities                        | <u>(2,574,385)</u>       | <u>(359,296)</u>       | <u>(2,933,681)</u>      | <u>(89,141)</u>        |
| <b>CASH FLOWS FROM INVESTING ACTIVITIES</b>                                                    |                          |                        |                         |                        |
| Interest and dividends                                                                         | 41,678                   | 2,142                  | 43,820                  | 2,861                  |
| Net Cash Provided by Investing Activities                                                      | <u>41,678</u>            | <u>2,142</u>           | <u>43,820</u>           | <u>2,861</u>           |
| <b>Net Increase (Decrease) in Cash and Cash Equivalents</b>                                    | <u>(3,536,876)</u>       | <u>189,758</u>         | <u>(3,347,118)</u>      | <u>784,939</u>         |
| <b>Balances - beginning of the year</b>                                                        | <u>20,204,190</u>        | <u>510,236</u>         | <u>20,714,426</u>       | <u>2,829,458</u>       |
| <b>Balances - end of the year</b>                                                              | <u>\$ 16,667,314</u>     | <u>\$ 699,994</u>      | <u>\$ 17,367,308</u>    | <u>\$ 3,614,397</u>    |
| <b>Reconciliation to Statement of Net Position:</b>                                            |                          |                        |                         |                        |
| Cash and cash equivalents                                                                      | \$ 4,726,232             | \$ 699,994             | \$ 5,426,226            | \$ 3,614,397           |
| Current restricted cash and cash equivalents                                                   | 11,941,082               | -                      | 11,941,082              | -                      |
|                                                                                                | <u>\$ 16,667,314</u>     | <u>\$ 699,994</u>      | <u>\$ 17,367,308</u>    | <u>\$ 3,614,397</u>    |
| <b>Reconciliation of operating income (loss) to net cash provided by operating activities:</b> |                          |                        |                         |                        |
| Operating income (loss)                                                                        | \$ 4,283,004             | \$ (626,012)           | \$ 3,656,992            | \$ 886,441             |
| Adjustments to reconcile operating income (loss) to net cash provided by operating activities: |                          |                        |                         |                        |
| Depreciation expense                                                                           | 2,491,705                | 738,750                | 3,230,455               | 19,188                 |
| Change in assets and liabilities:                                                              |                          |                        |                         |                        |
| Receivables                                                                                    | (347,309)                | 5,285                  | (342,024)               | -                      |
| Advance to other funds                                                                         | (474,923)                | -                      | (474,923)               | -                      |
| Due from other funds                                                                           | -                        | 8,225                  | 8,225                   | -                      |
| Accounts payable                                                                               | (46,551)                 | 40,769                 | (5,782)                 | 18,400                 |
| Accrued payroll liabilities                                                                    | (975)                    | 391                    | (584)                   | 3,629                  |
| Due to other funds                                                                             | (13,333)                 | -                      | (13,333)                | -                      |
| Advance from DCUA                                                                              | -                        | 319,683                | 319,683                 | -                      |
| Estimated liability for claims                                                                 | -                        | -                      | -                       | (53,108)               |
| Landfill closure liability                                                                     | (49,586)                 | -                      | (49,586)                | -                      |
| Meter deposit liability                                                                        | 26,193                   | -                      | 26,193                  | -                      |
| Pension liability & related accounts                                                           | 7,582                    | (854)                  | 6,728                   | -                      |
| Accrued compensated absences                                                                   | (98,452)                 | (981)                  | (99,433)                | (3,331)                |
| Net Cash Provided by Operating Activities                                                      | <u>\$ 5,777,355</u>      | <u>\$ 485,256</u>      | <u>\$ 6,262,611</u>     | <u>\$ 871,219</u>      |
| <b>Noncash activities:</b>                                                                     |                          |                        |                         |                        |
| Contributed capital assets received                                                            | \$ 5,916,203             | \$ 65,015              | \$ 5,981,218            | \$ 20,695              |
| Transferred capital assets                                                                     | <u>\$ 21,017</u>         | <u>\$ -</u>            | <u>\$ 21,017</u>        | <u>\$ -</u>            |

See accompanying notes to the basic financial statements.

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**FOOTNOTES TO THE BASIC FINANCIAL STATEMENTS**

**Footnotes to the Basic Financial Statements:**

**1. Financial Reporting Entity**

In determining the financial reporting entity, the City complies with the provisions of Governmental Accounting Standards Board Statement No. 14, "The Financial Reporting Entity", as amended by Statement 61, and includes all component units for which the City is financially accountable.

The City's financial reporting entity includes the primary government (City of Durant), blended component units, and discretely presented component units as follows:

**The City of Durant** –operates the public safety, culture and recreation, streets and public works, cemetery, and administrative activities

The City of Durant is a Council/Manager form of government with a population of approximately 18,589 located in Bryan County in southeastern Oklahoma. The City is governed by a five-member council and operates under state law and City ordinances through the three branches of democratic government:

- Legislative – the City Council is a five-member governing body elected by the citizens at large
- Executive – the City Manager is the Chief Executive Officer and is appointed by the City Council
- Judicial – the Municipal Judge is a practicing attorney appointed by the City Council

The City provides typical municipal services such as public safety, culture and recreation, cemetery, streets and public works.

**Blended Component Units [City Council serves as governing body (trustees)]:**

**The Durant City Utility Authority** –operates the water, sewer, and sanitation facilities of the City.

**The Durant Library Authority** –operates to promote, own, construct, lease and finance charitable, scientific, literary or educational facilities or purposes.

**The Durant Airport Authority** –operates to develop, construct, plan, establish, install, and enlarge, improve, maintain, equip, operate, control and regulate air transportation facilities.

**The Durant Development Authority** –operates to stimulate economic growth and development of the City – would be reported as a blended component unit, but currently has no financial activity.

**The Durant Tax Increment Finance Authority** –operates to assist the Beneficiary, the State of Oklahoma, its Governmental Agencies, and private entities, agencies and citizens in implementing provisions of the Local Development Act.

**Discretely Presented Component Units [Separate governing body (trustees) from the City Council]:**

**The Durant Industrial Authority** –operates to finance, operate, construct and administer any public works improvements or facilities on behalf of the City

**Durant Community Facilities Authority** –operates to promote and develop public works projects or facilities, recreation and/or tourism, and educational opportunities.

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**Durant Tourism Economic Development Authority** –operates to encourage, promote and foster tourism economic development.

Each of these component units are Public Trusts established pursuant to Title 60 of Oklahoma State law. Public Trusts (Authorities) have no taxing power. The Authorities are generally created to finance City services through issuance of revenue bonds or other non-general obligation debt and to enable the City Council to delegate certain functions to the governing body (Trustees) of the Authority. The Authorities generally retain title to assets which are acquired or constructed with Authority debt or other Authority generated resources. In addition, the City has leased certain existing assets at the creation of the Authorities to the Trustees on a long-term basis. The City, as beneficiary of the Public Trusts, receives title to any residual assets when a Public Trust is dissolved. These trusts issue debt in their name for the acquisition of assets that benefit both other governments and their own.

## **2. Basis of Presentation and Accounting**

### *Government-Wide Financial Statements:*

The statements of net position and activities are reported on the accrual basis of accounting and the economic resources measurement focus. Under the accrual basis of accounting, revenues are recognized when earned and expenses (including depreciation and amortization) are recorded when the liability is incurred or economic asset used. In accordance with the economic resources measurement focus, all assets and liabilities, both current and noncurrent are reported, along with any related deferred outflows and deferred inflows.

Program revenues within the Statement of Activities are derived directly from each activity or from parties outside of the City's taxpayers. The City has the following program revenues in each activity:

- Public Safety – Fire, Police, Animal Control, Court, and Civil Emergency Management – fines and forfeitures, restricted operating grants and restricted capital grants and contributions
- Public works –Streets and City Garage – commercial vehicle and gasoline excise tax shared by the State, sidewalk and street repair fees, operating grants and contributions
- Cemetery – cemetery openings/closings and interments, operating grants and contributions
- Culture and recreation – swimming pool fees, library fees, multi-sports complex fees, operating and capital grants and contributions
- General Government – license and permits, mowing fees, reports and copy fees, digital mapping fees, operating grants and contributions
- Economic Development – Tax increment financing (TIF) taxes and operating grants and contributions

All other governmental revenues are reported as general. All taxes are classified as general revenue even if restricted for a specific purpose.

### *Governmental Funds:*

The City's governmental funds are comprised of the following:

#### **Major Funds:**

- General Fund – accounts for all activities not accounted for in other special-purpose funds.

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*Special Revenue Funds:*

- 1/4 % Sales Tax Economic Development - accounts for one-quarter cent sales tax restricted for economic development.
- 5/8 % Sales Tax Education Fund - accounts for five-eighths cent sales tax restricted for Durant Public Schools for education capital projects.
- Durant Tax Increment Finance Authority - accounts for TIF taxes restricted for repayment of Tax Increment Revenue bonds.

*Capital Project Funds:*

- 1% Sales Tax Revenue Fund - accounts for revenues received from the third-penny city sales tax, earmarked for capital improvements and related debt service.
- Capital Improvement Fund - accounts for capital expenditures of all departments, in all funds. Receives transfers from other funds as its main revenue source.

Aggregated Non-Major Funds (reported as Other Governmental Funds):

*Special Revenue Funds:*

- Special 911 Tax Fund - accounts for the revenues received from the emergency service fees on telephone bills. Funds are used to pay monthly service charges for the enhanced 911 system. Remaining funds may be used for other emergency communications needs.
- R.L Williams Library Fund - accounts for revenues received from library fines, copies, memorials, etc. Funds are used for operations of the library.
- Drug Enforcement Fund - accounts for revenues received by police department from a proportionate distribution of funds related to property received from drug forfeitures. Funds are expended for purposes of surveillance, communications and related expenditures.
- HOME/FEMA Grant Fund - accounts for HOME/FEMA Grant funds in accordance with state and federal program guidelines.
- 1/4 % Sales Tax M.S. Fund - accounts for one-quarter cent sales tax restricted for transfer to DCFA for multi-sports complex.
- 1/4 % Sales Tax SOSU Fund - accounts for one-quarter cent sales tax restricted for transfer to DCFA for SOSU capital projects.
- 5% Lodging Tourism Tax Fund – accounts for 5% lodging/tourism tax restricted for transfer to Durant Tourism Economic Development Authority (DTEDA)

*Capital Project Funds:*

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- DWRF Community Center & Library Fund – accounts for donation revenue for community center & library project.
- Cemetery Care Fund - accounts for the transfer of 12.5% of revenue from cemetery lot sales and interment fees, which, with the exception of interest earnings, may only be used to purchase additional land and for major capital improvements to the cemetery. Interest earnings in the fund are transferred to Cemetery Operations Account, which is combined with the General Fund for report purposes.
- CDBG Fund - accounts for Community Development Block Grant funds in accordance with state and federal program guidelines.

The governmental funds are reported on the modified accrual basis of accounting and current financial resources measurement focus. On the modified accrual basis of accounting revenues are recorded when earned and measurable and available to pay current financial obligations, while expenditures are recorded when incurred and payable from current financial resources. The City defines revenue availability as collected within 60 days of period end.

The reconciliation of the governmental funds financial statements to the governmental activities presentation in the government-wide financial statements is the result of the use of the accrual basis of accounting and economic resources measurement focus at the government-wide level.

The General Fund, 1% Sales Tax Revenue Fund, Capital Improvement Fund, 1/4% Sales Tax Economic Development Fund, 5/8% Sales Tax Education Fund, and Durant Tax Increment Finance Authority are considered major funds and are therefore displayed in separate columns. All other governmental funds are considered non-major funds and are aggregated under the column Other Governmental Funds.

*Proprietary Funds:*

When the City charges customers for the services it provides, these services are generally reported in proprietary funds. Proprietary funds include enterprise funds and internal service funds. Enterprise funds are used to account for business-like activities provided to the general public. Internal service funds are used to account for business-type activities provided within the government. Proprietary funds are reported on the accrual basis of accounting and economic resources measurement focus. For example, proprietary fund capital assets are capitalized and depreciated and principal payments on long-term debt are recorded as a reduction to the liability. The City's enterprise funds are the Durant City Utilities Authority, and Durant Airport Authority. The City's internal service funds include the Employee Health Fund, Worker's Compensation Fund, and the Info Tech Service Fund.

The Durant City Utilities Authority Fund and the Durant Airport Authority Fund are considered major funds and are therefore displayed in separate columns.

### **3. Cash, Cash Equivalents, Deposits and Investments**

For the purposes of the statement of net position, balance sheets, and statement of cash flows, cash and cash equivalents includes all demand and savings accounts, certificates of deposit or short-term investments with an original maturity of three-months or less. Revenue bond and promissory note trust



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account investments in open-ended mutual fund shares are also considered cash equivalents and are reported at the funds' current share prices.

Investments consist of non-negotiable certificates of deposit whose original maturity term exceeds three months and mutual funds. These non-negotiable certificates of deposit are carried at cost. Marketable investments are carried at fair value.

The City of Durant is governed by the deposit and investment limitations of state law. The deposits and investments held at June 30, 2021 are as follows:

**Deposits and Investments**

**PRIMARY GOVERNMENT:**

| <b><u>Type of Deposits and Investments</u></b>      | <b><u>Maturities</u></b>    | <b><u>Carrying Value</u></b> |
|-----------------------------------------------------|-----------------------------|------------------------------|
| Demand deposits                                     |                             | \$24,102,293                 |
| Time deposit                                        | 02/04/22                    | 41,316                       |
| Cash on hand                                        |                             | 4,381                        |
|                                                     | <b><u>Credit Rating</u></b> |                              |
| Mutual Funds - First United Money Market            | not rated                   | 11,390,035                   |
| Mutual Funds - Blackrock Liq Fedfd-Csh Res          | AAAm                        | 572,004                      |
| <b>Total</b>                                        |                             | <b><u>\$36,110,029</u></b>   |
| <b>Reconciliation to Statement of Net Position:</b> |                             |                              |
| Cash and cash equivalents                           |                             | \$ 36,068,713                |
| Investments                                         |                             | 41,316                       |
|                                                     |                             | <b><u>\$ 36,110,029</u></b>  |

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**COMPONENT UNITS:**

**Durant Industrial Authority:**

| <u>Type of Deposits and Investments</u> | <u>Maturities</u> | <u>Carrying Value</u> |
|-----------------------------------------|-------------------|-----------------------|
| Demand deposits                         |                   | \$ 1,233,332          |
| Time deposit                            | 9/20/2021         | 353,001               |
|                                         |                   | <u>\$ 1,586,333</u>   |

**Reconciliation to Statement of Net Position:**

|                           |                     |
|---------------------------|---------------------|
| Cash and cash equivalents | \$ 1,233,332        |
| Investments               | 353,001             |
|                           | <u>\$ 1,586,333</u> |

**Durant Community Facilities Authority:**

| <u>Type of Deposits and Investments</u>              | <u>Carrying Value</u> |
|------------------------------------------------------|-----------------------|
| Demand deposits                                      | \$ 1,944,100          |
|                                                      |                       |
|                                                      | <b>Credit Rating</b>  |
| Mutual Funds - Goldman Sachs Financial Sq Trsy Oblig | AAAm 236,883          |
|                                                      |                       |
| <b>Total</b>                                         | <u>\$ 2,180,983</u>   |

**Reconciliation to Statement of Net Position:**

|                           |                     |
|---------------------------|---------------------|
| Cash and cash equivalents | \$ 2,180,983        |
|                           | <u>\$ 2,180,983</u> |

**Durant Tourism Economic Development Authority:**

| <u>Type of Deposits and Investments</u> | <u>Carrying Value</u> |
|-----------------------------------------|-----------------------|
| Demand deposits                         | \$ 857,032            |
|                                         |                       |
| <b>Total</b>                            | <u>\$ 857,032</u>     |

**Reconciliation to Statement of Net Position:**

|                           |                   |
|---------------------------|-------------------|
| Cash and cash equivalents | \$ 857,032        |
|                           | <u>\$ 857,032</u> |

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*Custodial Credit Risk* – Exposure to custodial credit risk related to deposits exists when the City holds deposits that are uninsured and uncollateralized; collateralized with securities held by the pledging financial institution, or by its trust department or agent but not in the City's name; or collateralized without a written or approved collateral agreement. Exposure to custodial credit risk related to investments exists when the City holds investments that are uninsured and unregistered, with securities held by the counterparty or by its trust department or agent but not in the City's name.

The City's policy as it relates to custodial credit risk is to secure its uninsured deposits with collateral, valued at no more than market value, at least at a level of 110% of the uninsured deposits and accrued interest thereon. As of June 30, 2021, the City's deposits were fully collateralized.

*Investment Interest Rate Risk* - the City does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. The City's only investments are in open ended mutual funds.

*Investment Credit Risk* – The City has no investment policy that limits its investment choices other than the limitations of state law that generally authorize investments in:

- a. Direct obligations of the U. S. Government, its agencies and instrumentalities to which the full faith and credit of the U. S. Government is pledged.
- b. Certificates of deposit or savings accounts that are either insured or secured with acceptable collateral with in-state financial institutions, and fully insured certificates of deposit or savings accounts in out-of-state financial institutions.
- c. With certain limitation, negotiable certificates of deposit, prime bankers acceptances, prime commercial paper and repurchase agreements with certain limitations.
- d. County, municipal or school district tax supported debt obligations, bond or revenue anticipation notes, money judgments, or bond or revenue anticipation notes of public trusts whose beneficiary is a county, municipality or school district.
- e. Notes or bonds secured by mortgage or trust deed insured by the Federal Housing Administrator and debentures issued by the Federal Housing Administrator, and in obligations of the National Mortgage Association.
- f. Money market funds regulated by the SEC and in which investments consist of the investments mentioned in the previous paragraphs a., b., c., d., and e.

*Concentration of Investment Credit Risk* - the City places no limit on the amount it may invest in any one issuer. The City had no investments in one issuer that exceeded the 10% threshold.

*Restricted Cash and Investments* - The amounts reported as restricted assets of the Enterprise Funds on the statement of net position are comprised of amounts held by the Durant City Utilities Authority and Durant Airport Authority for utility deposits (refunded upon termination of service or applied to final bill) and amounts held by the trustee bank related to debt activity. The restricted assets as of June 30, 2021 are as follows:

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|                            | Current<br>Cash and cash<br>Equivalents |
|----------------------------|-----------------------------------------|
| Utility Deposits           | \$ 551,047                              |
| OWRB Accounts (DCUA):      |                                         |
| 2009A Principal Account    | 125,173                                 |
| 2009A Interest Account     | 73,104                                  |
| 2009B Principal Account    | 44,238                                  |
| 2009B Interest Account     | 25,258                                  |
| 2009B Construction Account | 4                                       |
| 2010 Principal Account     | 53,807                                  |
| 2010 Interest Account      | 29,266                                  |
| 2012A Principal Account    | 259,571                                 |
| 2012A Interest Account     | 3,923                                   |
| 2012A Construction Account | 14                                      |
| 2013 Principal Account     | 133,648                                 |
| 2013 Interest Account      | 5,032                                   |
| 2007 Revenue Account       | 4,694                                   |
| 2007 Project Account       | 78                                      |
| 2007 Principal Account     | 110,783                                 |
| 2007 Interest Account      | 38,301                                  |
| 2020 Construction Account  | 10,300,392                              |
| 2020 Principal Account     | 50,037                                  |
| 2020 Interest Account      | 132,712                                 |
| Total Restricted Assets    | <u>\$ 11,941,082</u>                    |

**4. Accounts Receivable**

|                           | Receivable   | Allowance for<br>Bad Debts | Net<br>Receivable |
|---------------------------|--------------|----------------------------|-------------------|
| Governmental Activities:  |              |                            |                   |
| Court Fines Receivable    | \$ 634,637   | \$ (571,173)               | \$ 63,464         |
| Business-Type Activities: |              |                            |                   |
| Airport Receivables       | \$ 36,133    | \$ (13,702)                | \$ 22,431         |
| Utility Receivables       | \$ 2,704,100 | \$ (293,962)               | \$ 2,410,138      |

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## 5. Capital Assets and Depreciation

### *Capital Assets:*

Capital assets consist of land, land improvement, construction in progress, buildings and building improvements, machinery and equipment, and infrastructure. A capitalization threshold of \$5,000 is used to report capital assets with the exception of buildings and infrastructure assets which have a threshold of \$25,000. Capital assets are reported at actual or estimated historical cost. Estimated historical cost was used to value the majority of the assets acquired prior to June 30, 2003. Prior to July 1, 2003, governmental funds' infrastructure assets, such as streets, bridges, drainage systems and traffic signal systems were not capitalized. Infrastructure assets acquired since that date are recorded at cost. Donated capital assets are recorded at their fair value at the date of donation. For the year ended June 30, 2021, capital assets balances changed as follows:

### **Primary Government:**

|                                                 | Balance at<br>July 1, 2020 | Additions<br>and Transfers | Disposals<br>and Transfers | Balance at<br>June 30, 2021 |
|-------------------------------------------------|----------------------------|----------------------------|----------------------------|-----------------------------|
| Governmental activities:                        |                            |                            |                            |                             |
| Non-depreciable:                                |                            |                            |                            |                             |
| Land                                            | \$ 5,341,392               | \$ 40,000                  | \$ -                       | \$ 5,381,392                |
| Construction-in-progress                        | 820,464                    | 950,861                    | (176,871)                  | 1,594,454                   |
| Total non-depreciable assets at historical cost | <u>6,161,856</u>           | <u>990,861</u>             | <u>(176,871)</u>           | <u>6,975,846</u>            |
| Depreciable:                                    |                            |                            |                            |                             |
| Buildings                                       | 25,679,348                 | 27,766                     | -                          | 25,707,114                  |
| Improvements                                    | 4,452,629                  | -                          | -                          | 4,452,629                   |
| Machinery and equipment                         | 14,405,513                 | 1,605,099                  | (607,891)                  | 15,402,721                  |
| Infrastructure                                  | 82,697,606                 | 1,988,737                  | -                          | 84,686,343                  |
| Total depreciable assets at historical cost     | <u>127,235,096</u>         | <u>3,621,602</u>           | <u>(607,891)</u>           | <u>130,248,807</u>          |
| Less accumulated depreciation                   |                            |                            |                            |                             |
| Buildings                                       | (7,385,676)                | (642,623)                  | -                          | (8,028,299)                 |
| Improvements                                    | (2,430,343)                | (159,231)                  | -                          | (2,589,574)                 |
| Machinery and equipment                         | (10,137,536)               | (691,918)                  | 587,240                    | (10,242,214)                |
| Infrastructure                                  | (63,536,689)               | (1,372,747)                | -                          | (64,909,436)                |
| Total accumulated depreciation                  | <u>(83,490,244)</u>        | <u>(2,866,519)</u>         | <u>587,240</u>             | <u>(85,769,523)</u>         |
| Net depreciable assets                          | <u>43,744,852</u>          | <u>755,083</u>             | <u>(20,651)</u>            | <u>44,479,284</u>           |
| Governmental activities capital assets, net     | <u>\$ 49,906,708</u>       | <u>\$ 1,745,944</u>        | <u>\$ (197,522)</u>        | <u>\$ 51,455,130</u>        |
| Business-type activities:                       |                            |                            |                            |                             |
| Non-depreciable:                                |                            |                            |                            |                             |
| Land                                            | \$ 2,674,435               | \$ -                       | \$ -                       | \$ 2,674,435                |
| Construction-in-progress                        | 1,341,541                  | 5,202,089                  | (1,149,627)                | 5,394,003                   |
| Total non-depreciable assets at historical cost | <u>4,015,976</u>           | <u>5,202,089</u>           | <u>(1,149,627)</u>         | <u>8,068,438</u>            |
| Depreciable:                                    |                            |                            |                            |                             |
| Buildings                                       | 33,552,602                 | 15,695                     | -                          | 33,568,297                  |
| Improvements                                    | 21,824,483                 | -                          | -                          | 21,824,483                  |
| Machinery and equipment                         | 12,282,355                 | 772,429                    | (55,655)                   | 12,999,129                  |
| Utility property and improvements               | 41,005,538                 | 1,509,478                  | -                          | 42,515,016                  |
| Total depreciable assets at historical cost     | <u>108,664,978</u>         | <u>2,297,602</u>           | <u>(55,655)</u>            | <u>110,906,925</u>          |
| Less accumulated depreciation                   |                            |                            |                            |                             |
| Buildings                                       | (22,594,397)               | (1,123,514)                | -                          | (23,717,911)                |
| Improvements                                    | (9,507,741)                | (604,167)                  | -                          | (10,111,908)                |
| Machinery and equipment                         | (9,384,893)                | (637,815)                  | 55,655                     | (9,967,053)                 |
| Utility property and improvements               | (17,364,589)               | (886,066)                  | -                          | (18,250,655)                |
| Total accumulated depreciation                  | <u>(58,851,620)</u>        | <u>(3,251,562)</u>         | <u>55,655</u>              | <u>(62,047,527)</u>         |
| Net depreciable assets                          | <u>49,813,358</u>          | <u>(953,960)</u>           | <u>-</u>                   | <u>48,859,398</u>           |
| Business-type capital assets, net               | <u>\$ 53,829,334</u>       | <u>\$ 4,248,129</u>        | <u>\$ (1,149,627)</u>      | <u>\$ 56,927,836</u>        |

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**Component Units:**

|                                                           | Balance at<br>July 1, 2020 | Additions<br>and Transfers | Deductions<br>and Transfers | Balance at<br>June 30, 2021 |
|-----------------------------------------------------------|----------------------------|----------------------------|-----------------------------|-----------------------------|
| <b>COMPONENT UNITS:</b>                                   |                            |                            |                             |                             |
| <b>Durant Industrial Authority:</b>                       |                            |                            |                             |                             |
| Non-depreciable:                                          |                            |                            |                             |                             |
| Land                                                      | \$ 1,673,856               | \$ 201,709                 | \$ -                        | \$ 1,875,565                |
| Construction-in-progress                                  | -                          | -                          | -                           | -                           |
| Total non-depreciable assets at historical cost           | <u>1,673,856</u>           | <u>201,709</u>             | <u>-</u>                    | <u>1,875,565</u>            |
| Depreciable:                                              |                            |                            |                             |                             |
| Utility property and improvements                         | 17,664                     | -                          | -                           | 17,664                      |
| Total depreciable assets at historical cost               | <u>17,664</u>              | <u>-</u>                   | <u>-</u>                    | <u>17,664</u>               |
| Less accumulated depreciation                             |                            |                            |                             |                             |
| Utility property and improvements                         | (2,062)                    | (442)                      | -                           | (2,504)                     |
| Total accumulated depreciation                            | <u>(2,062)</u>             | <u>(442)</u>               | <u>-</u>                    | <u>(2,504)</u>              |
| Net depreciable assets                                    | <u>15,602</u>              | <u>(442)</u>               | <u>-</u>                    | <u>15,160</u>               |
| Durant Industrial Authority capital assets, net           | <u><u>\$ 1,689,458</u></u> | <u><u>\$ 201,267</u></u>   | <u><u>\$ -</u></u>          | <u><u>\$ 1,890,725</u></u>  |
| <b>Durant Community Facilities Authority:</b>             |                            |                            |                             |                             |
| Non-depreciable:                                          |                            |                            |                             |                             |
| Land                                                      | \$ 266,000                 | \$ -                       | \$ -                        | \$ 266,000                  |
| Durant Community Facilities Authority capital assets, net | <u><u>\$ 266,000</u></u>   | <u><u>\$ -</u></u>         | <u><u>\$ -</u></u>          | <u><u>\$ 266,000</u></u>    |

*Depreciation:*

Depreciable capital assets are depreciated on a straight-line basis over useful lives. The range of estimated useful lives by type of asset is as follows: Buildings 20-40 years, Improvements other than buildings 20-50 years, Machinery and equipment 3-15 years, and Infrastructure 30-40 years.

Depreciation of capital assets is included in total expenses and is charged or allocated to the activities primarily benefiting from the use of the specific asset. Depreciation expense has been allocated as follows:

| Governmental Activities:       |                            | Business-Type Activities:      |                            |
|--------------------------------|----------------------------|--------------------------------|----------------------------|
| General government             | \$ 167,350                 | Water                          | \$ 786,800                 |
| Public safety                  | 540,446                    | Sewer                          | 1,157,020                  |
| Public works                   | 1,439,846                  | Sanitation                     | 547,885                    |
| Culture and recreation         | 679,809                    | Airport                        | 738,750                    |
| Cemetery                       | 8,659                      | Total depreciation expense     | <u>\$ 3,230,455</u>        |
| Total depreciation expense     | <u>\$ 2,836,110</u>        |                                |                            |
| Transfers - accumulated depr.  | 30,409                     | Transfers - accumulated depr.  | 21,107                     |
| Total accumulated depreciation | <u><u>\$ 2,866,519</u></u> | Total accumulated depreciation | <u><u>\$ 3,251,562</u></u> |

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**6. Long-Term Debt and Debt Service Requirements**

For the year ended June 30, 2021, the reporting entity's long-term debt changed as follows:

| <u>Type of Debt</u>                           | Balance<br>July 1, 2020 | Additions           | Deductions          | Balance<br>June 30, 2021 | Amounts Due<br>Within a Year |
|-----------------------------------------------|-------------------------|---------------------|---------------------|--------------------------|------------------------------|
| <b>Governmental Activities:</b>               |                         |                     |                     |                          |                              |
| Capital Lease Obligations                     | \$ 348,168              | \$ 1,015,302        | \$ 207,168          | \$ 1,156,302             | \$ 265,816                   |
| Accrued Compensated Absences                  | 1,686,110               | 331,986             | 125,964             | 1,892,132                | 189,214                      |
| Total Governmental Activities                 | <u>\$ 2,034,278</u>     | <u>\$ 1,347,288</u> | <u>\$ 333,132</u>   | <u>\$ 3,048,434</u>      | <u>\$ 455,030</u>            |
| Plus: Net Pension Liability                   |                         |                     |                     | 9,354,643                |                              |
|                                               |                         |                     |                     | <u>\$ 12,403,077</u>     |                              |
| <b>Business-type Activities:</b>              |                         |                     |                     |                          |                              |
| Notes Payable - Direct Borrowings/Placements  | \$ 27,848,352           | \$ 1,413,374        | \$ 3,121,834        | \$ 26,139,892            | \$ 2,481,066                 |
| Landfill Closure Liability                    | 506,602                 | -                   | 49,586              | 457,016                  | 22,851                       |
| Meter Deposit Liability                       | 524,854                 | 132,483             | 106,290             | 551,047                  | 110,209                      |
| Accrued Compensated Absences                  | 353,912                 | 28,365              | 127,798             | 254,479                  | 25,448                       |
| Total Business-Type Activities                | <u>\$ 29,233,720</u>    | <u>\$ 1,574,222</u> | <u>\$ 3,405,508</u> | <u>\$ 27,402,434</u>     | <u>\$ 2,639,574</u>          |
| Plus: Net Pension Liability                   |                         |                     |                     | 210,463                  |                              |
|                                               |                         |                     |                     | <u>\$ 27,612,897</u>     |                              |
| <b>Component Unit Debt:</b>                   |                         |                     |                     |                          |                              |
| <b>Durant Industrial Authority:</b>           |                         |                     |                     |                          |                              |
| Notes Payable - Direct Borrowings/Placements  | \$ 778,166              | \$ -                | \$ 135,442          | \$ 642,724               | \$ 154,080                   |
| Accrued Compensated Absences                  | 1,267                   | 1,108               | -                   | 2,375                    | 237                          |
| Total Durant Industrial Authority             | <u>779,433</u>          | <u>1,108</u>        | <u>135,442</u>      | <u>645,099</u>           | <u>154,317</u>               |
| <b>Durant Community Facilities Authority:</b> |                         |                     |                     |                          |                              |
| Notes Payable - Direct Borrowings/Placements  | \$ 419,189              | \$ -                | \$ 87,769           | \$ 331,420               | \$ 92,733                    |
| Revenue Bonds Payable                         | 6,105,000               | -                   | 1,235,000           | 4,870,000                | 1,320,000                    |
| Total Durant Community Facilities Authority   | <u>6,524,189</u>        | <u>-</u>            | <u>1,322,769</u>    | <u>5,201,420</u>         | <u>1,412,733</u>             |
| Total Component Unit Debt                     | <u>\$ 7,303,622</u>     | <u>\$ 1,108</u>     | <u>\$ 1,458,211</u> | <u>\$ 5,846,519</u>      | <u>\$ 1,567,050</u>          |

*Governmental activities long-term debt:*

Capital Lease Obligations:

|                                                                                                                                                                            |          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| \$200,230 capital lease with First United Bank for a rescue pumper, payable in monthly installments of \$3,586, final payment due August 20, 2022, with interest at 2.85%  | \$45,417 |
| \$283,169 capital lease with Motorola for 911 equipment, payable in annual installments of \$45,451, final payment due December 31, 2025, with interest at 4.07%           | 216,171  |
| \$499,590 capital lease with American Nation Bank for fire truck, payable in monthly installments of \$4,700, final payment due February 25, 2031, with interest at 2.375% | 485,894  |
| \$231,562 capital lease with Vision Bank for 5 police vehicles, payable in monthly installments of \$4,087, final payment due February 20, 2026, with interest at 2.251%   | 216,881  |
| \$284,150 capital lease with Motorola for police body cameras, payable in annual installments of \$97,455, final payment due September 8, 2022, with interest at 2.882%    | 186,694  |

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|                                                                                                                                                                                |              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| \$24,681 capital lease with Dell Financial Services for IT equipment, payable in annual installments of \$5,565, final payment due September 30, 2021, with interest at 5.937% | <u>5,245</u> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|

|                                 |                     |
|---------------------------------|---------------------|
| Total Capital Lease Obligations | <u>\$ 1,156,302</u> |
|---------------------------------|---------------------|

|                 |            |
|-----------------|------------|
| Current portion | \$ 265,816 |
|-----------------|------------|

|                     |                |
|---------------------|----------------|
| Non-current portion | <u>890,486</u> |
|---------------------|----------------|

|                                 |                     |
|---------------------------------|---------------------|
| Total Capital Lease Obligations | <u>\$ 1,156,302</u> |
|---------------------------------|---------------------|

Accrued Compensated Absences:

Accrued compensated absences reported in the governmental activities are comprised of accrued vacation, holiday and compensatory time leave.

|                 |            |
|-----------------|------------|
| Current portion | \$ 189,214 |
|-----------------|------------|

|                     |                  |
|---------------------|------------------|
| Non-current portion | <u>1,702,918</u> |
|---------------------|------------------|

|                                    |                    |
|------------------------------------|--------------------|
| Total Accrued Compensated Absences | <u>\$1,892,132</u> |
|------------------------------------|--------------------|

Net Pension Liability:

|                 |      |
|-----------------|------|
| Current portion | \$ - |
|-----------------|------|

|                     |                  |
|---------------------|------------------|
| Non-current portion | <u>9,354,643</u> |
|---------------------|------------------|

|                             |                    |
|-----------------------------|--------------------|
| Total Net Pension Liability | <u>\$9,354,643</u> |
|-----------------------------|--------------------|

*Business-type activities long-term debt:*

Notes Payable - Direct Borrowings/Placements:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <p>Note Payable (DCUA) to Oklahoma Water Resources Board dated June 18, 2019, original amount of \$4,000,000 with an annual interest rate of 1.51%, admin fee of 0.5%, due in semi-annual principal installments each March 15 and September 15 of \$100,000 beginning September 15, 2020, final installment due March 15, 2040. Collateral for this note is a pledge of revenues. In the event of default, the lender may: 1) file suit for specific performance of any or all of the covenants of the Borrower contained in this Loan Agreement or in the Local Note; 2) accelerate the payment of principal of and interest accrued on the Local Note; 3) appoint temporary trustees to take over, operate and maintain the System on a profitable basis and ensure the payment of the principal of and interest on the Local Note and any other Borrower indebtedness; 4) file suit to enforce or enjoin the action or inaction of the parties under the provisions of this Loan Agreement.</p> | \$1,413,374 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| <p>Note Payable (DCUA) to Oklahoma Water Resources Board dated June 1, 2020, original amount of \$12,935,000 with an annual interest rate of 1.2%, admin fee of 0.5%, due in semi-annual principal installments each March 15 and September 15 ranging from \$1,000 to \$612,000, beginning March 15, 2022, final installment due September 15, 2041. Collateral for this note is a pledge of revenues. In the event of default, the lender may: 1) file suit for specific performance of any or all of the covenants of the Borrower contained in this Loan Agreement or in the Local Note; 2) accelerate the payment of principal of and interest accrued on the Local Note; 3) appoint temporary trustees to take over, operate and maintain the System on a profitable basis and ensure the payment of the principal of and interest on the Local Note and any other Borrower indebtedness; 4) file suit to enforce or enjoin the action or inaction of the parties under the provisions of this Loan Agreement.</p> | 264,200 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|



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Note Payable (DAA) to Vision Bank dated May 2, 2016, original amount of \$450,000 with an annual interest rate of 3.706%, due in monthly installments of \$4,493, final installment due May 1, 2026. The Note is unsecured. In the event of default, the lender may declare the entire principal amount of the Note and the accrued interest due and payable immediately. 238,139

Sales Tax & Utility Revenue Note (DCUA) to First United Trust Bank dated August 28, 2007, original amount of \$5,610,000 with an annual interest rate of 4.49%, due in semi-annual installments with principal ranging from \$80,000 to \$215,000, final installment due September 1, 2027. The collateral for this note is a pledge of revenues. In the event of default, the lender may: 1) file suit for specific performance of any or all of the covenants of the Authority contained in this Note Indenture; 2) acceleration of the payment of principal of and interest accrued on all notes; 3) appoint temporary trustees to take over, operate and maintain the System on a profitable basis and ensure the payment of the principal of and interest on the note; 4) file suit to enforce or enjoin the action or inaction of the borrower under the provisions of the Note Indenture. 2,400,000

Sales Tax & Utility Revenue Note (DCUA) to First United Trust Bank dated September 1, 2009, original amount of \$6,000,000 with an annual interest rate of 4.45%, due in semi-annual installments with principal ranging from \$90,000 to \$255,000, final installment due September 1, 2029. The collateral for this note is a pledge of revenues. In the event of default, the lender may: 1) file suit for specific performance of any or all of the covenants of the Authority contained in this Note Indenture; 2) acceleration of the payment of principal of and interest accrued on all notes; 3) appoint temporary trustees to take over, operate and maintain the System on a profitable basis and ensure the payment of the principal of and interest on the note; 4) file suit to enforce or enjoin the action or inaction of the borrower under the provisions of the Note Indenture. 3,240,000

Sales Tax & Utility Revenue Note (DCUA) to First United Trust Bank dated September 1, 2009, original amount of \$2,000,000 with an annual interest rate of 4.589%, due in semi-annual installments with principal ranging from \$25,000 to \$75,000, final installment due September 1, 2029. The collateral for this note is a pledge of revenues. In the event of default, the lender may: 1) file suit for specific performance of any or all of the covenants of the Authority contained in this Note Indenture; 2) acceleration of the payment of principal of and interest accrued on all notes; 3) appoint temporary trustees to take over, operate and maintain the System on a profitable basis and ensure the payment of the principal of and interest on the note; 4) file suit to enforce or enjoin the action or inaction of the borrower under the provisions of the Note Indenture. 1,085,000

Sales Tax & Utility Revenue Note (DCUA) to First United Trust Bank dated November 1, 2010, original amount of \$6,000,000 with an annual interest rate of 3.95%, due in semi-annual installments with principal ranging from \$100,000 to \$215,000, final installment due November 1, 2030. The collateral for this note is a pledge of sales tax and gross revenues of the system and a security interest in the lease agreement. In the event of default, the lender may: 1) file suit for specific performance of any or all of the covenants of the Authority contained in this Note Indenture; 2) acceleration of the payment of principal of and interest accrued on all notes; 3) appoint temporary trustees to take over, operate and maintain the System on a profitable basis and ensure the payment of the principal of and interest on the note; 4) file suit to enforce or enjoin the action or inaction of the borrower under the provisions of the Note Indenture. 3,435,000

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Sales Tax & Utility Revenue Note (DCUA) to First United Trust Bank dated April 23, 2020, original amount of \$13,280,000 with an annual interest rate of 3.00%, due in semi-annual installments with principal ranging from \$10,000 to \$625,000, final installment due March 1, 2035. The collateral for this note is a pledge of sales tax and gross revenues of the system and a security interest in the lease agreement. In the event of default, the lender may: 1) file suit for specific performance of any or all of the covenants of the Authority contained in this Note Indenture; 2) acceleration of the payment of principal of and interest accrued on all notes; 3) appoint temporary trustees to take over, operate and maintain the System on a profitable basis and ensure the payment of the principal of and interest on the note; 4) file suit to enforce or enjoin the action or inaction of the borrower under the provisions of the Note Indenture.      | 13,260,000 |
| Note Payable (DCUA) to Landmark Bank for 2 sanitation trucks dated September 22, 2016, original amount of \$374,340 with an annual interest rate of 2.25%, due in monthly installments of \$6,607, final installment due September 22, 2021. The collateral is a security interest in the equipment purchased with the proceeds of this Note. In the event of default, the lender may declare the entire principal amount of the Note and the accrued interest due and payable immediately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 19,425     |
| Note Payable (DCUA) to Landmark Bank for a sanitation truck dated November 1, 2016, original amount of \$183,340 with an annual interest rate of 2.45%, due in monthly installments of \$3,254, final installment due November 1, 2021. The collateral is a security interest in the equipment purchased with the proceeds of this Note. In the event of default, the lender may declare the entire principal amount of the Note and the accrued interest due and payable immediately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 12,646     |
| Note Payable (DCUA) to Landmark Bank for a sanitation truck dated September 22, 2016, original amount of \$280,986 with an annual interest rate of 2.4%, due in monthly installments of \$4,978, final installment due September 22, 2021. The collateral is a security interest in the equipment purchased with the proceeds of this Note. In the event of default, the lender may declare the entire principal amount of the Note and the accrued interest due and payable immediately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 14,618     |
| Note Payable (DCUA) to First United Bank for 2 sanitation vehicles dated November 16, 2016, original amount of \$85,986 with an annual interest rate of 2.69%, due in monthly installments of \$1,535, final installment due November 20, 2021. The collateral is a security interest in the equipment purchased with the proceeds of this Note. In the event of default, the lender may declare the entire principal amount of the Note and the accrued interest due and payable immediately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 7,490      |
| Sales Tax & Utility Revenue Note (DCUA) to First United Trust Bank dated December 20, 2012, original amount of \$7,500,000 with an annual interest rate of 2.35%, due in semi-annual installments with principal ranging from \$300,000 to \$495,000, final installment due October 1, 2021. The collateral for this note is a pledge of sales tax and gross revenues of the system and a security interest in the lease agreement. In the event of default, the lender may: 1) file suit for specific performance of any or all of the covenants of the Authority contained in this Note Indenture; 2) acceleration of the payment of principal of and interest accrued on all notes; 3) appoint temporary trustees to take over, operate and maintain the System on a profitable basis and ensure the payment of the principal of and interest on the note; 4) file suit to enforce or enjoin the action or inaction of the borrower under the provisions of the Note Indenture. | 495,000    |

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Sales Tax & Utility Revenue Note (DCUA) to First United Trust Bank dated July 24, 2013, original amount of \$3,805,000 with an annual interest rate of 2.06%, due in semi-annual installments with principal ranging from \$60,000 to \$255,000, final installment due October 1, 2021. The collateral for this note is a pledge of revenues. In the event of default, the lender may: 1) file suit for specific performance of any or all of the covenants of the Authority contained in this Note Indenture; 2) acceleration of the payment of principal of and interest accrued on all notes; 3) appoint temporary trustees to take over, operate and maintain the System on a profitable basis and ensure the payment of the principal of and interest on the note; 4) file suit to enforce or enjoin the action or inaction of the borrower under the provisions of the Note Indenture.

255,000

Total Notes Payable (Direct Borrowings/Placements)

\$26,139,892

Current portion

\$2,481,066

Non-current portion

23,658,826

Total Notes Payable (Direct Borrowings/Placements)

\$26,139,892

Accrued Compensated Absences:

Accrued compensated absences reported in the business-type activities are comprised of accrued vacation, holiday and compensatory time leave.

Current portion

\$25,448

Non-current portion

229,031

Total Accrued Compensated Absences

\$254,479

Meter Deposit Liability:

Meter deposit liability reported in the business-type activities:

Current portion

\$110,209

Non-current portion

440,838

Total Meter Deposit Liability

\$551,047

Landfill Closure Liability:

Landfill closure liability reported in the business-type activities:

Current portion

\$22,851

Non-current portion

434,165

Total Landfill Closure Liability

\$457,016

*Component Unit long-term debt:*

Notes Payable (DIA) – Direct Borrowings/Placements:

Notes payable of the Durant Industrial Authority to ODOC dated February 23, 2000, original amount of \$300,000 with an annual interest rate of 0%, due in monthly installments of \$1,250, final installment due February 1, 2023. The collateral for this note is a pledge of water and wastewater revenues. In the event of default, the lender may: 1) declare the entire principal amount of the Note and the accrued interest due and payable immediately. 2) charge a default rate of interest at 6% above the set per annum rate 3) charge a late fee not to exceed an amount equal to \$0.04 per each dollar of each payment not paid w/in 10 days of due date (not applicable if option #2 is elected) 4) charge a fee for collection costs.

\$22,500

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Notes payable of the Durant Industrial Authority to ODOC dated April 29, 2004, original amount of \$400,000 with an annual interest rate of 0%, due in monthly installments of \$1,667, final installment due January 1, 2025. The collateral for this note is a pledge of utility revenues. In the event of default, the lender may: 1) declare the entire principal amount of the Note and the accrued interest due and payable immediately. 2) charge a default rate of interest at 6% above the set per annum rate 3) charge a late fee not to exceed an amount equal to \$0.04 per each dollar of each payment not paid w/in 10 days of due date (not applicable if option #2 is elected) 4) charge a fee for collection costs. 68,333

Notes payable of the Durant Industrial Authority to ODOC dated May 8, 2003, original amount of \$500,000 with an annual interest rate of 0%, due in monthly installments of \$2,083, final installment due January 1, 2024. The collateral for this note is a pledge of utility revenues. In the event of default, the lender may: 1) declare the entire principal amount of the Note and the accrued interest due and payable immediately. 2) charge a default rate of interest at 6% above the set per annum rate 3) charge a late fee not to exceed an amount equal to \$0.04 per each dollar of each payment not paid w/in 10 days of due date (not applicable if option #2 is elected) 4) charge a fee for collection costs. 60,415

Note Payable of the Durant Industrial Authority to private individuals dated February 20, 2003, for land, original amount of \$700,000 with an annual interest rate of 5.5%, due in monthly installments of \$4,815, final installment due February 20, 2023. There is no collateral for this note. In the event of default, the lender may declare the entire principal amount of the Note and the accrued interest due and payable immediately. 91,822

Notes payable of the Durant Industrial Authority to ODOC dated August 25, 2006, original amount of \$400,000 with an annual interest rate of 0%, due in monthly installments of \$1,667, final installment due December 1, 2026. The collateral for this note is a pledge of utility revenues. In the event of default, the lender may: 1) declare the entire principal amount of the Note and the accrued interest due and payable immediately. 2) charge a default rate of interest at 6% above the set per annum rate 3) charge a late fee not to exceed an amount equal to \$0.04 per each dollar of each payment not paid w/in 10 days of due date (not applicable if option #2 is elected) 4) charge a fee for collection costs. 276,333

Notes payable of the Durant Industrial Authority to ODOC dated November 8, 2006, original amount of \$399,956 with an annual interest rate of 0%, due in monthly installments of \$1,666, final installment due September 1, 2027. The collateral for this note is a pledge of utility revenues. In the event of default, the lender may: 1) declare the entire principal amount of the Note and the accrued interest due and payable immediately. 2) charge a default rate of interest at 6% above the set per annum rate 3) charge a late fee not to exceed an amount equal to \$0.04 per each dollar of each payment not paid w/in 10 days of due date (not applicable if option #2 is elected) 4) charge a fee for collection costs. 123,321

\$642,724

Current portion \$ 154,080

Non-current portion 488,644

Total Notes Payable (Direct Borrowings/Placements) \$642,724

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Accrued Compensated Absences (DIA):

Accrued compensated absences reported in the component unit activities are comprised of accrued vacation, holiday and compensatory time leave.

|                                    |                |
|------------------------------------|----------------|
| Current portion                    | \$237          |
| Non-current portion                | <u>2,138</u>   |
| Total Accrued Compensated Absences | <u>\$2,375</u> |

Notes Payable (DCFA) – Direct Borrowing/Placement:

Sales Tax Revenue Note (DCFA) to First United Bank dated February 1, 2007, original amount of \$1,275,000 with an annual interest rate of 5.6%, due in monthly installments of \$9,099, final installment due October 30, 2024. Final draw-downs equal \$1,085,320. Collateral for this note is a pledge sales tax revenues. In the event of default, the lender may: 1) pursue any available remedy at law or equity by suit, action, foreclosure, mandamus or other proceeding to enforce the payment of the principal of, premium, if any, and interest on the indebtedness then Outstanding; 2) enforce and compel the performance of the duties and obligations of the Authority as set for within the Note.

\$ 331,420

|                                                  |                   |
|--------------------------------------------------|-------------------|
| Current portion                                  | \$ 92,733         |
| Non-current portion                              | <u>238,687</u>    |
| Total Notes Payable (Direct Borrowing/Placement) | <u>\$ 331,420</u> |

Revenue Bonds Payable (DCFA):

Refunding revenue bonds payable of the Durant Community Facilities Authority dated December 22, 2011, original amount of \$14,115,000 with an annual interest rate of 3.1%, due in semi-annual principal installments each May 1 and November 1 ranging from \$350,000 to \$735,000 beginning November 1, 2012, final installment due November 1, 2024.

\$ 4,870,000

|                             |                    |
|-----------------------------|--------------------|
| Current portion             | \$1,320,000        |
| Non-current portion         | <u>3,550,000</u>   |
| Total Revenue Bonds Payable | <u>\$4,870,000</u> |

*Long-term debt service requirements to maturity:*

| Year Ending June 30, | <b>Governmental Activities</b> |                   |
|----------------------|--------------------------------|-------------------|
|                      | Capital Lease Obligations      |                   |
|                      | Principal                      | Interest          |
| 2022                 | \$ 265,816                     | \$ 31,118         |
| 2023                 | 227,957                        | 23,659            |
| 2024                 | 133,719                        | 17,168            |
| 2025                 | 137,594                        | 13,294            |
| 2026                 | 142,532                        | 9,376             |
| 2027-2031            | <u>248,684</u>                 | <u>14,500</u>     |
| Total                | <u>\$ 1,156,302</u>            | <u>\$ 109,115</u> |

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| <b>Business-Type Activities</b> |                                                     |  |                 |  |
|---------------------------------|-----------------------------------------------------|--|-----------------|--|
| <u>Year Ending June 30,</u>     | <u>Notes Payable - Direct Borrowings/Placements</u> |  |                 |  |
|                                 | <u>Principal</u>                                    |  | <u>Interest</u> |  |
| 2022                            | \$ 2,481,066                                        |  | \$ 1,252,714    |  |
| 2023                            | 2,084,617                                           |  | 1,018,766       |  |
| 2024                            | 2,161,412                                           |  | 942,732         |  |
| 2025                            | 2,243,274                                           |  | 861,609         |  |
| 2026                            | 2,310,949                                           |  | 778,619         |  |
| 2027-2031                       | 10,941,374                                          |  | 2,662,185       |  |
| 2032-2036                       | 10,127,000                                          |  | 1,142,131       |  |
| 2037-2041                       | 5,849,000                                           |  | 333,856         |  |
| 2042                            | 612,000                                             |  | 5,318           |  |
| Subtotal                        | \$ 38,810,692                                       |  | \$ 8,997,930    |  |
| Less: Amount not yet drawn      | (12,670,800)                                        |  |                 |  |
| Total                           | \$ 26,139,892                                       |  |                 |  |

| <b>Component Units</b>             |                                                   |  |                 |  |
|------------------------------------|---------------------------------------------------|--|-----------------|--|
| <b>Durant Industrial Authority</b> |                                                   |  |                 |  |
| <u>Year Ending June 30,</u>        | <u>Notes Payable-Direct Borrowings/Placements</u> |  |                 |  |
|                                    | <u>Principal</u>                                  |  | <u>Interest</u> |  |
| 2022                               | \$ 154,080                                        |  | \$ 3,700        |  |
| 2023                               | 130,238                                           |  | 782             |  |
| 2024                               | 70,413                                            |  | -               |  |
| 2025                               | 48,331                                            |  | -               |  |
| 2026                               | 39,998                                            |  | -               |  |
| 2027-2031                          | 123,332                                           |  | -               |  |
| 2032-2035                          | 76,332                                            |  | -               |  |
| Total                              | \$ 642,724                                        |  | \$ 4,482        |  |

| <b>Durant Community Facilities Authority</b> |                                                   |                 |                              |                 |
|----------------------------------------------|---------------------------------------------------|-----------------|------------------------------|-----------------|
| <u>Year Ending June 30,</u>                  | <u>Notes Payable-Direct Borrowings/Placements</u> |                 | <u>Revenue Bonds Payable</u> |                 |
|                                              | <u>Principal</u>                                  | <u>Interest</u> | <u>Principal</u>             | <u>Interest</u> |
| 2022                                         | \$ 92,733                                         | \$ 16,453       | \$ 1,320,000                 | \$ 141,127      |
| 2023                                         | 98,138                                            | 11,049          | 1,380,000                    | 99,510          |
| 2024                                         | 103,844                                           | 5,342           | 1,435,000                    | 56,343          |
| 2025                                         | 36,705                                            | 450             | 735,000                      | 11,392          |
| Total                                        | \$ 331,420                                        | \$ 33,294       | \$ 4,870,000                 | \$ 308,372      |

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**Component Unit – Conduit Debt:**

| <u>Original Debt</u>                                  | <u>Project</u>                     | <u>Remaining<br/>Principal</u> |
|-------------------------------------------------------|------------------------------------|--------------------------------|
| <b>Durant Tax Increment Finance Authority:</b>        |                                    |                                |
| Durant TIF Authority Rev Bonds 2017A<br>\$ 20,433,380 | (1) Commercial Metals Co mill site | \$ 14,610,187                  |
| Durant TIF Authority Rev Bonds 2017B<br>\$ 3,100,000  | (1) Commercial Metals Co mill site | 3,100,000                      |

*(1) Commercial Metals Co mill site Tax Apportionment Bonds*

The Tax Apportionment Bonds were issued to fund reimbursement of a portion of the projected plant construction and equipping costs of a technologically advanced processing building having the operational capability of producing steel products. The TIF Bonds were issued in two series, with the senior series purchased by a group of banking institutions with locations in the City and the junior series purchased by Durant Industrial Authority (DIA). The TIF Bonds would not be a general obligation bond of the City and would not be recourse to the City. The TIF Bonds would be secured only by the TIF Revenues. The TIF Revenues would be limited to the amount of the incentive provided to the Company, plus any amounts necessary (i) to pay interest and other financing costs, including costs of issuance, as well as to fund any capitalized interest and reasonably required reserves associated with the TIF Bonds, and/or (ii) to pay or reimburse the costs incurred or to be incurred by or on behalf of the City or the TIF Trust in implementing and administering this Project Plan. The City began receiving incremental taxes in 2018. These are paid to the trustee bank to be applied to the debt. If the incremental taxes are insufficient to service the debt, the Durant TIF Authority has no further liability. The apportionment of the TIF Revenues shall begin on the effective date of the debt, or July 3, 2017, and shall continue for that period required for the payment of the TIP Costs, or a period not to exceed twenty-five (25) full fiscal years, whichever is less. It is expected that TIP Revenues generated during the initial sixteen (16) years following the Effective Date will be sufficient to pay all TIF Costs and that the Increment District would terminate at such time.

*Landfill Closure Liability:*

State and federal laws and regulations require the City to place a final cover on its construction and demolition landfill site when it stops accepting waste and to perform certain maintenance and monitoring functions at the site for eight years after closure. Although closure and post-closure care costs will be paid only near or after the date that the landfill stops accepting waste, the City reports a portion of these costs as an operating expense of the Utilities Authority in each fiscal year. The current period expense amount is based upon the amount of landfill capacity used as of each fiscal year end.

The \$457,016 reported as accrued landfill closure cost liability at June 30, 2021, represents the cumulative amount of such costs reported to date based on the use of 71.59% of the estimated capacity of the landfill. The Authority will recognize the remaining estimated costs of closure and post-closure care in the amount of \$181,397 as the remaining estimated capacity is filled. These amounts are based on what it would cost to perform all closure and post-closure care in 2021. The Authority expects to close the landfill in the year 2023 and actual costs may be higher or lower at that time due to inflation, changes in technology or changes in regulations.

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The City has qualified under the Department of Environmental Quality (DEQ) financial assurance test relating to these future closure and post-closure care costs, whereby the City's overall financial condition and other submitted information serves as evidence of the City's ability to pay for the closure and post-closure care costs when the landfill is actually closed. As such, the City is not required to fund an escrow trust account for these costs.

**Pledge of Future Revenues**

*Sales Tax and Utility Net Revenues Pledge* - The City has pledged, for debt covenant coverage purposes, three cents (or 69%) of future sales tax revenues, and net utility revenues to repay the \$6,000,000 of the 2010 Sales Tax and Utility Revenue Note, \$6,000,000 of the 2009A Sales Tax and Utility Revenue Note, \$2,000,000 of the 2009B Sales Tax and Utility Revenue Note, \$5,610,000 of the 2007 Sales Tax Revenue Note, \$4,127,524 of the 2003A OWRB BF Note, \$2,131,976 of the 2004 OWRB ORF Note, \$7,500,000 of the 2012A Utility System and Sales Tax Note, \$3,805,000 of the 2013 Sales Tax and Utility Revenue Note, \$4,000,000 of the 2019 OWRB ORF Note, \$12,935,000 of the 2020 OWRB ORF Note, and \$13,280,000 of the 2020 Sales Tax & Utility Revenue Note. Proceeds from the notes provided for the purchase or construction of capital assets. The notes are payable from the pledged sales tax revenues and net utility revenues. The notes are payable through 2030, 2029, 2029, 2027, 2021, 2021, 2021, 2021, 2040, 2041 and 2035 respectively. The total principal and interest, including amounts not yet drawn as of June 30, 2021, payable for the remainder of the life of these notes are \$47,493,832. Pledged sales taxes in the current year were \$13,459,881 and net utility revenues and interest were \$2,921,757. Maximum annual debt service payments of \$6,264,039 for the applicable debt were 38.2% of pledged sales taxes and net utility revenues.

*Sales Tax Revenue Pledge – Component Unit (DCFA)* – The City has pledged one-half cent of future sales tax revenues to repay the \$14,115,000 of the 2011 Refunding Sales Tax Revenue Bonds and the \$1,275,000 of the 2007 Sales Tax Revenue Note. Proceeds from the notes provided for the purchase or construction of capital assets. The notes are payable from the pledged sales tax revenue. The notes are payable through 2024 and 2025. The total principal and interest for the remainder of the life of these notes are \$5,543,086. Pledged sales taxes received in the current year were \$2,217,244. Current annual debt service payments of \$1,526,142 for the applicable debt were 68.8% of pledged and transferred sales taxes.

**7. Net Position and Fund Balances**

*Net Position:*

Net position as reported in the government-wide and proprietary fund financial statements is displayed in three components:

- a. *Net investment in capital assets* - Consists of capital assets and related accounts, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvements of those assets.
- b. *Restricted net position* - Consists of net position with constraints placed on the use either by 1) external groups such as creditors, grantors, contributors, or laws and regulations of other governments, or 2) law through constitutional provisions or enabling legislation.



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- c. *Unrestricted net position* - All other net position that does not meet the definition of “restricted” or “net investment in capital assets.”

It is the City’s policy to first use restricted net position prior to the use of unrestricted net position when an expense is incurred for purposes for which both restricted and unrestricted net position are available.

*Fund Balances*

Governmental fund equity is classified as fund balance. Fund balance is further classified as nonspendable, restricted, committed, assigned and unassigned. These classifications are defined as:

- a. Nonspendable – includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.
- b. Restricted – consists of fund balance with constraints place on the use of resources either by 1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments, or 2) law through constitutional provisions or enabling legislation.
- c. Committed – includes amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the city’s highest level of decision-making authority. The City’s highest level of decision-making authority is made by ordinance. The City currently reports no committed fund balance. Public trusts reported as governmental funds use a resolution as their highest level of decision-making authority.
- d. Assigned – includes amounts that are constrained by the city’s intent to be used for specific purposes but are neither restricted nor committed. Assignments of fund balance may be made by city council action or management decision when the city council has delegated that authority. Assignments for transfers and interest income for governmental funds are made through the budgetary process.
- e. Unassigned – represents fund balance that has not been assigned to other funds and has not been restricted, committed, or assigned to specific purposes within the general fund.

It is the City’s policy to first use restricted fund balance prior to the use of unrestricted fund balance when an expense is incurred for purposes for which both restricted and unrestricted fund balance are available. The City’s policy for the use of unrestricted fund balance amounts require that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

Proprietary fund equity is classified the same as in the government-wide statements.

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The following tables show the fund balance classifications as shown on the Governmental Funds Balance Sheet:

|                                       | General Fund | 1/4% Economic Development Fund | 5/8% Sales Tax Education Fund | Durant Tax Increment Finance Authority | Capital Improvement Fund | 1% Sales Tax Revenue Fund | Other Governmental Funds | Total         |
|---------------------------------------|--------------|--------------------------------|-------------------------------|----------------------------------------|--------------------------|---------------------------|--------------------------|---------------|
| Fund Balance:                         |              |                                |                               |                                        |                          |                           |                          |               |
| Restricted For:                       |              |                                |                               |                                        |                          |                           |                          |               |
| Economic development                  | \$ -         | \$ 3,903,696                   | \$ -                          | \$ 2,371,259                           | \$ -                     | \$ -                      | \$ -                     | \$ 6,274,955  |
| Education                             | -            | -                              | 434,750                       | -                                      | -                        | -                         | -                        | 434,750       |
| Capital improvements and debt service | -            | -                              | -                             | -                                      | -                        | 612,546                   | 305,703                  | 918,249       |
| Cemetery                              | -            | -                              | -                             | -                                      | -                        | -                         | 125,723                  | 125,723       |
| Multi-sports complex                  | -            | -                              | -                             | -                                      | -                        | -                         | 153,556                  | 153,556       |
| SOSU capital projects                 | -            | -                              | -                             | -                                      | -                        | -                         | 153,556                  | 153,556       |
| Public safety                         | -            | -                              | -                             | -                                      | -                        | -                         | 2,242                    | 2,242         |
| Community center & library            | -            | -                              | -                             | -                                      | -                        | -                         | 184,963                  | 184,963       |
| Library                               | -            | -                              | -                             | -                                      | -                        | -                         | 45,853                   | 45,853        |
| Sub-total Restricted                  | -            | 3,903,696                      | 434,750                       | 2,371,259                              | -                        | 612,546                   | 971,596                  | 8,293,847     |
| Assigned to:                          |              |                                |                               |                                        |                          |                           |                          |               |
| Economic development                  | -            | 1,657,791                      | -                             | -                                      | -                        | -                         | -                        | 1,657,791     |
| Capital improvements and debt service | -            | -                              | -                             | -                                      | 3,438,367                | 1,681                     | -                        | 3,440,048     |
| Public safety                         | -            | -                              | -                             | -                                      | -                        | -                         | 146                      | 146           |
| Community center & library            | -            | -                              | -                             | -                                      | -                        | -                         | 804,463                  | 804,463       |
| Library                               | -            | -                              | -                             | -                                      | -                        | -                         | 2,538                    | 2,538         |
| Insurance                             | 94,379       | -                              | -                             | -                                      | -                        | -                         | -                        | 94,379        |
| Christmas lighting                    | 1,023        | -                              | -                             | -                                      | -                        | -                         | -                        | 1,023         |
| Beautification                        | 110,707      | -                              | -                             | -                                      | -                        | -                         | -                        | 110,707       |
| Cemetery                              | 65,977       | -                              | -                             | -                                      | -                        | -                         | 21,271                   | 87,248        |
| Recreation                            | 217,893      | -                              | -                             | -                                      | -                        | -                         | -                        | 217,893       |
| E911 services                         | -            | -                              | -                             | -                                      | -                        | -                         | 378,971                  | 378,971       |
| Budget balancing purposes             | 3,500,000    | -                              | -                             | -                                      | -                        | -                         | -                        | 3,500,000     |
| Sub-total Assigned                    | 3,989,979    | 1,657,791                      | -                             | -                                      | 3,438,367                | 1,681                     | 1,207,389                | 10,295,207    |
| Unassigned                            | 4,385,925    | -                              | -                             | -                                      | -                        | -                         | -                        | 4,385,925     |
| Total Fund Balance                    | \$ 8,375,904 | \$ 5,561,487                   | \$ 434,750                    | \$ 2,371,259                           | \$ 3,438,367             | \$ 614,227                | \$ 2,178,985             | \$ 22,974,979 |

### Restricted Net Position – Governmental Activities

The following table shows the net position restricted for other purposes as shown on the Government-Wide Statement of Net Position:

| Fund                                 | Restricted By                         | Amount              |
|--------------------------------------|---------------------------------------|---------------------|
| 1/4% Economic Development Fund       | Enabling legislation                  | \$ 3,903,696        |
| 5/8% Sales Tax Education Fund        | Enabling legislation                  | 434,750             |
| 1% Sales Tax Revenue Fund            | Enabling legislation                  | 612,546             |
| 1/4% Sales Tax M.S. Fund             | Enabling legislation                  | 153,556             |
| 1/4% Sales Tax SOSU Fund             | Enabling legislation                  | 153,556             |
| DWRF Community Center & Library Fund | External parties                      | 184,963             |
| R.L. Williams Library Fund           | External parties                      | 45,853              |
| CDBG Grant Fund                      | External parties                      | 305,703             |
| Drug Enforcement Fund                | State statutes and/or debt indentures | 2,242               |
| Cemetery Care Fund                   | State statutes and/or debt indentures | 125,723             |
|                                      |                                       | <u>\$ 5,922,588</u> |

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## Prior Period Adjustments

The following table shows the prior period adjustments of beginning net position for the year ending 6-30-21:

|                                                               | Fund Financials                                 |                     |                              | Government-Wide                                  |                                 |
|---------------------------------------------------------------|-------------------------------------------------|---------------------|------------------------------|--------------------------------------------------|---------------------------------|
|                                                               | Durant Tax<br>Increment<br>Finance<br>Authority | DCUA                | Internal<br>Service<br>Funds | Primary Government<br>Governmental<br>Activities | Business-<br>Type<br>Activities |
| Beginning fund balance / net position, as previously reported | \$334,752                                       | \$30,717,638        | \$2,131,867                  | \$59,303,223                                     | \$47,759,741                    |
| Understatement of due from other governments                  | 2,981,488                                       | -                   | -                            | 2,981,488                                        | -                               |
| Understatement of deferred revenue                            | (1,109,943)                                     | -                   | -                            | -                                                | -                               |
| Understatement of TIF Authority payable                       | -                                               | -                   | -                            | (2,981,488)                                      | -                               |
| Understatement of accrued compensated absences                | -                                               | (70,260)            | (13,214)                     | (426,468)                                        | (70,260)                        |
| Beginning fund balance / net position, restated               | <u>\$2,206,297</u>                              | <u>\$30,647,378</u> | <u>\$2,118,653</u>           | <u>\$58,876,755</u>                              | <u>\$47,689,481</u>             |

## 8. Internal and Interfund Balances and Transfers

The City's policy is to eliminate interfund transfers and balances in the statements of activities and net position to avoid the grossing up of balances. Only the residual balances transferred between governmental and business-type activities are reported as internal transfers and internal balances and then offset in the total column in the government-wide statements. Interfund transfers and balances between funds are not eliminated in the fund financial statements.

### Transfers:

Internal transfers between funds and activities for the year ended June 30, 2021 were as follows:

| <u>Transfer From</u>                                       | <u>Transfer To</u>              | <u>Amount</u>          | <u>Nature of Transfer</u>       |
|------------------------------------------------------------|---------------------------------|------------------------|---------------------------------|
| General Fund                                               | Capital Improvement             | \$1,514,697            | Capital purchase                |
| General Fund                                               | Special 911 Tax Fund            | 534,473                | Operational subsidy             |
| General Fund                                               | Durant Airport Authority Fund   | 100,036                | Operational subsidy             |
| 1% Sales Tax Revenue Fund                                  | Capital Improvement             | 1,770,000              | Capital projects/debt service   |
| 1% Sales Tax Revenue Fund                                  | Durant City Utilities Authority | 2,664,490              | Sales tax transfer              |
| Capital Improvement Fund                                   | CDBG Fund                       | 305,929                | Grant match                     |
| Capital Improvement Fund                                   | Durant City Utilities Authority | 196,475                | Debt payments                   |
| HOME/FEMA Grant Fund                                       | General Fund                    | 11                     | Reimbursement of expenses       |
| Special 911 Tax Fund                                       | General Fund                    | 8,292                  | Operational subsidy             |
| Cemetery Care Fund                                         | General Fund                    | 200                    | Cemetery annual interest        |
| CDBG Fund                                                  | Durant City Utilities Authority | 1,287                  | City match for capital project  |
| Durant Airport Authority Fund                              | General Fund                    | 38,380                 | Reimbursement of expenses       |
| Durant Airport Authority Fund                              | Durant City Utilities Authority | 155,234                | Debt payments                   |
| Durant City Utilities Authority                            | General Fund                    | 4,755,859              | Sales tax transfer              |
| Durant City Utilities Authority                            | Capital Improvement             | 239,345                | Reimbursement of Note financing |
| Durant City Utilities Authority                            | Capital Improvement             | 3,095,731              | Operational subsidy             |
| Durant City Utilities Authority                            | Capital Improvement             | 1,413,374              | Debt payments                   |
| Durant City Utilities Authority                            | Durant Airport Authority Fund   | 155,234                | Debt payments                   |
| Durant City Utilities Authority                            | General Fund                    | 139,467                | Reimbursement of expenses       |
|                                                            |                                 | <u>\$ 17,088,514</u>   |                                 |
| <b>Reconciliation to fund financial statements:</b>        |                                 |                        |                                 |
|                                                            | <u>Transfers In</u>             | <u>Transfers Out</u>   | <u>Net Transfers</u>            |
| Governmental Funds                                         | \$ 13,815,758                   | \$ (7,095,890)         | \$ 6,719,868                    |
| Enterprise Funds                                           | <u>3,272,756</u>                | <u>(9,992,624)</u>     | <u>(6,719,868)</u>              |
| Total                                                      | <u>\$ 17,088,514</u>            | <u>\$ (17,088,514)</u> | <u>\$ -</u>                     |
| <b>Reconciliation to statement of activities:</b>          |                                 |                        |                                 |
|                                                            | <u>Governmental</u>             | <u>Business-Type</u>   |                                 |
| Net transfers                                              | \$ 6,719,868                    | \$ (6,719,868)         |                                 |
| Reclassification of capital asset activity                 | (5,981,218)                     | 5,981,218              |                                 |
| Reclassification of activities at the govt-wide statements | <u>2,413,387</u>                | <u>(2,413,387)</u>     |                                 |
| Total Transfers - Internal Activity                        | <u>\$ 3,152,037</u>             | <u>\$ (3,152,037)</u>  |                                 |

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*Interfund Balances:*

| <u>Due From</u> | <u>Due To</u> | <u>Amount</u> | <u>Nature of Balance</u>                       |
|-----------------|---------------|---------------|------------------------------------------------|
| E911 Fund       | General Fund  | \$ 498        | Service fees initially posted to wrong account |
| Total           |               | <u>\$ 498</u> |                                                |

**Reconciliation to Fund Financial Statements:**

|                    | <u>Due From</u> | <u>Due To</u>   | Internal Service Funds<br><u>Reconciliation</u> | <u>Net Internal Balances</u> |
|--------------------|-----------------|-----------------|-------------------------------------------------|------------------------------|
| Governmental Funds | \$ 498          | \$ (498)        | \$ (935,361)                                    | \$ (935,361)                 |
| Proprietary Funds  | -               | -               | 935,361                                         | 935,361                      |
| Total              | <u>\$ 498</u>   | <u>\$ (498)</u> | <u>\$ -</u>                                     | <u>\$ -</u>                  |

## 9. Sales and Property Tax

*Sales Tax:*

The City levies a 4.375 cent sales tax on each dollar of taxable sales of which is recorded as follows:

- 2 cents recorded as revenue within the General Fund then transferred to the Durant City Utilities Authority for pledging purposes as required by resolution. Any unused portion is transferred back to the General Fund.
- 1 cent recorded as revenue within the 1% Sales Tax Revenue Fund then transferred to the Durant City Utilities Authority as required by bond indenture for debt service. Any unused portion is transferred back to the 1% Sales Tax Revenue Fund.
- 1/4 cent recorded as revenue within the 1/4 % Sales Tax Economic Development Fund to be used for economic development.
- 1/4 cent recorded as revenue within the 1/4 % Sales Tax M.S. Fund to be transferred to the Durant Community Facilities Authority for debt service.
- 1/4 cent recorded as revenue within the 1/4 % Sales Tax S.O.S.U. Fund to be transferred to the Durant Community Facilities Authority for debt service.
- 5/8 cent recorded as revenue within the 5/8% Sales Tax Education Fund to be transferred to and used by Durant Public Schools for education-related capital projects.

*Property Tax:*

The City presently levies no property tax. In accordance with state law, a municipality may only levy a property tax to retire general obligation debt approved by the voters and to pay judgments rendered against the City.

## 10. Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, or destruction of assets; errors and omissions; injuries to employees; and natural disasters. The City manages these various risks of loss by securing commercial insurance for general liability and physical property and being self-insured for workers compensation. For workers compensation, the City has a third-party administrator for the claims process. Claims Administrative Services and the City signed an agreement for these services, effective November 22, 2011. Management believes such insurance coverage is sufficient to preclude any significant losses to the City. Settled claims have not exceeded this insurance coverage in any of the past three fiscal years.

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*Claims Liability Analysis – Internal Service Funds:*

The claims liabilities related to the risks of loss that are retained reports a liability for claims if information prior to the issuance of the financial statements indicates that it is probable that a liability has been incurred at the date of the financial statements and the amount of the loss can be reasonably estimated. Such accrued losses include an estimated liability for incurred but not reported claims based on past historical experience.

For the risk management internal service self-insurance funds, changes in the estimated claims liability for the City from July 1, 2018, to June 30, 2021, are as follows:

|                                                 | Employee<br>Health  | Worker's<br>Compensation | Total<br>Internal Service |
|-------------------------------------------------|---------------------|--------------------------|---------------------------|
| Claims liability, July 1, 2018                  | \$ -                | \$ 960,785               | \$ 960,785                |
| Claims incurred and changes in estimates        | 2,804,542           | 151,872                  | 2,956,414                 |
| Claims paid                                     | <u>(2,804,542)</u>  | <u>(347,503)</u>         | <u>(3,152,045)</u>        |
| Claims liability, June 30, 2019                 | -                   | 765,154                  | 765,154                   |
| Claims incurred and changes in estimates        | 2,699,321           | 181,605                  | 2,880,926                 |
| Claims paid                                     | <u>(2,699,321)</u>  | <u>(267,648)</u>         | <u>(2,966,969)</u>        |
| Claims liability, June 30, 2020                 | -                   | 679,111                  | 679,111                   |
| Claims incurred and changes in estimates        | 2,539,632           | 199,714                  | 2,739,346                 |
| Claims paid                                     | <u>(2,539,632)</u>  | <u>(252,822)</u>         | <u>(2,792,454)</u>        |
| Claims liability, June 30, 2021                 | <u>\$ -</u>         | <u>\$ 626,003</u>        | <u>\$ 626,003</u>         |
| Assets available to pay claims at June 30, 2021 | <u>\$ 2,599,138</u> | <u>\$ 564,260</u>        | <u>\$ 3,163,398</u>       |

## 11. Contingencies

*Litigation:*

The City is a party to various legal proceedings which normally occur in the course of governmental operations. The financial statements do not include accruals or provisions for loss contingencies that may result from these proceedings. State statutes provide for the levy of an ad valorem tax over a three-year period by a City Sinking Fund for the payment of any court assessed judgment rendered against the City. While the outcome of the above noted proceedings cannot be predicted, due to the insurance coverage maintained by the City and the State statute relating to judgments, the City feels that any settlement or judgment not covered by insurance would not have a material adverse effect on the financial condition of the City.

*Federal and State Award Programs:*

The City of Durant participates in various federal or state grant/loan programs from year to year. In 2021, the City's involvement in federal and state award programs was material. The grant/loan programs are often subject to additional audits by agents of the granting or loaning agency, the purpose of which is to ensure compliance with the specific conditions of the grant or loan. The City has not been notified of any noncompliance with federal or state award requirements. Any liability for reimbursement which may arise as a result of these audits cannot be reasonably determined at this time, although it is believed the amount, if any, would not be material.

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**12. Outstanding Notes Receivable – City and Component Units**

The component units have five outstanding notes receivable as of June 30, 2021.

|                                                                                                                                                                                                                                                                                                                                                                                                         |                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| The Durant Industrial Authority executed a \$400,000 note receivable in April 2004 with Cardinal FG Company at a zero percent (0%) interest rate, due in 240 monthly installments of \$1,667, maturity date January 2025                                                                                                                                                                                | \$72,359         |
| The Durant Industrial Authority executed a \$399,956 note receivable in November 2006 with Eagle Suspensions, Inc at a zero percent (0%) interest rate, due in 240 monthly installments of \$1,666, maturity date September 2027                                                                                                                                                                        | 123,318          |
| The Durant Industrial Authority executed a \$400,000 note receivable in August 2006 with Earth Biofuels at a zero percent (0%) interest rate, due in 240 monthly installments of \$1,667, maturity date October 2023 . In the prior year, it was determined that this note receivable meets the definition of uncollectible; therefore, an allowance was recorded in the DIA to offset this receivable. | 283,417          |
| The Durant Industrial Authority executed a \$520,000 note receivable in August 2012 with PharmcareOK at a zero percent (0%) interest rate, due in 120 monthly installments of \$4,333, maturity date January 2023                                                                                                                                                                                       | 97,990           |
| The Durant Industrial Authority executed a \$700,000 forgivable note receivable in July 2016 with Bruce Packing Company, Inc. at a zero percent (0%) interest rate, forgivable in 3 annual amounts of \$233,333, beginning July 21, 2021 and maturing on July 21, 2023                                                                                                                                  | <u>700,000</u>   |
| Total Notes Receivable – DIA                                                                                                                                                                                                                                                                                                                                                                            | 1,277,084        |
| Less: Allowance for Uncollectible                                                                                                                                                                                                                                                                                                                                                                       | <u>(283,417)</u> |
| Notes Receivable – DIA, net                                                                                                                                                                                                                                                                                                                                                                             | <u>\$993,667</u> |

The following schedule shows the current year activity related to these notes receivable:

|                                    | Beginning<br>Balance | Additions   | Deletions        | Ending<br>Balance |
|------------------------------------|----------------------|-------------|------------------|-------------------|
| DIA:                               |                      |             |                  |                   |
| Cardinal FG Company                | 92,359               | -           | 20,000           | 72,359            |
| Abbott Family LLC/Pharmcare        | 148,822              | -           | 50,832           | 97,990            |
| Eagle Suspension                   | 143,316              | -           | 19,998           | 123,318           |
| Earth Biofuels                     | 283,417              | -           | -                | 283,417           |
| Earth Biofuels-Allowance           | (283,417)            | -           | -                | (283,417)         |
| Bruce Packing Company dba BrucePac | 700,000              | -           | -                | 700,000           |
| Total                              | <u>\$ 1,084,497</u>  | <u>\$ -</u> | <u>\$ 90,830</u> | <u>\$ 993,667</u> |

### **13. Pension Plan Participation**

The City of Durant participates in four pension or retirement plans:

- Oklahoma Firefighter's Pension and Retirement System (OFPRS) – a statewide cost-sharing plan
- Oklahoma Police Pension and Retirement System (OPPRS) – a statewide cost-sharing plan
- Oklahoma Municipal Retirement System Master Defined Benefit Plan and Trust (OkMRF) – an agent multiple-employer defined benefit plan
- Oklahoma Municipal Retirement System Defined Contribution Plan (OkMRF) – an agent multiple-employer defined contribution plan

#### ***Firefighters' Plan:***

**Plan description** - The City of Durant, as the employer, participates in the Firefighters Pension & retirement—a cost-sharing multiple-employer defined benefit pension plan administered by the Oklahoma Firefighters Pension & Retirement System (FPRS). Title 11 of the Oklahoma State Statutes grants the authority to establish and amend the benefit terms to the FPRS. FPRS issues a publicly available financial report that can be obtained at [www.ok.gov/fprs](http://www.ok.gov/fprs).

**Benefits provided** - FPRS provides defined retirement benefits based on members' final average compensation, age, and term of service. In addition, the retirement program provides for benefits upon disability and to survivors upon death of eligible members. The Plan's benefits are established and amended by Oklahoma statute. Retirement provisions are as follows:

#### **Normal Retirement:**

- **Hired Prior to November 1, 2013**  
Normal retirement is attained upon completing 20 years of service. The normal retirement benefit is equal to 50% of the member's final average compensation. Final average compensation is defined as the monthly average of the highest 30 consecutive months of the last 60 months of participating service. For volunteer firefighters, the monthly pension benefit for normal retirement is \$150.60 per month.
- **Hired After November 1, 2013**  
Normal retirement is attained upon completing 22 years of service. The normal retirement benefit is equal to 55% of the member's final average compensation. Final average compensation is defined as the monthly average of the highest 30 consecutive months of the last 60 months of participating service. Also participants must be age 50 to begin receiving benefits. For volunteer firefighters, the monthly pension benefit for normal retirement is \$165.66 per month.

All firefighters are eligible for immediate disability benefits. For paid firefighters, the disability in-the-line-of-duty benefit for firefighters with less than 20 years of service is equal to 50% of final average monthly compensation, based on the most recent 30 months of service. For firefighters with over 20 years of service, a disability in the line of duty is calculated based on 2.5% of final average monthly compensation, based on the most recent 30 months, per year of service, with a maximum of 30 years of service. For disabilities not in the line of duty, the benefit is limited to only those with less than 20 years of service and is 50% of final average monthly compensation, based on the most recent 60-month salary as opposed to 30 months. For volunteer firefighters, the not-in-the-line-of-duty disability is also limited to only those with less than 20 years of service and is \$7.53 per year of service. For volunteer firefighters,

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the in-the-line-of-duty pension is \$150.60 with less than 20 years of service or \$7.53 per year of service, with a maximum of 30 years.

A \$5,000 lump sum death benefit is payable to the qualified spouse or designated recipient upon the participant's death. The \$5,000 death benefit does not apply to members electing the vested benefit.

**Contributions** - The contributions requirements of the Plan are at an established rate determined by Oklahoma Statute and are not based on actuarial calculations. Employees are required to contribute 9% percent of their annual pay. Participating cities are required to contribute 14% of the employees' annual pay. Contributions to the pension plan from the City were \$294,192. The State of Oklahoma also made on-behalf contributions to FPRS in the amount of \$511,778 during the calendar year and this is reported as both expense and revenue in the General Fund Statement of Revenues, Expenditures, and Changes in Fund Balance. In the government-wide Statement of Activities, revenue is recognized for the state's on-behalf contributions on an accrual basis of \$680,567. These on-behalf payments did not meet the criteria of a special funding situation.

**Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions** - At June 30, 2021, the City reported a liability of \$8,093,308 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2020, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of July 1, 2020. The City's proportion of the net pension liability was based on the City's contributions received by the pension plan relative to the total contributions received by pension plan for all participating employers as of June 30, 2020. Based upon this information, the City's proportion was .6570%.

For the year ended June 30, 2021, the City recognized pension expense of \$1,498,252. At June 30, 2021, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

|                                                                                                           | Deferred Outflows<br>of Resources | Deferred Inflows<br>of Resources |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------|----------------------------------|
| Differences between expected and actual experience                                                        | \$ 1,031,495                      | \$ 108,592                       |
| Changes of assumptions                                                                                    | -                                 | 137,149                          |
| Net difference between projected and actual earnings on pension plan investments                          | 118,963                           | -                                |
| Changes in proportion and differences between City contributions and proportionate share of contributions | 250,394                           | 331,624                          |
| City contributions during measurement date                                                                | 4,631                             | 330                              |
| City contributions subsequent to the measurement date                                                     | 294,192                           | -                                |
| Total                                                                                                     | <u>\$ 1,699,675</u>               | <u>\$ 577,695</u>                |

\$294,192 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2022. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:



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Year ended June 30:

|      |    |                |
|------|----|----------------|
| 2022 | \$ | 112,121        |
| 2023 |    | 320,506        |
| 2024 |    | 253,617        |
| 2025 |    | 141,544        |
|      | \$ | <u>827,788</u> |

**Actuarial Assumptions**-The total pension liability was determined by an actuarial valuation as of July 1, 2020, using the following actuarial assumptions, applied to all prior periods included in the measurement:

|                            |                                             |
|----------------------------|---------------------------------------------|
| Inflation:                 | 2.75%                                       |
| Salary increases:          | 2.75% to 10.5% average, including inflation |
| Investment rate of return: | 7.5% net of pension plan investment expense |

Mortality rates were based on the RP2000 combined healthy with blue collar adjustment as appropriate, with adjustments for generational mortality improvement using scale AA for healthy lives and no mortality improvement for disabled lives.

The actuarial assumptions used in the July 1, 2020, valuation were based on the results of an actuarial experience study for the period July 1, 2013, to June 30, 2018.

The long-term expected rate of return on pension plan investments was determined using a building block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense, and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of June 30, 2020, are summarized in the following table:

| <u>Asset Class</u>   | <u>Target Allocation</u> | <u>Long-Term Expected Real Rate of Return</u> |
|----------------------|--------------------------|-----------------------------------------------|
| Fixed income         | 20%                      | 4.38%                                         |
| Domestic equity      | 47%                      | 7.41%                                         |
| International equity | 15%                      | 9.82%                                         |
| Real estate          | 10%                      | 7.70%                                         |
| Other assets         | 8%                       | 5.67%                                         |

**Discount Rate**- The discount rate used to measure the total pension liability was 7.5%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current contribution rate and that contributions from employers will be made at contractually required rates, determined by State statutes. Projected cash flows also assume the State of Oklahoma will continue contributing 36% of the insurance premium, as established by statute. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

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**Sensitivity of the Net Pension Liability to Changes in the Discount Rate**-The following presents the net pension liability of the employers calculated using the discount rate of 7.5%, as well as what the Plan's net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower (6.5%) or 1-percentage-point higher (8.5%) than the current rate:

|                                  | 1% Decrease<br>(6.5%) | Current Discount<br>Rate (7.5%) | 1% Increase<br>(8.5%) |
|----------------------------------|-----------------------|---------------------------------|-----------------------|
| Employers' net pension liability | \$ 10,510,660         | \$ 8,093,308                    | \$ 6,070,821          |

**Pension plan fiduciary net position** - Detailed information about the pension plan's fiduciary net position is available in the separately issued financial report of the FPRS which can be located at [www.ok.gov/FPRS](http://www.ok.gov/FPRS).

**Police Plan:**

**Plan description** - The City of Durant, as the employer, participates in the Oklahoma Police Pension and Retirement Plan—a cost-sharing multiple-employer defined benefit pension plan administered by the Oklahoma Police Pension and Retirement System (OPPRS). Title 11 of the Oklahoma State Statutes, through the Oklahoma Legislature, grants the authority to establish and amend the benefit terms to the OPPRS. OPPRS issues a publicly available financial report that can be obtained at [www.ok.gov/OPPRS](http://www.ok.gov/OPPRS).

**Benefits provided** - OPPRS provides retirement, disability, and death benefits to members of the plan. The normal retirement date under the Plan is the date upon which the participant completes 20 years of credited service, regardless of age. Participants become vested upon completing 10 years of credited service as a contributing participant of the Plan. No vesting occurs prior to completing 10 years of credited service. Participants' contributions are refundable, without interest, upon termination prior to normal retirement. Participants who have completed 10 years of credited service may elect a vested benefit in lieu of having their accumulated contributions refunded. If the vested benefit is elected, the participant is entitled to a monthly retirement benefit commencing on the date the participant reaches 50 years of age or the date the participant would have had 20 years of credited service had employment continued uninterrupted, whichever is later. Monthly retirement benefits are calculated at 2.5% of the final average salary (defined as the average paid base salary of the officer over the highest 30 consecutive months of the last 60 months of credited service) multiplied by the years of credited service, with a maximum of 30 years of credited service considered.

Monthly benefits for participants due to permanent disability incurred in the line of duty are 2.5% of the participants' final average salary multiplied by 20 years. This disability benefit is reduced by stated percentages for partial disability based on the percentage of impairment. After 10 years of credited service, participants who retire due to disability incurred from any cause are eligible for a monthly benefit based on 2.5% of their final average salary multiplied by the years of service. This disability benefit is also reduced by stated percentages for partial disability based on the percentage of impairment. Effective July 1, 1998, once a disability benefit is granted to a participant, that participant is no longer allowed to apply for an increase in the dollar amount of the benefit at a subsequent date.

Survivor's benefits are payable in full to the participant's beneficiary upon the death of a retired participant. The beneficiary of any active participant killed in the line of duty is entitled to a pension benefit.

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**Contributions** - The contributions requirements of the Plan are at an established rate determine by Oklahoma Statute and are not based on actuarial calculations. Employees are required to contribute 8% percent of their annual pay. Participating cities are required to contribute 13% of the employees' annual pay. Contributions to the pension plan from the City were \$322,718. The State of Oklahoma also made on-behalf contributions to OPPRS in the amount of \$220,457 during the calendar year and this is reported as both expense and revenue in the General Fund Statement of Revenues, Expenditures, and Changes in Fund Balance. In the government-wide Statement of Activities, revenue is recognized for the state's on-behalf contributions on an accrual basis of \$319,305. These on-behalf payments did not meet the criteria of a special funding situation.

**Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions** - At June 30, 2021, the City reported a liability of \$910,053 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2020, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of July 1, 2020. The City's proportion of the net pension liability was based on the City's contributions received by the pension plan relative to the total contributions received by pension plan for all participating employers as of June 30, 2020. Based upon this information, the City's proportion was .7924%.

For the year ended June 30, 2021, the City recognized pension expense of \$1,075,680. At June 30, 2021, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

|                                                                                                           | Deferred Outflows<br>of Resources | Deferred Inflows<br>of Resources |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------|----------------------------------|
| Differences between expected and actual experience                                                        | \$ 23,544                         | \$ 247,146                       |
| Changes of assumptions                                                                                    | 93,489                            | -                                |
| Net difference between projected and actual earnings on pension plan investments                          | 1,073,720                         | -                                |
| Changes in proportion and differences between City contributions and proportionate share of contributions | 17,472                            | 21,613                           |
| City contributions during measurement date                                                                | 4,902                             | 6,433                            |
| City contributions subsequent to the measurement date                                                     | 322,718                           | -                                |
| Total                                                                                                     | <u>\$ 1,535,845</u>               | <u>\$ 275,192</u>                |

\$322,718 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2022. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

|                     |           |                |
|---------------------|-----------|----------------|
| Year ended June 30: |           |                |
| 2022                | \$        | 131,579        |
| 2023                |           | 273,819        |
| 2024                |           | 350,512        |
| 2025                |           | 203,021        |
| 2026                |           | (20,996)       |
|                     | <u>\$</u> | <u>937,935</u> |

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**Actuarial Assumptions**-The total pension liability was determined by an actuarial valuation as of July 1, 2020, using the following actuarial assumptions, applied to all prior periods included in the measurement:

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Inflation:                  | 2.75%                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Salary increases:           | 3.5% to 12% average, including inflation                                                                                                                                                                                                                                                                                                                                                                                                    |
| Investment rate of return:  | 7.5% net of pension plan investment expense                                                                                                                                                                                                                                                                                                                                                                                                 |
| Cost-of-living adjustments: | Police officers eligible to receive increased benefits according to repealed Section 50-120 of Title 11 of the Oklahoma Statutes pursuant to a court order receive an adjustment of 1/3 to 1/2 of the increase or decrease of any adjustment to the base salary of a regular police officer, based on an increase in base salary of 3.5% (wage inflation).                                                                                  |
| Mortality rates:            | <p>Active employees (pre-retirement) RP-2000 Blue Collar Healthy Combined table with age set back 4 years with fully generational improvement using Scale AA.</p> <p>Active employees (post-retirement) and nondisabled pensioners: RP-2000 Blue Collar Healthy Combined table with fully generational improvement using scale AA.</p> <p>Disabled pensioners: RP-2000 Blue Collar Healthy Combined table with age set forward 4 years.</p> |

The actuarial assumptions used in the July 1, 2020, valuation were based on the results of an actuarial experience study for the period July 1, 2012, to June 30, 2017.

The long-term expected rate of return on pension plan investments was determined using a building block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense, and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of June 30, 2020, are summarized in the following table:

| <u>Asset Class</u>   | <u>Long-Term Expected<br/>Real Rate of Return</u> |
|----------------------|---------------------------------------------------|
| Fixed income         | 5.11%                                             |
| Domestic equity      | 6.80%                                             |
| International equity | 11.45%                                            |
| Real estate          | 8.60%                                             |
| Private Equity       | 11.58%                                            |
| Commodities          | 0.00%                                             |

The current allocation policy is that approximately 60% of assets in equity instruments, including public equity, long-short hedge, venture capital, and private equity strategies; approximately 25% of assets in fixed income to include investment grade bonds, high yield and non-dollar denominated bonds,

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convertible bonds, and low volatility hedge fund strategies; and 15% of assets in real assets to include real estate, commodities, and other strategies.

**Discount Rate-** The discount rate used to measure the total pension liability was 7.5%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current contribution rate and that contributions from employers will be made at contractually required rates, determined by State statutes. Projected cash flows also assume the State of Oklahoma will continue contributing 14% of the insurance premium, as established by statute. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

**Sensitivity of the Net Pension Liability (Asset) to Changes in the Discount Rate-** The following presents the net pension liability (asset) of the employers calculated using the discount rate of 7.5%, as well as what the Plan's net pension liability (asset) would be if it were calculated using a discount rate that is 1-percentage point lower (6.5%) or 1-percentage-point higher (8.5%) than the current rate:

|                                          | 1% Decrease<br>(6.5%) | Current Discount<br>Rate (7.5%) | 1% Increase<br>(8.5%) |
|------------------------------------------|-----------------------|---------------------------------|-----------------------|
| Employers' net pension liability (asset) | \$ 3,214,849          | \$ 910,053                      | \$ (1,039,320)        |

**Pension plan fiduciary net position** - Detailed information about the pension plan's fiduciary net position is available in the separately issued financial report of the OPPRS; which can be located at [www.ok.gov/OPPRS](http://www.ok.gov/OPPRS).

***OkMRF Defined Benefit Plan:***

**Plan Description-**The City contributes to the OkMRF for all eligible employees except for those covered by the Police and Firefighter Pension Systems. The plan is an agent multiple employer - defined benefit plan administered by OkMRF. The OkMRF plan issues a separate financial report and can be obtained from OkMRF or from their website: [www.okmrf.org/reports.html](http://www.okmrf.org/reports.html). Benefits are established or amended by the City Council in accordance with O.S. Title 11, Section 48-101-102.

**Summary of Significant Accounting Policies-**For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City's plan and additions to/deductions from the City's fiduciary net position have been determined on the same basis as they are reported by OkMRF. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value based on published market prices. Detailed information about the OkMRF plans' fiduciary net position is available in the separately issued OkMRF financial report.

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**Eligibility Factors and Benefit Provisions**

| <u>Provision</u>                  | As of 07/01/20<br><u>OkMRF Plan</u>                                                                                                                                                                                                           |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. Eligible to participate        | Full-time employees except police, firefighters and other employees who are covered under an approved system.                                                                                                                                 |
| b. Period Required to Vest        | 7 years of credited service                                                                                                                                                                                                                   |
| c. Eligibility for Distribution   | -Normal retirement at age 65 with 7 years of service<br>-Early retirement at age 55 with 7 years of service<br>-Disability retirement upon disability with 7 years of service<br>-Death benefit with 7 years of service for married employees |
| d. Benefit Determination Base     | Final average salary - the average of the five highest consecutive annual salaries out of the last 10 calendar years of service                                                                                                               |
| e. Benefit Determination Methods: |                                                                                                                                                                                                                                               |
| Normal Retirement                 | 2.625% of final average salary multiplied by credited years of service                                                                                                                                                                        |
| Early Retirement                  | Actuarially reduced benefit based upon age, final average salary, and years of service at termination                                                                                                                                         |
| Disability Retirement             | Same as normal retirement                                                                                                                                                                                                                     |
| Death Benefit                     | 50% of employees accrued benefit, but terminates upon spouse re-marriage                                                                                                                                                                      |
| Prior to 7 Years of Service       | No benefits                                                                                                                                                                                                                                   |
| f. Benefit Authorization          | Benefits are established and amended by City Council adoption of an ordinance in accordance with O.S. Title, 11, Section 48-101-102                                                                                                           |
| g. Form of Benefit Payments       | Normal form is a 60 months certain and life thereafter basis. Employee may elect, with City consent, option form based on actuarial equivalent.                                                                                               |

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*B. Employees Covered by Benefit Terms*

|                                   | <u>City</u> | <u>DIA</u> | <u>Total</u> |
|-----------------------------------|-------------|------------|--------------|
| Active Employees                  | 131         | 0          | 131          |
| Deferred Vested Former Employees  | 35          | 0          | 35           |
| Retirees or Retiree Beneficiaries | <u>58</u>   | <u>2</u>   | <u>60</u>    |
| Total                             | <u>224</u>  | <u>2</u>   | <u>226</u>   |

**Contribution Requirements**-The City Council has the authority to set and amend contribution rates by ordinance for the OkMRF defined benefit plan in accordance with O.S. Title 11, Section 48-102. The contribution rates for the current fiscal year have been made in accordance with an actuarially determined rate. The actuarially determined rate is 9.11% of covered payroll as of 7-1-21 and 7.28% of covered payroll as of 7-1-20. In FY 20-21, the City decided to have the employees pay 1.5% of the City's rate of 9.11%, therefore, the true city contribution rate for FY 20-21 is 7.61%. For the year ended June 30, 2021, the City recognized \$440,305 of employer contributions to the plan which is less than the actuarially determined amount based on covered payroll of \$5,785,855.

**Actuarial Assumptions**

|                                                    |                                                                                                                                                                                                                       |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date of Last Actuarial Valuation                   | July 1, 2020                                                                                                                                                                                                          |
| a. Actuarial cost method                           | Entry age normal                                                                                                                                                                                                      |
| b. Rate of Return on Investments and Discount Rate | 7.25%                                                                                                                                                                                                                 |
| c. Projected Salary Increase                       | Varies between 7.5% and 4.5% based on age                                                                                                                                                                             |
| d. Post Retirement Cost-of-Living Increase         | Benefits (attributable to service prior to 1/1/2010) in payment status are adjusted each July 1 <sup>st</sup> based on the percentage change in the CPI. The maximum increase or decrease in any year is 3%.          |
| e. Inflation Rate                                  | 2.75%                                                                                                                                                                                                                 |
| f. Mortality Table                                 | UP 1994, with projected mortality improvement                                                                                                                                                                         |
| g. Percent of married employees                    | 100%                                                                                                                                                                                                                  |
| h. Spouse age difference                           | 3 years (female spouses younger)                                                                                                                                                                                      |
| i. Turnover                                        | Select and ultimate rates<br>Ultimate rates are age-related as shown<br>Additional rates per thousand are<br>Added during the first 5 years:<br>Year 1: 225<br>Year 2: 140<br>Year 3: 100<br>Year 4: 70<br>Year 5: 40 |

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**Discount Rate** – The discount rate used to value benefits was the long-term expected rate of return on plan investments, 7.5% since the plan's net fiduciary position is projected to be sufficient to make projected benefit payments.

The City has adopted a funding method that is designed to fund all benefits payable to participants over the course of their working careers. Any differences between actual and expected experience are funded over a fixed period to ensure all funds necessary to pay benefits have been contributed to the trust before those benefits are payable. Thus, the sufficiency of pension plan assets was made without a separate projection of cash flows.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation (2.75%). Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of July 1, 2020 are summarized in the following table:

|                                                   | <u>Target<br/>Allocation</u> | <u>Real<br/>Return</u> | <u>Weighted<br/>Return</u> |
|---------------------------------------------------|------------------------------|------------------------|----------------------------|
| Large cap stocks<br>S&P 500                       | 25%                          | 5.80%                  | 1.45%                      |
| Small/mid cap stocks<br>Russell 2500              | 10%                          | 6.40%                  | 0.64%                      |
| Long/short equity<br>MSCI ACWI                    | 10%                          | 5.00%                  | 0.50%                      |
| International stocks<br>MSCI EAFE                 | 20%                          | 6.20%                  | 1.24%                      |
| Fixed income bonds<br>Barclay's Capital Aggregate | 30%                          | 2.30%                  | 0.69%                      |
| Real estate<br>NCREIF                             | 5%                           | 4.60%                  | 0.23%                      |
| Cash equivalents<br>3 month Treasury              | 0%                           | 0.00%                  | 0.00%                      |
| <br>TOTAL                                         | <br><u>100%</u>              |                        |                            |
| <br>Average Real Return                           |                              |                        | <br>4.75%                  |
| Inflation                                         |                              |                        | <u>2.75%</u>               |
| Long-term expected return                         |                              |                        | <u>7.50%</u>               |

**Changes in Net Pension Liability** – The total pension liability was determined based on an actuarial valuation performed as of July 1, 2020 which is also the measurement date. There were several changes in assumptions or changes in benefit terms that affected measurement of the total pension liability. There were no changes between the measurement date of July 1, 2020 and the City's report ending date of June 30, 2021, that would have had a significant impact on the net pension liability. The following table reports the components of changes in net pension liability:



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| SCHEDULE OF CHANGES IN NET PENSION LIABILITY       |                         |                      |                       |
|----------------------------------------------------|-------------------------|----------------------|-----------------------|
|                                                    | Increase (Decrease)     |                      |                       |
|                                                    | Total Pension Liability | Plan Net Position    | Net Pension Liability |
|                                                    | (a)                     | (b)                  | (a) - (b)             |
| <b>Balances Beginning of Year</b>                  | \$ 24,560,128           | \$ 24,174,110        | \$ 386,018            |
| <b>Changes for the Year:</b>                       |                         |                      |                       |
| Service cost                                       | 586,155                 | -                    | 586,155               |
| Interest expense                                   | 1,802,092               | -                    | 1,802,092             |
| Benefit changes                                    | 10,144                  |                      | 10,144                |
| Differences between expected and actual experience | (630,750)               | -                    | (630,750)             |
| Contributions--City                                | -                       | 407,750              | (407,750)             |
| Contributions--members                             | -                       | 245,863              | (245,863)             |
| Net investment income                              | -                       | 988,086              | (988,086)             |
| Benefits paid                                      | (1,084,067)             | (1,084,067)          | -                     |
| Plan administrative expenses                       | -                       | (49,785)             | 49,785                |
| <b>Net Changes</b>                                 | <b>683,574</b>          | <b>507,847</b>       | <b>175,727</b>        |
| <b>Balances End of Year</b>                        | <b>\$ 25,243,702</b>    | <b>\$ 24,681,957</b> | <b>\$ 561,745</b>     |

***Sensitivity of the net pension liability (asset) to changes in the discount rate***-The following presents the net pension liability (asset) of the City, calculated using the discount rate of 7.5 percent, as well as what the City's net pension liability (asset) would be if it were calculated using a discount rate that is 1-percentage-point lower (6.5 percent) or 1-percentage-point higher (8.5 percent) than the current rate:

|                               | 1% Decrease<br>(6.5%) | Current Discount<br>Rate (7.5%) | 1% Increase<br>(8.5%) |
|-------------------------------|-----------------------|---------------------------------|-----------------------|
| Net Pension Liability (Asset) | \$ 3,769,430          | \$ 561,745                      | \$ (2,097,084)        |

The City reported \$463,221 in pension expense for the year ended June 30, 2021. At June 30, 2021, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

|                                                                                                           | Deferred Outflows<br>of Resources |                 |                     | Deferred Inflows<br>of Resources |                 |                   |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------|---------------------|----------------------------------|-----------------|-------------------|
|                                                                                                           | Primary Government                | DIA             | Total               | Primary Government               | DIA             | Total             |
| Differences between expected and actual experience                                                        | \$ 21,100                         | \$ -            | \$ 21,100           | \$ 732,147                       | \$ -            | \$ 732,147        |
| Changes of assumptions                                                                                    | 433,766                           | -               | 433,766             | -                                | -               | -                 |
| Net difference between projected and actual earnings on pension plan investments                          | 555,433                           | -               | 555,433             | -                                | -               | -                 |
| Changes in proportion and differences between City contributions and proportionate share of contributions | 5,609                             | 161             | 5,770               | 2,824                            | 2,941           | 5,765             |
| City contributions during measurement date                                                                | 9,653                             | 5,193           | 14,846              | 10,507                           | 1,189           | 11,696            |
| City contributions subsequent to the measurement date                                                     | 440,305                           | -               | 440,305             | -                                | -               | -                 |
| <b>Total</b>                                                                                              | <b>\$ 1,465,866</b>               | <b>\$ 5,354</b> | <b>\$ 1,471,220</b> | <b>\$ 745,478</b>                | <b>\$ 4,130</b> | <b>\$ 749,608</b> |

The \$440,305 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2022.

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**Amortization of Pension Deferrals** - Amounts reported as deferred outflows of resources (excluding deferred outflows of resources related to contributions made subsequent to the measurement date) and deferred inflows of resources will be recognized in pension expense as follows:

|                            |    | <b>Total</b>   | <b>Primary<br/>Government</b> | <b>DIA</b>      |
|----------------------------|----|----------------|-------------------------------|-----------------|
| <b>Year ended June 30:</b> |    |                |                               |                 |
| 2022                       | \$ | (147,171)      | \$ (148,373)                  | \$ 1,202        |
| 2023                       |    | 99,454         | 99,378                        | 76              |
| 2024                       |    | 167,567        | 167,621                       | (54)            |
| 2025                       |    | 161,457        | 161,457                       | -               |
|                            | \$ | <u>281,307</u> | <u>\$ 280,083</u>             | <u>\$ 1,224</u> |

***OkMRF Defined Contribution Plan:***

The City has also provided a defined contribution plan and trust known as the City of Durant Plan and Trust (the “Plan”) in the form of The Oklahoma Municipal Retirement System Master Defined Contribution Plan (OkMRF). OkMRF operations are supervised by a nine-member Board of Trustees elected by the participating municipalities. The plan is administered by Bank One of Oklahoma City. The defined contribution plan is available to all full-time employees except those participating in state fire or police programs. Benefits depend solely on amounts contributed to the plan plus investment earnings. Employees are eligible to participate upon employment, and are required to make contributions to the plan of 5% (not to exceed 10%), effective July 1, 2001. By City ordinance, the City, as employer, intends to make contributions to the plan at a variable rate effective July 1, 2001. Voluntary nondeductible contributions by employees shall be allowed under the provisions of the plan. The City’s contributions for each employee (and interest allocated to the employee’s account) are vested at a rate of 100% after 7 years of service. City contributions for, and interest forfeited by, employees who leave employment prior to fully vesting are allocated back to remaining eligible participants. The authority to establish and amend the provisions of the plan rests with the City Council.

By City adopted ordinance in 2007, a plan for the City Manager and Assistant City Manager was approved in which employees in these positions contribution rate is 7% and employer contribution rate is 13% and they are immediately vested (no year limit).

For the year ended June 30, 2021, the City contributed \$18,393 to the plan, while the employee contributions totaled \$44,779.

OkMRF issues separate plan financial statements which may be obtained by contacting the Oklahoma Municipal Retirement Fund, 100 N. Broadway, Oklahoma City, Oklahoma, 73102.

## **16. Subsequent Events**

In July 2021, the City was awarded a \$1,600,000 weather radar system grant from the OK Emergency Management and Office of Homeland Security.

In October 2021, the City was awarded a \$3,261,339 American Rescue Plant Act (ARPA) grant.

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**REQUIRED SUPPLEMENTARY INFORMATION**

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**Budgetary Comparison Schedule (Budgetary Basis) – Year Ended June 30, 2021**

|                                              | GENERAL FUND      |                   |                     |                                  |
|----------------------------------------------|-------------------|-------------------|---------------------|----------------------------------|
|                                              | Budgeted Amounts  |                   | Actual Amounts      | Final Budget Positive (Negative) |
|                                              | Original          | Final             |                     |                                  |
| <b>Beginning Budgetary Fund Balance:</b>     | \$ 1,400,000      | \$ 1,598,839      | \$ 5,082,881        | \$ 3,484,042                     |
| <b>Resources (Inflows):</b>                  |                   |                   |                     |                                  |
| Taxes                                        | 10,144,000        | 10,144,000        | 12,379,068          | 2,235,068                        |
| Intergovernmental                            | 559,162           | 2,026,243         | 2,092,243           | 66,000                           |
| Charges for services                         | 64,100            | 64,100            | 107,647             | 43,547                           |
| Fines and forfeitures                        | 337,650           | 350,941           | 691,498             | 340,557                          |
| Licenses and permits                         | 266,200           | 419,200           | 427,341             | 8,141                            |
| Investment income                            | 28,000            | 28,000            | 18,846              | (9,154)                          |
| Miscellaneous                                | 147,140           | 238,796           | 347,916             | 109,120                          |
| Other financing sources                      | 4,755,859         | 5,292,579         | 4,755,870           | (536,709)                        |
| <b>Total Resources</b>                       | <b>16,302,111</b> | <b>18,563,859</b> | <b>20,820,429</b>   | <b>2,256,570</b>                 |
| <b>Amounts available for appropriation</b>   | <b>17,702,111</b> | <b>20,162,698</b> | <b>25,903,310</b>   | <b>5,740,612</b>                 |
| <b>Charges to Appropriations (Outflows):</b> |                   |                   |                     |                                  |
| City Administration                          | 649,948           | 716,138           | 661,547             | 54,591                           |
| City Clerk                                   | 99,301            | 78,301            | 70,223              | 8,078                            |
| City Treasurer                               | 320,970           | 400,396           | 382,871             | 17,525                           |
| City Attorney                                | 100,000           | 100,000           | 57,890              | 42,110                           |
| General Government                           | 1,067,044         | 1,359,812         | 585,113             | 774,699                          |
| Police                                       | 5,526,634         | 5,321,382         | 4,966,025           | 355,357                          |
| Animal Control                               | 117,061           | 118,561           | 97,300              | 21,261                           |
| Fire                                         | 3,481,519         | 3,776,398         | 3,643,742           | 132,656                          |
| Municipal Court                              | 149,146           | 168,587           | 162,054             | 6,533                            |
| Civil Emergency Management                   | 333,086           | 346,974           | 315,342             | 31,632                           |
| Community Development                        | 560,875           | 600,975           | 565,431             | 35,544                           |
| Economic Development                         | 202,753           | 207,472           | 171,067             | 36,405                           |
| Streets                                      | 1,638,663         | 1,478,460         | 1,064,635           | 413,825                          |
| City Garage                                  | 341,102           | 344,782           | 306,038             | 38,744                           |
| Parks, Recreation and General Services       | 961,923           | 965,423           | 787,280             | 178,143                          |
| Swimming Pool                                | 121,139           | 144,266           | 135,198             | 9,068                            |
| Public Library                               | 667,133           | 699,819           | 653,751             | 46,068                           |
| Senior Citizens Center                       | 72,600            | 77,600            | 36,061              | 41,539                           |
| Other Financing Uses - Transfers Out         | 1,291,214         | 3,257,352         | 2,816,474           | 440,878                          |
| <b>Total Charges to Appropriations</b>       | <b>17,702,111</b> | <b>20,162,698</b> | <b>17,478,042</b>   | <b>2,684,656</b>                 |
| <b>Ending Budgetary Fund Balance</b>         | <b>\$ -</b>       | <b>\$ -</b>       | <b>\$ 8,425,268</b> | <b>\$ 8,425,268</b>              |

See accompanying notes to budgetary comparison schedules.

Unaudited

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**Budgetary Comparison Schedule (Budgetary Basis) – Year Ended June 30, 2021, Continued**

**SPECIAL REVENUE - 1/4% ECONOMIC DEVELOPMENT FUND**

|                                       | <b>Budgeted Amounts</b> |                  | <b>Actual<br/>Amounts</b> | <b>Variance with<br/>Final Budget<br/>Positive (Negative)</b> |
|---------------------------------------|-------------------------|------------------|---------------------------|---------------------------------------------------------------|
|                                       | <b>Original</b>         | <b>Final</b>     |                           |                                                               |
| Beginning Budgetary Fund Balance      | \$ 2,381,240            | \$ 2,642,219     | \$ 5,507,054              | \$ 2,864,835                                                  |
| Resources (Inflows):                  |                         |                  |                           |                                                               |
| Taxes                                 | 943,500                 | 943,500          | 1,121,656                 | 178,156                                                       |
| Investment income                     | 5,000                   | 5,000            | 7,811                     | 2,811                                                         |
| Transfers in - component unit         | 52,000                  | 52,000           | 52,000                    | -                                                             |
| Amounts available for appropriation   | <u>3,381,740</u>        | <u>3,642,719</u> | <u>6,688,521</u>          | <u>3,045,802</u>                                              |
| Charges to appropriations (outflows): |                         |                  |                           |                                                               |
| Economic development                  | 3,381,740               | 2,515,685        | -                         | 2,515,685                                                     |
| Transfers out - component unit        | -                       | 1,127,034        | 1,127,034                 | -                                                             |
| Total Charges to Appropriations       | <u>3,381,740</u>        | <u>3,642,719</u> | <u>1,127,034</u>          | <u>2,515,685</u>                                              |
| Ending Budgetary Fund Balance         | <u>\$ -</u>             | <u>\$ -</u>      | <u>\$ 5,561,487</u>       | <u>\$ 5,561,487</u>                                           |

**SPECIAL REVENUE - 5/8% SALES TAX EDUCATION FUND**

|                                       | <b>Budgeted Amounts</b> |                  | <b>Actual<br/>Amounts</b> | <b>Variance with<br/>Final Budget<br/>Positive (Negative)</b> |
|---------------------------------------|-------------------------|------------------|---------------------------|---------------------------------------------------------------|
|                                       | <b>Original</b>         | <b>Final</b>     |                           |                                                               |
| Beginning Budgetary Fund Balance      | \$ -                    | \$ -             | \$ 394,959                | \$ 394,959                                                    |
| Resources (Inflows):                  |                         |                  |                           |                                                               |
| Taxes                                 | 2,625,417               | 2,625,417        | 3,203,078                 | 577,661                                                       |
| Amounts available for appropriation   | <u>2,625,417</u>        | <u>2,625,417</u> | <u>3,598,037</u>          | <u>972,620</u>                                                |
| Charges to appropriations (outflows): |                         |                  |                           |                                                               |
| General government                    | 2,625,417               | 2,625,417        | 3,163,287                 | (537,870)                                                     |
| Total Charges to Appropriations       | <u>2,625,417</u>        | <u>2,625,417</u> | <u>3,163,287</u>          | <u>(537,870)</u>                                              |
| Ending Budgetary Fund Balance         | <u>\$ -</u>             | <u>\$ -</u>      | <u>\$ 434,750</u>         | <u>\$ 434,750</u>                                             |

**SPECIAL REVENUE - DURANT TAX INCREMENT FINANCE AUTHORITY**

|                                            | <b>Budgeted Amounts</b> |                  | <b>Actual<br/>Amounts</b> | <b>Variance with<br/>Final Budget<br/>Positive (Negative)</b> |
|--------------------------------------------|-------------------------|------------------|---------------------------|---------------------------------------------------------------|
|                                            | <b>Original</b>         | <b>Final</b>     |                           |                                                               |
| Beginning Budgetary Fund Balance, Restated | \$ -                    | \$ -             | \$ 2,206,297              | \$ 2,206,297                                                  |
| Resources (Inflows):                       |                         |                  |                           |                                                               |
| Taxes                                      | -                       | 2,332,298        | 2,588,963                 | 256,665                                                       |
| Investment income                          | -                       | -                | 472                       | 472                                                           |
| Miscellaneous income                       | 2,627,279               | 294,981          | 200,226                   | (94,755)                                                      |
| Amounts available for appropriation        | <u>2,627,279</u>        | <u>2,627,279</u> | <u>4,995,958</u>          | <u>2,368,679</u>                                              |
| Charges to appropriations (outflows):      |                         |                  |                           |                                                               |
| Economic development                       | 2,627,279               | 2,627,279        | 2,624,699                 | 2,580                                                         |
| Total Charges to Appropriations            | <u>2,627,279</u>        | <u>2,627,279</u> | <u>2,624,699</u>          | <u>2,580</u>                                                  |
| Ending Budgetary Fund Balance              | <u>\$ -</u>             | <u>\$ -</u>      | <u>\$ 2,371,259</u>       | <u>\$ 2,371,259</u>                                           |

Unaudited

**CITY OF DURANT, OKLAHOMA**  
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**Footnotes to Budgetary Comparison Schedules:**

1. The City prepares its budgets for all funds on the modified accrual basis of accounting with the exception of payroll accruals and certain expenditures related to on-behalf payments for police and fire and tax apportionment revenue transfers. For budgetary purposes expenditures are recorded in the period the invoice is received, except for payroll expenditures that are recorded when paid. All unexpended encumbrances lapse at year-end and therefore are not recorded as expenditures for budgetary purposes.
2. The legal level of appropriation control is the department level within a fund. Transfers of appropriation within a fund require the approval of the City Manager. All supplemental appropriations require the approval of the City Council. Supplemental appropriations must be filed with the Office of the State Auditor and Inspector.
3. The budgetary basis differs from the modified accrual basis as shown in the schedule below:

|                                                                                                             | <u>General Fund</u> |
|-------------------------------------------------------------------------------------------------------------|---------------------|
| Total budgetary amounts available for appropriation                                                         | \$25,903,310        |
| Current year on-behalf payments made by state                                                               | 732,235             |
| Beginning budgetary fund balance                                                                            | <u>( 5,082,881)</u> |
| Actual revenues and transfers per Statement of Revenues<br>and Expenditures and Changes in Fund Balance     | <u>\$21,552,664</u> |
| Total revenues                                                                                              | \$16,796,794        |
| Transfers in                                                                                                | <u>4,755,870</u>    |
|                                                                                                             | <u>\$21,552,664</u> |
| Total budgetary charges to appropriations                                                                   | \$17,478,042        |
| Net difference in prior year and current year payroll accruals                                              | 80,695              |
| Current year on-behalf payments made by state                                                               | <u>732,235</u>      |
| Actual expenditures and transfers per Statement of Revenues<br>and Expenditures and Changes in Fund Balance | <u>\$18,290,972</u> |
| Total expenditures                                                                                          | 15,474,498          |
| Interaccount transfers                                                                                      | 667,268             |
| Transfers out                                                                                               | <u>2,149,206</u>    |
|                                                                                                             | <u>\$18,290,972</u> |

4. In the 5/8% Sales Tax Education Fund, the City had a negative variance in the following department and for the following amount:

|                                                    |             |
|----------------------------------------------------|-------------|
| 5/8% Sales Tax Education Fund - General Government | (\$537,870) |
|----------------------------------------------------|-------------|

Unaudited

**CITY OF DURANT, OKLAHOMA**  
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Schedules of Required Supplementary Information

SCHEDULE OF THE CITY OF DURANT'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY  
OKLAHOMA FIREFIGHTERS PENSION & RETIREMENT SYSTEM  
Last 10 Fiscal Years\*

|                                                                                                         | 2015        | 2016        | 2017        | 2018        | 2019        | 2020        | 2021        |
|---------------------------------------------------------------------------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| City's proportion of the net pension liability                                                          | 0.688374%   | 0.685132%   | 0.650685%   | 0.662943%   | 0.643774%   | 0.676549%   | 0.656971%   |
| City's proportionate share of the net pension liability                                                 | \$7,078,874 | \$7,272,054 | \$7,949,524 | \$8,337,995 | \$7,246,617 | \$7,148,870 | \$8,093,308 |
| City's covered-employee payroll                                                                         | \$1,788,012 | \$1,868,206 | \$1,900,625 | \$1,951,518 | \$1,914,700 | \$2,097,823 | \$2,106,650 |
| City's proportionate share of the net pension liability as a percentage of its covered-employee payroll | 396%        | 389%        | 418%        | 427%        | 378%        | 341%        | 384%        |
| Plan fiduciary net position as a percentage of the total pension liability                              | 68.12%      | 68.27%      | 64.87%      | 66.61%      | 70.73%      | 72.85%      | 69.98%      |

\*The amounts present for each fiscal year were determined as of 6/30

**Notes to Schedule:**

Only seven years are presented because 10-year data is not yet available.  
Current measurement date is June 30, 2020

SCHEDULE OF CITY CONTRIBUTIONS  
OKLAHOMA FIREFIGHTERS PENSION & RETIREMENT SYSTEM  
Last 10 Fiscal Years

|                                                                       | 2015         | 2016         | 2017         | 2018         | 2019         | 2020         | 2021         |
|-----------------------------------------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Statutorily required contribution                                     | \$ 262,072   | \$ 266,089   | \$ 273,213   | \$ 268,059   | \$ 293,695   | \$ 294,930   | \$ 294,192   |
| Contributions in relation to the<br>statutorily required contribution | 262,072      | 266,089      | 273,213      | 268,059      | 293,695      | 294,930      | 294,192      |
| Contribution deficiency (excess)                                      | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         |
| City's covered-employee payroll                                       | \$ 1,868,206 | \$ 1,900,625 | \$ 1,951,518 | \$ 1,914,700 | \$ 2,097,823 | \$ 2,106,650 | \$ 2,105,993 |
| Contributions as a percentage of<br>covered-employee payroll          | 14.03%       | 14.00%       | 14.00%       | 14.00%       | 14.00%       | 14.00%       | 13.97%       |

**Notes to Schedule:**

Only seven years are presented because 10-year data is not yet available.

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Schedules of Required Supplementary Information

SCHEDULE OF THE CITY OF DURANT'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY (ASSET)

OKLAHOMA POLICE PENSION & RETIREMENT SYSTEM

Last 10 Fiscal Years\*

|                                                                                                                 | 2015         | 2016         | 2017         | 2018         | 2019         | 2020         | 2021         |
|-----------------------------------------------------------------------------------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| City's proportion of the net pension liability (asset)                                                          | 0.8113%      | 0.8804%      | 0.8469%      | 0.8646%      | 0.7956%      | 0.7485%      | 0.7924%      |
| City's proportionate share of the net pension liability (asset)                                                 | \$ (273,169) | \$ 35,899    | \$ 1,296,951 | \$ 66,503    | \$ (378,977) | \$ (47,783)  | \$ 910,053   |
| City's covered-employee payroll                                                                                 | \$ 2,191,728 | \$ 2,395,574 | \$ 2,498,075 | \$ 2,674,985 | \$ 2,393,906 | \$ 2,447,776 | \$ 2,660,910 |
| City's proportionate share of the net pension liability (asset) as a percentage of its covered-employee payroll | 12.46%       | 1.50%        | 51.92%       | 2.49%        | 15.83%       | 1.95%        | -34.20%      |
| Plan fiduciary net position as a percentage of the total pension liability                                      | 101.53%      | 99.82%       | 93.50%       | 99.68%       | 101.89%      | 100.24%      | 95.80%       |

\*The amounts present for each fiscal year were determined as of 6/30

**Notes to Schedule:**

Only seven years are presented because 10-year data is not yet available.  
Current year measurement date is June 30, 2020.

SCHEDULE OF CITY CONTRIBUTIONS

OKLAHOMA POLICE PENSION & RETIREMENT SYSTEM

Last 10 Fiscal Years

|                                                                      | 2015           | 2016           | 2017           | 2018           | 2019           | 2020           | 2021           |
|----------------------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Statutorially required contribution                                  | \$ 312,317     | \$ 324,679     | \$ 347,748     | \$ 313,991     | \$ 317,698     | \$ 345,918     | \$ 322,718     |
| Contributions in relation to the statutorially required contribution | <u>312,317</u> | <u>324,679</u> | <u>347,748</u> | <u>313,991</u> | <u>317,698</u> | <u>345,918</u> | <u>322,718</u> |
| Contribution deficiency (excess)                                     | <u>\$ -</u>    | <u>\$ -</u>    | <u>\$ -</u>    | <u>\$ -</u>    | <u>\$ -</u>    | <u>\$ -</u>    | <u>\$ -</u>    |
| City's covered-employee payroll                                      | \$ 2,395,574   | \$ 2,498,075   | \$ 2,674,985   | \$ 2,393,906   | \$ 2,447,776   | \$ 2,660,910   | \$ 2,463,796   |
| Contributions as a percentage of covered-employee payroll            | 13.04%         | 13.00%         | 13.00%         | 13.12%         | 12.98%         | 13.00%         | 13.10%         |

**Notes to Schedule:**

Only seven years are presented because 10-year data is not yet available.



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**Required Supplementary Information**  
**Oklahoma Municipal Retirement Fund**

**Schedule of Changes in Net Pension Liability (Asset) and Related Ratios**

**Last Seven Fiscal Years**

|                                                                                   | 2015                 | 2016                 | 2017                 | 2018                 | 2019                 | 2020                 | 2021                 |
|-----------------------------------------------------------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| <b>Total pension liability</b>                                                    |                      |                      |                      |                      |                      |                      |                      |
| Service cost                                                                      | \$ 474,442           | \$ 504,423           | \$ 535,334           | \$ 520,170           | \$ 567,186           | \$ 498,246           | \$ 586,155           |
| Interest                                                                          | 1,339,625            | 1,397,991            | 1,511,043            | 1,524,210            | 1,617,469            | 1,670,475            | 1,802,092            |
| Changes of benefit terms                                                          | -                    | -                    | -                    | -                    | -                    | -                    | 10,144               |
| Differences between expected and actual experience                                | -                    | 224,049              | (1,156,893)          | 73,474               | (557,229)            | 13,151               | (630,750)            |
| Changes of assumptions                                                            | -                    | -                    | -                    | 577,148              | -                    | 598,473              | -                    |
| Benefit payments, including refunds of member contributions                       | (555,849)            | (618,337)            | (719,024)            | (720,157)            | (874,167)            | (968,910)            | (1,084,067)          |
| <b>Net change in total pension liability</b>                                      | <b>1,258,218</b>     | <b>1,508,126</b>     | <b>170,460</b>       | <b>1,974,845</b>     | <b>753,259</b>       | <b>1,811,435</b>     | <b>683,574</b>       |
| <b>Total pension liability - beginning</b>                                        | <b>17,083,785</b>    | <b>18,342,003</b>    | <b>19,850,129</b>    | <b>20,020,589</b>    | <b>21,995,434</b>    | <b>22,748,693</b>    | <b>24,560,128</b>    |
| <b>Total pension liability - ending (a)</b>                                       | <b>\$ 18,342,003</b> | <b>\$ 19,850,129</b> | <b>\$ 20,020,589</b> | <b>\$ 21,995,434</b> | <b>\$ 22,748,693</b> | <b>\$ 24,560,128</b> | <b>\$ 25,243,702</b> |
| <b>Plan fiduciary net position</b>                                                |                      |                      |                      |                      |                      |                      |                      |
| Contributions - employer                                                          | \$ 493,430           | \$ 461,861           | \$ 442,455           | \$ 467,299           | \$ 358,545           | \$ 386,867           | \$ 407,750           |
| Contributions - member                                                            | 174,621              | 177,044              | 179,833              | 186,706              | 178,254              | 182,243              | 245,863              |
| Net investment income                                                             | 2,676,643            | 532,000              | 176,438              | 2,411,380            | 1,609,044            | 1,571,394            | 988,086              |
| Benefit payments, including refunds of member contributions                       | (555,849)            | (618,337)            | (719,024)            | (720,157)            | (874,167)            | (968,910)            | (1,084,067)          |
| Administrative expense                                                            | (39,638)             | (39,943)             | (38,554)             | (42,698)             | (46,535)             | (48,991)             | (49,785)             |
| <b>Net change in plan fiduciary net position</b>                                  | <b>2,749,207</b>     | <b>512,625</b>       | <b>41,148</b>        | <b>2,302,530</b>     | <b>1,225,141</b>     | <b>1,122,603</b>     | <b>507,847</b>       |
| <b>Plan fiduciary net position - beginning</b>                                    | <b>16,220,856</b>    | <b>18,970,063</b>    | <b>19,482,688</b>    | <b>19,523,836</b>    | <b>21,826,366</b>    | <b>23,051,507</b>    | <b>24,174,110</b>    |
| <b>Plan fiduciary net position - ending (b)</b>                                   | <b>\$ 18,970,063</b> | <b>\$ 19,482,688</b> | <b>\$ 19,523,836</b> | <b>\$ 21,826,366</b> | <b>\$ 23,051,507</b> | <b>\$ 24,174,110</b> | <b>\$ 24,681,957</b> |
| <b>Net pension liability (asset) - ending (a) - (b)</b>                           | <b>\$ (628,060)</b>  | <b>\$ 367,441</b>    | <b>\$ 496,753</b>    | <b>\$ 169,068</b>    | <b>\$ (302,814)</b>  | <b>\$ 386,018</b>    | <b>\$ 561,745</b>    |
| <b>Plan fiduciary net position as a percentage of the total pension liability</b> | <b>103.42%</b>       | <b>98.15%</b>        | <b>97.52%</b>        | <b>99.23%</b>        | <b>101.33%</b>       | <b>98.43%</b>        | <b>97.77%</b>        |
| <b>Covered employee payroll</b>                                                   | <b>\$ 4,936,396</b>  | <b>\$ 5,050,820</b>  | <b>\$ 5,146,282</b>  | <b>\$ 5,529,720</b>  | <b>\$ 5,092,952</b>  | <b>\$ 5,208,258</b>  | <b>\$ 5,487,903</b>  |
| <b>Net pension liability (asset) as a percentage of covered-employee payroll</b>  | <b>12.72%</b>        | <b>7.27%</b>         | <b>9.65%</b>         | <b>3.06%</b>         | <b>5.95%</b>         | <b>7.41%</b>         | <b>10.24%</b>        |

**Notes to Schedule:**

Only seven years are presented because 10-year data is not yet available.  
This information includes activity for the City and the DIA, a discretely presented component unit.

**CITY OF DURANT, OKLAHOMA**  
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**Required Supplementary Information**  
**Oklahoma Municipal Retirement Fund**

| Schedule of Employer Contributions                                   | Last Seven Fiscal Years |              |              |              |              |                   |                  |
|----------------------------------------------------------------------|-------------------------|--------------|--------------|--------------|--------------|-------------------|------------------|
|                                                                      | 2015                    | 2016         | 2017         | 2018         | 2019         | 2020              | 2021             |
| Actuarially determined contribution                                  | \$ 462,585              | \$ 443,916   | \$ 483,908   | \$ 358,544   | \$ 386,867   | \$ 399,519        | \$ 527,094       |
| Contributions in relation to the actuarially determined contribution | 462,585                 | 443,916      | 483,908      | 358,544      | 386,867      | 407,750           | 440,305          |
| Contribution deficiency (excess)                                     | <u>\$ -</u>             | <u>\$ -</u>  | <u>\$ -</u>  | <u>\$ -</u>  | <u>\$ -</u>  | <u>\$ (8,231)</u> | <u>\$ 86,789</u> |
| Covered employee payroll                                             | \$ 5,050,820            | \$ 5,146,282 | \$ 5,529,720 | \$ 5,092,952 | \$ 5,208,258 | \$ 5,487,903      | \$ 5,785,855     |
| Contributions as a percentage of covered-employee payroll            | 9.16%                   | 8.63%        | 8.75%        | 7.04%        | 7.43%        | 7.43%             | 7.61%            |

**Notes to Schedule:**

1. Only seven years are presented because 10-year data is not yet available.
2. Latest Valuation Date: July 1, 2020
3. Actuarially determined contribution rate is calculated as of July 1, 2014, July 1, 2015, July 1, 2016, July 1, 2017, July 1, 2018, July 1, 2019 and July 1, 2020  
Fiscal year 2014-2015 contributions were at a rate of 9.13%.  
Fiscal year 2015-2016 contributions are set at a rate of 8.59%.  
Fiscal year 2016-2017 contributions are set at a rate of 8.76%.  
Fiscal year 2017-2018 contributions are set at a rate of 7.04%.  
Fiscal year 2018-2019 contributions are set at a rate of 7.43%.  
Fiscal year 2019-2020 contributions are set at a rate of 7.28%.  
Fiscal year 2020-2021 contributions are set at a rate of 9.11%. City decided to have employees pay 1.5% of this instead of the City, therefore, the true city contribution rate is 7.61%.
4. Methods and assumptions used to determine contribution rates:  
Actuarial cost method - Entry age normal  
Amortization method - Level percent of payroll, closed  
Remaining amortization period - 23 years  
Asset valuation method - Actuarial:  
Smoothing period - 4 years  
Recognition method - Non-asymptotic  
Corridor - 70% - 130%  
Salary increases - 4.50% to 7.50% (varies by attained age)  
Investment rate of return - 7.25%
5. This information includes activity for the City and DIA, a discretely presented component unit

**CITY OF DURANT, OKLAHOMA**  
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**SUPPLEMENTARY INFORMATION**

**CITY OF DURANT, OKLAHOMA**  
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**Combining Balance Sheet – General Fund Accounts – June 30, 2021**

|                                                        | General Fund Accounts |                             |                        |                            |                        |                              |                     |
|--------------------------------------------------------|-----------------------|-----------------------------|------------------------|----------------------------|------------------------|------------------------------|---------------------|
|                                                        | General Fund          | Cemetery Operations Account | Beautification Account | Christmas Lighting Account | Insurance Cash Account | Multi-Sports Complex Account | Total               |
| <b>ASSETS</b>                                          |                       |                             |                        |                            |                        |                              |                     |
| Cash and cash equivalents                              | \$ 6,815,656          | \$ 87,034                   | \$ 112,431             | \$ 1,023                   | \$ 94,379              | \$ 219,520                   | \$ 7,330,043        |
| Due from other governments                             | 1,646,966             | -                           | -                      | -                          | -                      | -                            | 1,646,966           |
| Miscellaneous taxes receivable                         | 96,821                | -                           | -                      | -                          | -                      | -                            | 96,821              |
| Court fines receivable, net                            | 63,464                | -                           | -                      | -                          | -                      | -                            | 63,464              |
| Other receivables                                      | 27,282                | 250                         | -                      | -                          | -                      | -                            | 27,532              |
| Total assets                                           | <u>\$ 8,650,189</u>   | <u>\$ 87,284</u>            | <u>\$ 112,431</u>      | <u>\$ 1,023</u>            | <u>\$ 94,379</u>       | <u>\$ 219,520</u>            | <u>\$ 9,164,826</u> |
| <b>LIABILITIES, DEFERRED INFLOWS AND FUND BALANCES</b> |                       |                             |                        |                            |                        |                              |                     |
| Liabilities:                                           |                       |                             |                        |                            |                        |                              |                     |
| Accounts payable                                       | \$ 93,097             | \$ 21,307                   | \$ 1,724               | \$ -                       | \$ -                   | \$ 585                       | \$ 116,713          |
| Accrued payroll liabilities                            | 539,343               | -                           | -                      | -                          | -                      | 1,042                        | 540,385             |
| Due to other funds                                     | 498                   | -                           | -                      | -                          | -                      | -                            | 498                 |
| Due to other governments                               | 6,757                 | -                           | -                      | -                          | -                      | -                            | 6,757               |
| Due to bondholders                                     | 4,506                 | -                           | -                      | -                          | -                      | -                            | 4,506               |
| Unearned revenue                                       | 64,560                | -                           | -                      | -                          | -                      | -                            | 64,560              |
| Total liabilities                                      | <u>708,761</u>        | <u>21,307</u>               | <u>1,724</u>           | <u>-</u>                   | <u>-</u>               | <u>1,627</u>                 | <u>733,419</u>      |
| Deferred Inflows of Resources:                         |                       |                             |                        |                            |                        |                              |                     |
| Deferred revenue                                       | <u>55,503</u>         | <u>-</u>                    | <u>-</u>               | <u>-</u>                   | <u>-</u>               | <u>-</u>                     | <u>55,503</u>       |
| Fund balances:                                         |                       |                             |                        |                            |                        |                              |                     |
| Assigned                                               | 3,500,000             | 65,977                      | 110,707                | 1,023                      | 94,379                 | 217,893                      | 3,989,979           |
| Unassigned                                             | 4,385,925             | -                           | -                      | -                          | -                      | -                            | 4,385,925           |
| Total fund balances                                    | <u>7,885,925</u>      | <u>65,977</u>               | <u>110,707</u>         | <u>1,023</u>               | <u>94,379</u>          | <u>217,893</u>               | <u>8,375,904</u>    |
| Total liabilities, deferred inflows and fund balances  | <u>\$ 8,650,189</u>   | <u>\$ 87,284</u>            | <u>\$ 112,431</u>      | <u>\$ 1,023</u>            | <u>\$ 94,379</u>       | <u>\$ 219,520</u>            | <u>\$ 9,164,826</u> |

**CITY OF DURANT, OKLAHOMA**  
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**Combining Schedule of Revenues, Expenditures, and Changes in Fund Balance – General Fund Accounts – Year Ended June 30, 2021**

|                                                   | General Fund  | Cemetery Operations Account | Beautification Account | Christmas Lighting Account | Insurance Cash Account | Multi-Sports Complex Account | Total         |
|---------------------------------------------------|---------------|-----------------------------|------------------------|----------------------------|------------------------|------------------------------|---------------|
| <b>REVENUES</b>                                   |               |                             |                        |                            |                        |                              |               |
| Taxes                                             | \$ 12,379,068 | \$ -                        | \$ -                   | \$ -                       | \$ -                   | \$ -                         | \$ 12,379,068 |
| Intergovernmental                                 | 2,824,478     | -                           | -                      | -                          | -                      | -                            | 2,824,478     |
| Charges for services                              | 107,647       | 40,578                      | -                      | -                          | -                      | 87,857                       | 236,082       |
| Licenses and permits                              | 427,341       | -                           | -                      | -                          | -                      | -                            | 427,341       |
| Fines and forfeitures                             | 691,498       | -                           | -                      | -                          | -                      | -                            | 691,498       |
| Investment income                                 | 18,846        | 186                         | 379                    | 4                          | -                      | 347                          | 19,762        |
| Miscellaneous                                     | 347,916       | 1,596                       | -                      | -                          | -                      | 1,075                        | 350,587       |
| Total revenues                                    | 16,796,794    | 42,360                      | 379                    | 4                          | -                      | 89,279                       | 16,928,816    |
| <b>EXPENDITURES</b>                               |               |                             |                        |                            |                        |                              |               |
| Current:                                          |               |                             |                        |                            |                        |                              |               |
| General government                                | 1,775,114     | -                           | 1,724                  | -                          | 310,184                | -                            | 2,087,022     |
| Public safety                                     | 9,948,969     | -                           | -                      | -                          | -                      | -                            | 9,948,969     |
| Public works                                      | 1,926,683     | -                           | -                      | -                          | -                      | -                            | 1,926,683     |
| Culture, tourism and recreation                   | 1,626,292     | -                           | -                      | -                          | -                      | 422,669                      | 2,048,961     |
| Cemetery                                          | -             | 124,747                     | -                      | -                          | -                      | -                            | 124,747       |
| Economic development                              | 171,849       | -                           | -                      | -                          | -                      | -                            | 171,849       |
| Capital Outlay                                    | 25,591        | -                           | -                      | -                          | -                      | 21,820                       | 47,411        |
| Total expenditures                                | 15,474,498    | 124,747                     | 1,724                  | -                          | 310,184                | 444,489                      | 16,355,642    |
| Excess (deficiency) of revenues over expenditures | 1,322,296     | (82,387)                    | (1,345)                | 4                          | (310,184)              | (355,210)                    | 573,174       |
| <b>OTHER FINANCING SOURCES (USES)</b>             |               |                             |                        |                            |                        |                              |               |
| Interaccount transfers                            | (667,268)     | 110,702                     | -                      | -                          | 198,622                | 357,944                      | -             |
| Transfers in                                      | 4,755,870     | 200                         | -                      | -                          | 186,139                | -                            | 4,942,209     |
| Transfers out                                     | (2,149,206)   | -                           | -                      | -                          | -                      | -                            | (2,149,206)   |
| Transfer from component unit                      | -             | -                           | -                      | -                          | 15,239                 | 135,000                      | 150,239       |
| Total other financing sources and uses            | 1,939,396     | 110,902                     | -                      | -                          | 400,000                | 492,944                      | 2,943,242     |
| Net change in fund balances                       | 3,261,692     | 28,515                      | (1,345)                | 4                          | 89,816                 | 137,734                      | 3,516,416     |
| Fund balances - beginning                         | 4,624,233     | 37,462                      | 112,052                | 1,019                      | 4,563                  | 80,159                       | 4,859,488     |
| Fund balances - ending                            | \$ 7,885,925  | \$ 65,977                   | \$ 110,707             | \$ 1,023                   | \$ 94,379              | \$ 217,893                   | \$ 8,375,904  |

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**Combining Balance Sheet – Nonmajor Governmental Funds – June 30, 2021**

|                                      | SPECIAL REVENUE FUNDS |                            |                       |                      |                          |                          |
|--------------------------------------|-----------------------|----------------------------|-----------------------|----------------------|--------------------------|--------------------------|
|                                      | Special 911 Tax Fund  | R.L. Williams Library Fund | Drug Enforcement Fund | HOME/FEMA Grant Fund | 1/4% Sales Tax M.S. Fund | 1/4% Sales Tax SOSU Fund |
| <b>ASSETS</b>                        |                       |                            |                       |                      |                          |                          |
| Cash and cash equivalents            | \$ 330,375            | \$ 7,075                   | \$ 2,388              | \$ -                 | \$ -                     | \$ -                     |
| Investments                          | -                     | 41,316                     | -                     | -                    | -                        | -                        |
| Miscellaneous taxes receivable       | -                     | -                          | -                     | -                    | -                        | -                        |
| Due from other funds                 | 498                   | -                          | -                     | -                    | -                        | -                        |
| Due from other governments           | -                     | -                          | -                     | -                    | 153,556                  | 153,556                  |
| Other receivables                    | 74,895                | -                          | -                     | -                    | -                        | -                        |
| Total assets                         | <u>\$ 405,768</u>     | <u>\$ 48,391</u>           | <u>\$ 2,388</u>       | <u>\$ -</u>          | <u>\$ 153,556</u>        | <u>\$ 153,556</u>        |
| <b>LIABILITIES AND FUND BALANCES</b> |                       |                            |                       |                      |                          |                          |
| Liabilities:                         |                       |                            |                       |                      |                          |                          |
| Accounts payable                     | \$ 806                | \$ -                       | \$ -                  | \$ -                 | \$ -                     | \$ -                     |
| Accrued payroll liabilities          | 21,774                | -                          | -                     | -                    | -                        | -                        |
| Due to other component unit          | -                     | -                          | -                     | -                    | -                        | -                        |
| Total liabilities                    | <u>22,580</u>         | <u>-</u>                   | <u>-</u>              | <u>-</u>             | <u>-</u>                 | <u>-</u>                 |
| Deferred Inflows of Resources:       |                       |                            |                       |                      |                          |                          |
| Deferred revenue                     | <u>4,217</u>          | <u>-</u>                   | <u>-</u>              | <u>-</u>             | <u>-</u>                 | <u>-</u>                 |
| Fund balances:                       |                       |                            |                       |                      |                          |                          |
| Restricted                           | -                     | 45,853                     | 2,242                 | -                    | 153,556                  | 153,556                  |
| Assigned                             | 378,971               | 2,538                      | 146                   | -                    | -                        | -                        |
| Total fund balances                  | <u>378,971</u>        | <u>48,391</u>              | <u>2,388</u>          | <u>-</u>             | <u>153,556</u>           | <u>153,556</u>           |
| Total liabilities and fund balances  | <u>\$ 405,768</u>     | <u>\$ 48,391</u>           | <u>\$ 2,388</u>       | <u>\$ -</u>          | <u>\$ 153,556</u>        | <u>\$ 153,556</u>        |

(Continued)

**Combining Balance Sheet – Nonmajor Governmental Funds – June 30, 2021, (Continued)**

|                                      | SPECIAL REVENUE FUNDS       | CAPITAL PROJECT FUNDS                |                    |                   |                     |
|--------------------------------------|-----------------------------|--------------------------------------|--------------------|-------------------|---------------------|
|                                      | 5% Lodging Tourism Tax Fund | DWRF Community Center & Library Fund | Cemetery Care Fund | CDBG Fund         | TOTALS              |
| <b>ASSETS</b>                        |                             |                                      |                    |                   |                     |
| Cash and cash equivalents            | \$ -                        | \$ 989,426                           | \$ 146,994         | \$ 106,811        | \$ 1,583,069        |
| Investments                          | -                           | -                                    | -                  | -                 | 41,316              |
| Miscellaneous taxes receivable       | 39,808                      | -                                    | -                  | -                 | 39,808              |
| Due from other funds                 | -                           | -                                    | -                  | -                 | 498                 |
| Due from other governments           | -                           | -                                    | -                  | 199,251           | 506,363             |
| Other receivables                    | -                           | -                                    | -                  | -                 | 74,895              |
| Total assets                         | <u>\$ 39,808</u>            | <u>\$ 989,426</u>                    | <u>\$ 146,994</u>  | <u>\$ 306,062</u> | <u>\$ 2,245,949</u> |
| <b>LIABILITIES AND FUND BALANCES</b> |                             |                                      |                    |                   |                     |
| Liabilities:                         |                             |                                      |                    |                   |                     |
| Accounts payable                     | \$ -                        | \$ -                                 | \$ -               | \$ -              | \$ 806              |
| Accrued payroll liabilities          | -                           | -                                    | -                  | -                 | 21,774              |
| Due to other component unit          | 39,808                      | -                                    | -                  | -                 | 39,808              |
| Total liabilities                    | <u>39,808</u>               | <u>-</u>                             | <u>-</u>           | <u>-</u>          | <u>62,388</u>       |
| Deferred Inflows of Resources:       |                             |                                      |                    |                   |                     |
| Deferred revenue                     | <u>-</u>                    | <u>-</u>                             | <u>-</u>           | <u>359</u>        | <u>4,576</u>        |
| Fund balances:                       |                             |                                      |                    |                   |                     |
| Restricted                           | -                           | 184,963                              | 125,723            | 305,703           | 971,596             |
| Assigned                             | -                           | 804,463                              | 21,271             | -                 | 1,207,389           |
| Total fund balances                  | <u>-</u>                    | <u>989,426</u>                       | <u>146,994</u>     | <u>305,703</u>    | <u>2,178,985</u>    |
| Total liabilities and fund balances  | <u>\$ 39,808</u>            | <u>\$ 989,426</u>                    | <u>\$ 146,994</u>  | <u>\$ 306,062</u> | <u>\$ 2,245,949</u> |

**CITY OF DURANT, OKLAHOMA**  
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**Combining Statement of Revenues, Expenditures, and Changes in Fund Balance – Nonmajor Governmental Funds – Year Ended June 30, 2021**

|                                                   | SPECIAL REVENUE FUNDS |                            |                       |                      |                          |                          |
|---------------------------------------------------|-----------------------|----------------------------|-----------------------|----------------------|--------------------------|--------------------------|
|                                                   | Special 911 Tax Fund  | R.L. Williams Library Fund | Drug Enforcement Fund | HOME/FEMA Grant Fund | 1/4% Sales Tax M.S. Fund | 1/4% Sales Tax SOSU Fund |
| <b>REVENUES</b>                                   |                       |                            |                       |                      |                          |                          |
| Taxes                                             | \$ 455,834            | \$ -                       | \$ -                  | \$ -                 | \$ 1,121,656             | \$ 1,121,656             |
| Intergovernmental                                 | -                     | -                          | 865                   | -                    | -                        | -                        |
| Charges for services                              | 91,193                | -                          | -                     | -                    | -                        | -                        |
| Investment earnings                               | 682                   | 113                        | -                     | -                    | -                        | -                        |
| Miscellaneous                                     | -                     | -                          | -                     | -                    | -                        | -                        |
| Total revenues                                    | <u>547,709</u>        | <u>113</u>                 | <u>865</u>            | <u>-</u>             | <u>1,121,656</u>         | <u>1,121,656</u>         |
| <b>EXPENDITURES</b>                               |                       |                            |                       |                      |                          |                          |
| Current:                                          |                       |                            |                       |                      |                          |                          |
| Public safety                                     | 783,245               | -                          | -                     | -                    | -                        | -                        |
| Culture and recreation                            | -                     | 205                        | -                     | -                    | -                        | -                        |
| Debt Service:                                     |                       |                            |                       |                      |                          |                          |
| Principal                                         | 35,220                | -                          | -                     | -                    | -                        | -                        |
| Interest and other charges                        | 10,231                | -                          | -                     | -                    | -                        | -                        |
| Capital outlay                                    | -                     | -                          | -                     | -                    | -                        | -                        |
| Total expenditures                                | <u>828,696</u>        | <u>205</u>                 | <u>-</u>              | <u>-</u>             | <u>-</u>                 | <u>-</u>                 |
| Excess (deficiency) of revenues over expenditures | (280,987)             | (92)                       | 865                   | -                    | 1,121,656                | 1,121,656                |
| <b>OTHER FINANCING SOURCES (USES)</b>             |                       |                            |                       |                      |                          |                          |
| Transfers in                                      | 534,473               | -                          | -                     | -                    | -                        | -                        |
| Transfers out                                     | (8,292)               | -                          | -                     | (11)                 | -                        | -                        |
| Transfer to component unit                        | -                     | -                          | -                     | -                    | (1,108,622)              | (1,108,622)              |
| Net change in fund balances                       | 245,194               | (92)                       | 865                   | (11)                 | 13,034                   | 13,034                   |
| Fund balances - beginning                         | 133,777               | 48,483                     | 1,523                 | 11                   | 140,522                  | 140,522                  |
| Fund balances - ending                            | <u>\$ 378,971</u>     | <u>\$ 48,391</u>           | <u>\$ 2,388</u>       | <u>\$ -</u>          | <u>\$ 153,556</u>        | <u>\$ 153,556</u>        |

(Continued)

**Combining Statement of Revenues, Expenditures, and Changes in Fund Balance – Nonmajor Governmental Funds – Year Ended June 30, 2021, (Continued)**

|                                                   | SPECIAL REVENUE FUNDS       |                                      | CAPITAL PROJECT FUNDS |                   |                     |
|---------------------------------------------------|-----------------------------|--------------------------------------|-----------------------|-------------------|---------------------|
|                                                   | 5% Lodging Tourism Tax Fund | DWRF Community Center & Library Fund | Cemetery Care Fund    | CDBG Fund         | Totals              |
| <b>REVENUES</b>                                   |                             |                                      |                       |                   |                     |
| Taxes                                             | \$ 373,003                  | \$ -                                 | \$ -                  | \$ -              | \$ 3,072,149        |
| Intergovernmental                                 | -                           | -                                    | -                     | 62,931            | 63,796              |
| Charges for services                              | -                           | -                                    | 3,872                 | -                 | 95,065              |
| Investment earnings                               | -                           | 502                                  | 579                   | -                 | 1,876               |
| Miscellaneous                                     | -                           | -                                    | 11,941                | -                 | 11,941              |
| Total revenues                                    | <u>373,003</u>              | <u>502</u>                           | <u>16,392</u>         | <u>62,931</u>     | <u>3,244,827</u>    |
| <b>EXPENDITURES</b>                               |                             |                                      |                       |                   |                     |
| Current:                                          |                             |                                      |                       |                   |                     |
| Public safety                                     | -                           | -                                    | -                     | -                 | 783,245             |
| Culture and recreation                            | -                           | -                                    | -                     | -                 | 205                 |
| Debt Service:                                     |                             |                                      |                       |                   |                     |
| Principal                                         | -                           | -                                    | -                     | -                 | 35,220              |
| Interest and other charges                        | -                           | -                                    | -                     | -                 | 10,231              |
| Capital outlay                                    | -                           | 29,926                               | 51,195                | 100,322           | 181,443             |
| Total expenditures                                | <u>-</u>                    | <u>29,926</u>                        | <u>51,195</u>         | <u>100,322</u>    | <u>1,010,344</u>    |
| Excess (deficiency) of revenues over expenditures | 373,003                     | (29,424)                             | (34,803)              | (37,391)          | 2,234,483           |
| <b>OTHER FINANCING SOURCES (USES)</b>             |                             |                                      |                       |                   |                     |
| Transfers in                                      | -                           | -                                    | -                     | 305,929           | 840,402             |
| Transfers out                                     | -                           | -                                    | (200)                 | (1,287)           | (9,790)             |
| Transfer to component unit                        | (373,003)                   | -                                    | -                     | -                 | (2,590,247)         |
| Net change in fund balances                       | -                           | (29,424)                             | (35,003)              | 267,251           | 474,848             |
| Fund balances - beginning                         | -                           | 1,018,850                            | 181,997               | 38,452            | 1,704,137           |
| Fund balances - ending                            | <u>\$ -</u>                 | <u>\$ 989,426</u>                    | <u>\$ 146,994</u>     | <u>\$ 305,703</u> | <u>\$ 2,178,985</u> |

**CITY OF DURANT, OKLAHOMA**  
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**Combining Statement of Net Position – Internal Service Funds – June 30, 2021**

|                                           | <b>Employee<br/>Health Fund</b> | <b>Worker's<br/>Compensation<br/>Fund</b> | <b>Info Tech<br/>Service Fund</b> | <b>Total</b> |
|-------------------------------------------|---------------------------------|-------------------------------------------|-----------------------------------|--------------|
| <b>ASSETS</b>                             |                                 |                                           |                                   |              |
| Current assets:                           |                                 |                                           |                                   |              |
| Cash and cash equivalents                 | \$ 2,599,138                    | \$ 564,260                                | \$ 450,999                        | \$ 3,614,397 |
| Total current assets                      | 2,599,138                       | 564,260                                   | 450,999                           | 3,614,397    |
| Non-current assets:                       |                                 |                                           |                                   |              |
| Capital Assets:                           |                                 |                                           |                                   |              |
| Land and other non-depreciable assets     | -                               | -                                         | 36,232                            | 36,232       |
| Other capital assets, net of depreciation | -                               | -                                         | 80,000                            | 80,000       |
| Total non-current assets                  | -                               | -                                         | 116,232                           | 116,232      |
| Total assets                              | 2,599,138                       | 564,260                                   | 567,231                           | 3,730,629    |
| <b>LIABILITIES</b>                        |                                 |                                           |                                   |              |
| Current liabilities:                      |                                 |                                           |                                   |              |
| Accounts payable                          | 1,763                           | -                                         | 23,303                            | 25,066       |
| Accrued payroll liabilities               | -                               | -                                         | 11,981                            | 11,981       |
| Estimated liability for claims            | -                               | 626,003                                   | -                                 | 626,003      |
| Capital lease payable - current           | -                               | -                                         | 5,245                             | 5,245        |
| Accrued compensated absences - current    | -                               | -                                         | 3,431                             | 3,431        |
| Total current liabilities                 | 1,763                           | 626,003                                   | 43,960                            | 671,726      |
| Non-current liabilities:                  |                                 |                                           |                                   |              |
| Accrued compensated absences - noncurrent | -                               | -                                         | 30,875                            | 30,875       |
| Total noncurrent liabilities              | -                               | -                                         | 30,875                            | 30,875       |
| Total liabilities                         | 1,763                           | 626,003                                   | 74,835                            | 702,601      |
| <b>NET POSITION</b>                       |                                 |                                           |                                   |              |
| Net investment in capital assets          | -                               | -                                         | 110,987                           | 110,987      |
| Unrestricted (deficit)                    | 2,597,375                       | (61,743)                                  | 381,409                           | 2,917,041    |
| Total net position                        | \$ 2,597,375                    | \$ (61,743)                               | \$ 492,396                        | \$ 3,028,028 |

**Combining Statement of Changes in Net Position—Internal Service Funds—Year Ended  
June 30, 2021**

|                                          | <b>Employee<br/>Health Fund</b> | <b>Worker's<br/>Compensation<br/>Fund</b> | <b>Info Tech<br/>Service Fund</b> | <b>Total</b> |
|------------------------------------------|---------------------------------|-------------------------------------------|-----------------------------------|--------------|
| <b>REVENUES</b>                          |                                 |                                           |                                   |              |
| Charges for services:                    |                                 |                                           |                                   |              |
| Self insurance charges                   | \$ 2,659,281                    | \$ 448,200                                | \$ -                              | \$ 3,107,481 |
| Miscellaneous                            | 237,376                         | 1,013                                     | 968,335                           | 1,206,724    |
| Total operating revenues                 | 2,896,657                       | 449,213                                   | 968,335                           | 4,314,205    |
| <b>OPERATING EXPENSES</b>                |                                 |                                           |                                   |              |
| Claims expense                           | 2,539,632                       | 199,714                                   | -                                 | 2,739,346    |
| Info tech services                       | -                               | -                                         | 669,230                           | 669,230      |
| Depreciation                             | -                               | -                                         | 19,188                            | 19,188       |
| Total operating expenses                 | 2,539,632                       | 199,714                                   | 688,418                           | 3,427,764    |
| Operating income (loss)                  | 357,025                         | 249,499                                   | 279,917                           | 886,441      |
| <b>NON-OPERATING REVENUES (EXPENSES)</b> |                                 |                                           |                                   |              |
| Investment income                        | 60                              | 1,605                                     | 1,196                             | 2,861        |
| Interest expense                         | -                               | -                                         | (622)                             | (622)        |
| Total non-operating revenue (expenses)   | 60                              | 1,605                                     | 574                               | 2,239        |
| Income before contributions              | 357,085                         | 251,104                                   | 280,491                           | 888,680      |
| Capital contributions                    | -                               | -                                         | 20,695                            | 20,695       |
| Change in net position                   | 357,085                         | 251,104                                   | 301,186                           | 909,375      |
| Total net position - beginning, restated | 2,240,290                       | (312,847)                                 | 191,210                           | 2,118,653    |
| Total net position - ending              | \$ 2,597,375                    | \$ (61,743)                               | \$ 492,396                        | \$ 3,028,028 |



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**Combining Schedule of Net Position – DCUA Accounts – June 30, 2021**

|                                           | <b>Utilities Authority Fund Accounts</b>   |                                     |                      |
|-------------------------------------------|--------------------------------------------|-------------------------------------|----------------------|
|                                           | <b>Utilities<br/>Authority<br/>Account</b> | <b>UA Bonds<br/>Sinking Account</b> | <b>Total</b>         |
| <b>ASSETS</b>                             |                                            |                                     |                      |
| Current assets:                           |                                            |                                     |                      |
| Cash and cash equivalents                 | \$ 3,752,754                               | \$ 973,478                          | \$ 4,726,232         |
| Restricted cash and cash equivalents      | 704,903                                    | 11,236,179                          | 11,941,082           |
| Advance to other funds                    | 474,923                                    | -                                   | 474,923              |
| Accounts receivable, net of allowance     | 2,410,138                                  | -                                   | 2,410,138            |
| Total current assets                      | <u>7,342,718</u>                           | <u>12,209,657</u>                   | <u>19,552,375</u>    |
| Non-current assets:                       |                                            |                                     |                      |
| Capital Assets:                           |                                            |                                     |                      |
| Land and other non-depreciable assets     | 7,437,256                                  | -                                   | 7,437,256            |
| Other capital assets, net of depreciation | 33,724,697                                 | -                                   | 33,724,697           |
| Total noncurrent assets                   | <u>41,161,953</u>                          | <u>-</u>                            | <u>41,161,953</u>    |
| Total assets                              | <u>48,504,671</u>                          | <u>12,209,657</u>                   | <u>60,714,328</u>    |
| <b>DEFERRED OUTFLOWS OF RESOURCES:</b>    |                                            |                                     |                      |
| Deferred amounts related to pensions      | <u>526,682</u>                             | <u>-</u>                            | <u>526,682</u>       |
| <b>LIABILITIES</b>                        |                                            |                                     |                      |
| Current liabilities:                      |                                            |                                     |                      |
| Accounts payable                          | 121,409                                    | -                                   | 121,409              |
| Accrued payroll liabilities               | 35,886                                     | -                                   | 35,886               |
| Accrued interest payable                  | 257,323                                    | -                                   | 257,323              |
| Current portion of:                       |                                            |                                     |                      |
| Meter deposit liability                   | 110,209                                    | -                                   | 110,209              |
| Notes payable                             | 2,435,179                                  | -                                   | 2,435,179            |
| Landfill closure liability                | 22,851                                     | -                                   | 22,851               |
| Accrued compensated absences              | 25,236                                     | -                                   | 25,236               |
| Total current liabilities                 | <u>3,008,093</u>                           | <u>-</u>                            | <u>3,008,093</u>     |
| Non-current liabilities:                  |                                            |                                     |                      |
| Meter deposit liability                   | 440,838                                    | -                                   | 440,838              |
| Notes payable                             | 23,466,574                                 | -                                   | 23,466,574           |
| Landfill closure liability                | 434,165                                    | -                                   | 434,165              |
| Accrued compensated absences              | 227,121                                    | -                                   | 227,121              |
| Net pension liability                     | 202,035                                    | -                                   | 202,035              |
| Total noncurrent liabilities              | <u>24,770,733</u>                          | <u>-</u>                            | <u>24,770,733</u>    |
| Total liabilities                         | <u>27,778,826</u>                          | <u>-</u>                            | <u>27,778,826</u>    |
| <b>DEFERRED INFLOWS OF RESOURCES:</b>     |                                            |                                     |                      |
| Deferred amounts related to pensions      | <u>266,622</u>                             | <u>-</u>                            | <u>266,622</u>       |
| <b>NET POSITION</b>                       |                                            |                                     |                      |
| Net investment in capital assets          | 15,260,278                                 | 10,300,410                          | 25,560,688           |
| Restricted for debt service               | (103,545)                                  | 935,769                             | 832,224              |
| Unrestricted                              | 5,829,172                                  | 973,478                             | 6,802,650            |
| Total net position                        | <u>\$ 20,985,905</u>                       | <u>\$ 12,209,657</u>                | <u>\$ 33,195,562</u> |

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**Combining Schedule of Revenues, Expenses, and Changes in Net Position – DCUA Accounts – Year Ended June 30, 2021**

|                                           | <b>Utilities Authority Fund Accounts</b>   |                                     |                      |
|-------------------------------------------|--------------------------------------------|-------------------------------------|----------------------|
|                                           | <b>Utilities<br/>Authority<br/>Account</b> | <b>UA Bonds<br/>Sinking Account</b> | <b>Total</b>         |
| <b>REVENUES</b>                           |                                            |                                     |                      |
| Charges for services:                     |                                            |                                     |                      |
| Water charges                             | \$ 3,957,413                               | \$ -                                | \$ 3,957,413         |
| Sewer charges                             | 2,572,018                                  | -                                   | 2,572,018            |
| Water and sewer taps                      | 103,831                                    | -                                   | 103,831              |
| Penalties                                 | 114,815                                    | -                                   | 114,815              |
| Non-payment fees                          | 161,116                                    | -                                   | 161,116              |
| Sanitation charges                        | 4,516,939                                  | -                                   | 4,516,939            |
| Landfill gate fees                        | 920,269                                    | -                                   | 920,269              |
| Lab tests                                 | 21,341                                     | -                                   | 21,341               |
| Rentals                                   | 113,232                                    | -                                   | 113,232              |
| Transfer station fees                     | 381,701                                    | -                                   | 381,701              |
| Recyclable products                       | 18,397                                     | -                                   | 18,397               |
| Miscellaneous                             | 124,088                                    | -                                   | 124,088              |
| Total operating revenues                  | <u>13,005,160</u>                          | <u>-</u>                            | <u>13,005,160</u>    |
| <b>OPERATING EXPENSES</b>                 |                                            |                                     |                      |
| Public works administration               | 349,073                                    | -                                   | 349,073              |
| Utility billing                           | 499,211                                    | -                                   | 499,211              |
| Water/sewer line maintenance              | 912,309                                    | -                                   | 912,309              |
| Water treatment plant                     | 1,008,916                                  | -                                   | 1,008,916            |
| Wastewater treatment                      | 874,039                                    | -                                   | 874,039              |
| Collection - solid waste                  | 957,846                                    | -                                   | 957,846              |
| General government                        | 175,732                                    | -                                   | 175,732              |
| Lake Durant                               | 48,718                                     | -                                   | 48,718               |
| Disposal - solid waste                    | 1,404,607                                  | -                                   | 1,404,607            |
| Depreciation expense                      | 2,491,705                                  | -                                   | 2,491,705            |
| Total operating expenses                  | <u>8,722,156</u>                           | <u>-</u>                            | <u>8,722,156</u>     |
| Operating income                          | <u>4,283,004</u>                           | <u>-</u>                            | <u>4,283,004</u>     |
| <b>NON-OPERATING REVENUES (EXPENSES)</b>  |                                            |                                     |                      |
| Investment income                         | 15,033                                     | 26,645                              | 41,678               |
| Gain on disposal of capital assets        | 750                                        | -                                   | 750                  |
| Interest expense and fiscal changes       | (911,619)                                  | (308)                               | (911,927)            |
| Total non-operating revenue (expenses)    | <u>(895,836)</u>                           | <u>26,337</u>                       | <u>(869,499)</u>     |
| Income before contributions and transfers | <u>3,387,168</u>                           | <u>26,337</u>                       | <u>3,413,505</u>     |
| Capital contributions                     | 5,916,203                                  | -                                   | 5,916,203            |
| Interaccount transfers                    | 3,704,738                                  | (3,704,738)                         | -                    |
| Transfers in                              | 197,762                                    | 2,819,724                           | 3,017,486            |
| Transfers out                             | (6,828,934)                                | (2,970,076)                         | (9,799,010)          |
| Change in net position                    | <u>6,376,937</u>                           | <u>(3,828,753)</u>                  | <u>2,548,184</u>     |
| Total net position - beginning, restated  | <u>14,608,968</u>                          | <u>16,038,410</u>                   | <u>30,647,378</u>    |
| Total net position - ending               | <u>\$ 20,985,905</u>                       | <u>\$ 12,209,657</u>                | <u>\$ 33,195,562</u> |

**CITY OF DURANT, OKLAHOMA**  
**SINGLE AUDIT REPORTS**  
**AND SUPPLEMENTARY SCHEDULES**

**June 30, 2021**

## CITY OF DURANT, OKLAHOMA

June 30, 2021

PAGE

### SINGLE AUDIT REPORTS AND SUPPLEMENTARY SCHEDULES:

#### **Reports related to financial statements of the reporting entity Required by GAO *Government Auditing Standards*:**

|                                                                                                                                                                                                                                 |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| Independent Auditor's Report on Internal Control Over Financial Reporting<br>and on Compliance and Other Matters Based on an Audit of Financial<br>Statements Performed in Accordance with <i>Government Auditing Standards</i> | 1 |
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#### **Reports related to Federal Assistance Programs Required by the Uniform Guidance:**

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| Independent Auditor's Report on Compliance for Each Major Program and<br>on Internal Control over Compliance Required By the Uniform Guidance;<br>and Report on the Schedule of Expenditures of Federal Awards Required<br>by the Uniform Guidance | 3 |
| Schedule of Expenditures of Federal Awards                                                                                                                                                                                                         | 5 |
| Notes to the Schedule of Expenditures of Federal Awards                                                                                                                                                                                            | 6 |
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INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING  
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL  
STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Mayor and Members of the City Council  
City of Durant, Oklahoma

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Durant, Oklahoma (the "City"), as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated March 24, 2022.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

## Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Arledge & Associates, P.C.*

Edmond, Oklahoma  
March 24, 2022



INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON  
INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE; AND  
REPORT ON THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
REQUIRED BY THE UNIFORM GUIDANCE

To the Honorable Mayor and Members of the City Council  
City of Durant, Oklahoma

**Report on Compliance for Each Major Federal Program**

We have audited the City of Durant, Oklahoma's (the "City") compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended June 30, 2021. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

***Management's Responsibility***

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

***Auditor's Responsibility***

Our responsibility is to express an opinion on compliance for each of the City's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the City's compliance.

***Opinion on Each Major Federal Program***

In our opinion, the City, complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2021.

***Report on Internal Control over Compliance***

Management of the City is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the

circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

#### **Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance**

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City, as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the City's basic financial statements. We issued our report thereon dated March 24, 2022, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by the Uniform Guidance and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

*Arledge & Associates, P.C.*

Edmond, Oklahoma  
March 24, 2022



**City of Durant**  
**Schedule of Expenditures of Federal Awards By Grant**  
**For the Year Ended June 30, 2021**

| <i>Federal Grantor/Program or Cluster Title</i>                                               | <i>Federal CFDA Number</i> | <i>Pass-through Grantor and Number</i>               | <i>Name of Grant - Grant ID No.</i>                            | <i>Federal Expenditures(\$)</i> |
|-----------------------------------------------------------------------------------------------|----------------------------|------------------------------------------------------|----------------------------------------------------------------|---------------------------------|
| <b><i>Economic Development Cluster-Cluster</i></b>                                            |                            |                                                      |                                                                |                                 |
| Department of Commerce                                                                        |                            |                                                      |                                                                |                                 |
| Investments for Public Works and Economic Development Facilities                              | 11.300                     |                                                      |                                                                | 990,529                         |
| Investments for Public Works and Economic Development Facilities                              |                            |                                                      |                                                                | 990,529                         |
| Total Investments for Public Works and Economic Development Facilities                        |                            |                                                      |                                                                | 990,529                         |
| <i>Total Department of Commerce</i>                                                           |                            |                                                      |                                                                | 990,529                         |
| <b><i>Total Economic Development Cluster-Cluster</i></b>                                      |                            |                                                      |                                                                |                                 |
| <b><i>Highway Safety Cluster-Cluster</i></b>                                                  |                            |                                                      |                                                                |                                 |
| Department of Transportation                                                                  |                            |                                                      |                                                                |                                 |
| State and Community Highway Safety                                                            | 20.600                     |                                                      |                                                                | 7,114                           |
| State and Community Highway Safety                                                            |                            |                                                      |                                                                | 7,114                           |
| Total State and Community Highway Safety                                                      |                            |                                                      |                                                                | 7,114                           |
| <i>Total Department of Transportation</i>                                                     |                            |                                                      |                                                                | 7,114                           |
| <b><i>Total Highway Safety Cluster-Cluster</i></b>                                            |                            |                                                      |                                                                |                                 |
| <b><i>Other Programs</i></b>                                                                  |                            |                                                      |                                                                |                                 |
| Default Agency                                                                                |                            |                                                      |                                                                |                                 |
| Satellite Internet Service Grant                                                              |                            |                                                      |                                                                |                                 |
| Satellite Internet Service Grant                                                              | 97.073                     | Oklahoma Office of Homeland Security                 | Bandwidth Service FY 2018 (10-1-19 to 9-30-2--#1050.065        | 1,209                           |
| Satellite Internet Service Grant                                                              | 97.073                     | Oklahoma Office of Homeland Security                 | RD Comm Trailer Cell Serv FY 20 (9-1-19 to 8-31---#1050.067    | 375                             |
| Total Satellite Internet Service Grant                                                        |                            |                                                      |                                                                | 1,583                           |
| <i>Total Default Agency</i>                                                                   |                            |                                                      |                                                                | 1,583                           |
| Department of Homeland Security                                                               |                            |                                                      |                                                                |                                 |
| Disaster Grants - Public Assistance (Presidentially Declared Disasters)                       | 97.036                     |                                                      |                                                                | 13,635                          |
| Disaster Grants - Public Assistance (Presidentially Declared Disasters)                       |                            |                                                      |                                                                | 13,635                          |
| Total Disaster Grants - Public Assistance (Presidentially Declared Disasters)                 |                            |                                                      |                                                                | 13,635                          |
| Emergency Management Performance Grants                                                       |                            |                                                      |                                                                |                                 |
| Emergency Management Performance Grants                                                       | 97.042                     |                                                      | Emergency Mgmt Reimb - State 19-20--Grant                      | 10,000                          |
| Emergency Management Performance Grants                                                       | 97.042                     |                                                      | Emergency Mgmt Reimb - State 20-21--Grant                      | 30,000                          |
| Total Emergency Management Performance Grants                                                 |                            |                                                      |                                                                | 40,000                          |
| <i>Total Department of Homeland Security</i>                                                  |                            |                                                      |                                                                | 53,635                          |
| Department of the Interior                                                                    |                            |                                                      |                                                                |                                 |
| WaterSMART (Sustain and Manage America's Resources for Tomorrow)                              |                            |                                                      |                                                                |                                 |
| WaterSMART (Sustain and Manage America's Resources for Tomorrow)                              | 15.507                     |                                                      | Water and Energy Efficiency Grants--BOR- WEEG R19AP00124       | 1,396,004                       |
| Total WaterSMART (Sustain and Manage America's Resources for Tomorrow)                        |                            |                                                      |                                                                | 1,396,004                       |
| Outdoor Recreation Acquisition, Development and Planning                                      |                            |                                                      |                                                                |                                 |
| Outdoor Recreation Acquisition, Development and Planning                                      | 15.916                     | Oklahoma Tourism and Recreation Department           |                                                                | 76,341                          |
| Total Outdoor Recreation Acquisition, Development and Planning                                |                            |                                                      |                                                                | 76,341                          |
| <i>Total Department of the Interior</i>                                                       |                            |                                                      |                                                                | 1,472,345                       |
| Department of Transportation                                                                  |                            |                                                      |                                                                |                                 |
| Airport Improvement Program and COVID-19 Airports Programs                                    | 20.106                     |                                                      | NAVAIDS Wind Cone--3-40-0025-014-2020                          | 23,020                          |
| Airport Improvement Program and COVID-19 Airports Programs                                    | 20.106                     |                                                      | Airport Coronavirus Response Grant Program--3-40-0025-016-2021 | 23,000                          |
| Total Airport Improvement Program and COVID-19 Airports Programs                              |                            |                                                      |                                                                | 46,020                          |
| E-911 Grant Program                                                                           | 20.615                     | OEM                                                  | 911 Management Auth Grant - CAD--F305202                       | 136,939                         |
| E-911 Grant Program                                                                           | 20.615                     | OEM                                                  | 911 Management - GIS--F2172103-S9                              | 27,665                          |
| Total E-911 Grant Program                                                                     |                            |                                                      |                                                                | 164,604                         |
| <i>Total Department of Transportation</i>                                                     |                            |                                                      |                                                                | 210,624                         |
| Department of Housing and Urban Development                                                   |                            |                                                      |                                                                |                                 |
| Community Development Block Grants/State's program and Non-Entitlement Grants in Hawaii       | 14.228                     | Oklahoma Department of Corrections                   | Residential Utility Assistance--18114 CDBG CR 20               | 1,287                           |
| Community Development Block Grants/State's program and Non-Entitlement Grants in Hawaii       | 14.228                     | Oklahoma Department of Corrections                   | Tubacex Durant--3-40-0025-016-2021                             | 62,003                          |
| Total Community Development Block Grants/State's program and Non-Entitlement Grants in Hawaii |                            |                                                      |                                                                | 63,290                          |
| <i>Total Department of Housing and Urban Development</i>                                      |                            |                                                      |                                                                | 63,290                          |
| National Endowment for the Humanities                                                         |                            |                                                      |                                                                |                                 |
| Grants to States                                                                              | 45.310                     | Oklahoma Dept of Libraries                           | Oklahoma Department of Libraries-LSTA Technology Grant--Grant  | 840                             |
| Grants to States                                                                              | 45.310                     | Oklahoma Dept of Libraries                           | OK Dept of Libraries - CARES act PPE Grant--CARES PPE          | 1,000                           |
| Total Grants to States                                                                        |                            |                                                      |                                                                | 1,840                           |
| <i>Total National Endowment for the Humanities</i>                                            |                            |                                                      |                                                                | 1,840                           |
| Department of the Treasury                                                                    |                            |                                                      |                                                                |                                 |
| Coronavirus Relief Fund                                                                       | 21.019                     | Oklahoma Office of Management and Enterprise Service |                                                                | 1,439,319                       |
| Coronavirus Relief Fund                                                                       |                            |                                                      |                                                                | 1,439,319                       |
| Total Coronavirus Relief Fund                                                                 |                            |                                                      |                                                                | 1,439,319                       |
| <i>Total Department of the Treasury</i>                                                       |                            |                                                      |                                                                | 3,242,636                       |
| <b><i>Total Other Programs</i></b>                                                            |                            |                                                      |                                                                |                                 |
| <b><i>Total Expenditures of Federal Awards</i></b>                                            |                            |                                                      |                                                                |                                 |
|                                                                                               |                            |                                                      |                                                                | \$ 4,240,279                    |

The accompanying notes are an integral part of this schedule

## **CITY OF DURANT, OKLAHOMA**

### **NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**

June 30, 2021

#### **NOTE A—BASIS OF PRESENTATION**

The accompanying schedule of expenditures of federal awards (SEFA) includes the federal award activity of the City under programs of the federal government for the year ended June 30, 2021. The information in this SEFA is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the SEFA presents only a selected portion of the operations of City, it is not intended to and does not present the financial position, changes in net assets, or cash flows of the City.

#### **NOTE B—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

Expenditures reported on the SEFA are reported on the modified accrual basis of accounting. Such expenditures are recognized following, as applicable, either the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement. The City has elected not to use the 10-percent de minimis indirect cost rate allowed under the Uniform Guidance.

#### **NOTE C—SUBRECIPIENTS**

During the year end June 30, 2021, the City did not provide federal awards to subrecipients.

## CITY OF DURANT, OKLAHOMA

### SCHEDULE OF FINDINGS AND QUESTIONED COSTS

June 30, 2021

#### Section I--Summary of Auditor's Results

##### *Financial statements*

Type of auditor's report issued on whether the financial statements were in accordance with GAAP:

*Unmodified*

Internal control over financial reporting:

- Material weakness(es) identified? ☐ yes ☒ no
- Significant deficiency(ies) identified? ☐ yes ☒ none reported

Noncompliance material to financial statements noted?

☐ yes ☒ no

##### *Federal Awards*

Internal control over major federal programs:

- Material weakness(es) identified? ☐ yes ☒ no
- Significant deficiency(ies) identified? ☐ yes ☒ none reported

Type of auditor's report issued on compliance for major federal programs:

*Unmodified*

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)?

☐ yes ☒ no

Identification of major federal programs:

| <u>Program</u>                                      | <u>CFDA Number</u> |
|-----------------------------------------------------|--------------------|
| Investment for Public Works and Economic Facilities | 11.300             |
| WaterSMART                                          | 15.507             |
| Coronavirus Relief Fund                             | 21.019             |

Dollar threshold used to distinguish between type A and type B programs:

\$750,000

Auditee qualified as low-risk auditee?

☒ yes ☐ no

**CITY OF DURANT, OKLAHOMA**

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS--Continued**

June 30, 2021

**Section II--Findings Required to be Reported in Accordance with *Government Auditing Standards*:**

**A. Internal control**

No matters were reported.

**B. Compliance Findings**

No matters were reported.

**Section III--Findings Required to be Reported in Accordance with the Uniform Guidance:**

**A. Internal control**

No matters were reported.

**B. Compliance Findings**

No matters were reported.

**CITY OF DURANT, OKLAHOMA**

**SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS AND QUESTIONED COSTS**

June 30, 2021

**Findings Required to be Reported in Accordance with *Government Auditing Standards*:**

**A. Internal Control**

No matters were reported

**B. Compliance Findings**

No matters were reported.

**Findings Required to be Reported in Accordance with the Uniform Guidance:**

**A. Internal Control**

No matters were reported.

**B. Compliance Findings**

No matters were reported.

March 24, 2022

To the Honorable Mayor and Members of the City Council  
City of Durant, Oklahoma

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Durant, Oklahoma (the “City”) for the year ended June 30, 2021. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and the Uniform Guidance, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated May 7, 2021. Professional standards also require that we communicate to you the following information related to our audit.

#### Significant Audit Findings

##### *Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by City are described in Note 2 to the financial statements. No new accounting policies were adopted, and the application of existing policies was not changed during 2021. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management’s knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the City’s financial statements were:

1. Management’s estimate of the allowance for uncollectable accounts receivable that is based on past due balances and historical collections experience.
2. Pension assets, deferred outflows, liabilities, and deferred inflows, which are based on actuarial reports and the City’s contribution toward the plans.
3. Self-insurance reserves, which are based on estimates provided by the City’s third-party administrator.

We evaluated the key factors and assumptions used to develop the reported amounts in determining that they are reasonable in relation to the financial statements taken as a whole. Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were: (a) risk management, (b) employee retirement plan participation, and (c) commitments and contingencies that, in management’s judgment, are material to the users of these financial

The financial statement disclosures are neutral, consistent, and clear.

##### *Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

### *Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. We identified one corrected misstatement resulting in a prior period adjustment related to TIF-72 revenues as follows:

|                                                                      |              |              |
|----------------------------------------------------------------------|--------------|--------------|
| 220-000-172.00-00 Due from other govt's                              | 3,078,003.00 |              |
| 220-000-362.10-01 2017 A/B CMC TIF Tax Rev                           | 81,882.00    |              |
| 220-000-271.00-00 FUND BALANCE                                       |              | 2,981,488.00 |
| 220-000-207.11-00 Deferred Revenue-TIF                               |              | 1,288,340.00 |
| 220-000-271.00-00 FUND BALANCE                                       | 1,109,943.00 |              |
| <b>(To record TIF receivable/deferred revenue &amp; related PPA)</b> |              |              |

|                                                     |            |            |
|-----------------------------------------------------|------------|------------|
| 020-000-172.00-00 Due from other govt's             | 382,105.00 |            |
| 020-000-375.06-02 TIF#3-19 Tubacex Tax Refnd Rev    |            | 378,284.00 |
| 020-000-375.06-05 TIF#3-DIA 1% Tax Refnd Rev        |            | 3,821.00   |
| <b>(To record TIF receivable &amp; related PPA)</b> |            |            |

We also identified one uncorrected misstatement as of and for the year ended June 30, 2021 to record accounts receivable and revenue of \$53,067 at the Durant Utility Authority.

### *Disagreements with Management*

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### *Management Representations*

We have requested certain representations from management that are included in the management representation letter dated March 24, 2022.

### *Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. The City has employed Crawford & Associates, P.C. as consultants for the City and for assistance in drafting the City's financial statements. To our knowledge there were no consultations with Crawford & Associates, P.C. or other accountants which could affect our opinions on the City's financial statements.

### *Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

### Other Matters

We applied certain limited procedures to management's discussion and analysis, budgetary comparison information, pension plan information, and other post-employment benefit information, which is required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the combining and individual nonmajor fund financial statements and schedules, as listed in the table of contents of the report, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction on Use

This information is intended solely for the information and use of the City Council and management of the City and is not intended to be, and should not be, used by anyone other than these specified parties.

Sincerely,

*Arledge & Associates, P.C.*

Arledge & Associates, P.C.







# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Cynthia Price, City Clerk  
**Re:** Discussion, Consideration, and Possible Action on Ordinance O-2022-10 Amending Title III, Administration, Section 32.105 Composition, Appointment, and Terms of Members and Declaring An Emergency

---

In the past, both the Bryan County Sheriff's Department and the Oklahoma State Highway Patrol had aircraft which were based out of the airport. There is no longer any law enforcement based out of the airport. Staff would like to remove this designation from that particular board position so that it can be filled by an individual not representing the interest of law enforcement.

The city attorney has reviewed the proposed ordinance and approved its contents.

### **Council Information / Action Requested**

1. Approval of Section 1 of Ordinance O-2022-10 Amending Title III, Administration, Section 32.105 Composition, Appointment, and Terms of Members
2. Approval of Section 2 of Ordinance O-2022-10 Declaring An Emergency

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. O-2022-10 Amending Title III, Administration, Section 32.105 Composition, Appointment, and Terms of Members and Declaring an Emergency

ORDINANCE NO. O-2022-10

AN ORDINANCE AMENDING TITLE III, ADMINISTRATION,  
SECTION 32.105 COMPOSITION, APPOINTMENT, AND TERMS OF MEMBERS  
AND DECLARING AN EMERGENCY

---

BE IT ORDAINED BY THE COUNCIL OF DURANT, OKLAHOMA:

Section 1

AIRPORT ADVISORY BOARD

Section 32.105 Composition, Appointment, and Terms of Members

Except as otherwise required by law, the composition requirements of the Airport Advisory Board shall be as follows:

The Airport Advisory Board shall consist of nine members to be appointed by the Mayor and confirmed by the City Council. Six members shall be appointed to three-year overlapping terms and serve until their successors have been appointed and have taken office. ~~The term of one of the six members shall represent the interest of law enforcement.~~ The seventh member shall be appointed to represent SOSU for an indefinite term and the eighth member shall be appointed to represent the Durant Industrial Authority for an indefinite term. The ninth member shall be appointed by the City Council from among its own members and shall serve an indefinite term, however, such term shall automatically end when the City Council member ceases to serve on the City Council. The term of two of the six members appointed to overlapping terms shall expire in June of each year. The City Manager or his or her appointee, and the fixed base operator shall serve as non-voting, ex-officio members.

Section 2. DECLARATION OF EMERGENCY.

For the immediate preservation of the peace, health, and safety of the City of Durant, Oklahoma, and the inhabitants thereof, it is necessary that this Ordinance shall become operative and go into effect immediately upon its passage, approval and publication.

Passed and approved this 12th day of April, 2022, in regular session of the Durant City Council.

CITY OF DURANT

---

ODEN GRUBE, MAYOR  
CITY OF DURANT, OKLAHOMA

ATTEST:

---

CYNTHIA J. PRICE  
CITY CLERK



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Kari Jones, Supervisor  
**Re:** Discussion, Consideration and Possible Action on Ordinance 0-2022-12 Regarding an Amendment to the City of Durant Plan Adopting the Revised and Restated OkMRF Master Defined Contribution Retirement Plan, and Declaring an Emergency

---

The OkMRF Defined Contribution Master Plan and Joinder Agreement were recently amended, reviewed, and approved by the IRS. With the approval comes a requirement of plan members (the City) to adopt the plan changes and any updated language.

Ordinance 0-2022-12 outlines changes to be made to the City's Defined Contribution Master Plan as required by the IRS effective 04/01/2022. These changes are primarily language clean-up and do not affect the purpose, function, or financing of the Plan.

A summary of changes, IRS acceptance letter, and the DC Master Plan Document are attached.

### **Council Information / Action Requested**

1. Approval of Sections 1 - 6 of Ordinance O-2022-12.
2. Approval of Section 7 of Ordinance O-2022-12, Emergency Clause.

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

Return to OkMRF:

One (1) original Ordinance

Two (2) original Joinder Agreement

### **ATTACHMENTS:**

1. Ordinance 0-2022-12, DC
2. Summary of Changes DC, CMO
3. IRS Letter, DC CMO
4. DC Master Plan

## ORDINANCE NO. 0-2022-12

AN ORDINANCE AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE CITY OF DURANT, OKLAHOMA BY ADOPTING A REVISED AND RESTATED RETIREMENT PLAN; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF DURANT, OKLAHOMA; PROVIDING FOR PURPOSE AND ORGANIZATION; PROVIDING FOR DEFINITIONS; PROVIDING FOR ELIGIBILITY AND PARTICIPATION; PROVIDING FOR NON-ALIENATION OF BENEFITS; PROVIDING FOR EMPLOYER AND EMPLOYEE CONTRIBUTIONS; PROVIDING FOR ACCOUNTING, ALLOCATION, AND VALUATION; PROVIDING BENEFITS; PROVIDING FOR REQUIRED NOTICE; PROVIDING FOR AMENDMENTS AND TERMINATION; PROVIDING FOR TRANSFER TO AND FROM OTHER PLANS; CREATING A RETIREMENT COMMITTEE AND PROVIDING FOR POWERS, DUTIES, AND RIGHTS OF RETIREMENT COMMITTEE; PROVIDING FOR PAYMENT OF CERTAIN OBLIGATIONS; PROVIDING FOR DURATION AND PAYMENT OF EXPENSES; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR VESTING SCHEDULES; PROVIDING FOR A FUND TO FINANCE THE SYSTEM TO BE POOLED WITH OTHER INCORPORATED CITIES, TOWNS AND THEIR AGENCIES AND INSTRUMENTALITIES FOR PURPOSES OF ADMINISTRATION, MANAGEMENT, AND INVESTMENT AS PART OF THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR PAYMENT OF ALL CONTRIBUTIONS UNDER THE SYSTEM TO THE OKLAHOMA MUNICIPAL RETIREMENT FUND FOR MANAGEMENT AND INVESTMENT; PROVIDING FOR REPEALER AND SEVERABILITY; ADOPTING THOSE AMENDMENTS MANDATED BY THE INTERNAL REVENUE CODE; AND DECLARING AN EMERGENCY.

### **BE IT ORDAINED BY THE CITY COUNCIL OF DURANT, OKLAHOMA:**

**Section 1.** That pursuant to the authority conferred by the laws of the State of Oklahoma, and for the purpose of encouraging continuity and meritorious service on the part of City employees and thereby promote public efficiency, there is hereby authorized created, established, and approved and adopted, effective as of **April 1, 2022**, the amended and restated Plan designated "Employee Retirement System of the City of Durant, Oklahoma, Defined Contribution Plan," (hereinafter called System), an executed counterpart of which is marked Exhibit "A" (Joinder Agreement) and Exhibit "B" (amended and restated plan) and attached hereto as part hereof.

**Section 2. FUND.** A fund is hereby provided for the exclusive use and benefit of the persons entitled to benefits under the System. All contributions to such fund shall be paid over to and received in trust for such purpose by the City. Such Fund shall be pooled for purposes of management and investment with similar funds of other incorporated cities, towns, and municipal trusts in the State of Oklahoma as a part of the Oklahoma Municipal Retirement Fund in accordance with the trust agreement of the Oklahoma Municipal Retirement Fund, a public trust. The City shall hold such contributions in the form received, and from time to time pay over and transfer the same to the Oklahoma Municipal Retirement Fund, as duly authorized and directed by the Board of Trustees. The Fund shall be nonfiscal and shall not be considered in computing any levy when the annual estimate is made to the County Excise Board.

**Section 3. APPROPRIATIONS.** The City of Durant, Oklahoma, is hereby authorized to incur the necessary expenses for the establishment, operation, and administration of the System, and to appropriate and pay the same. In addition, the City of Durant, Oklahoma, is hereby authorized to appropriate annually such amounts as are required in addition to employee contributions to maintain the System and the Fund in accordance with the provisions of the Defined Contribution Plan. Any appropriation so made to maintain the System and Fund shall be for deferred wages or salaries, and for the payment of necessary expenses of operation and administration to be transferred to the trustees of the Oklahoma Municipal Retirement Fund for such purposes and shall be paid into the Fund when available, to be duly transferred to the Oklahoma Municipal Retirement Fund.

**Section 4. EXECUTION.** The Mayor and City Clerk be and they are each hereby authorized and directed to execute (in counterparts, each of which shall constitute an original) the System instrument,



and to do all other acts and things necessary, advisable, and proper to put said System and related trust into full force and effect, and to make such changes therein as may be necessary to qualify the same under Sections 401(a) and 501(a) of the Internal Revenue Code of the United States. The counterpart attached hereto as Exhibit "A" and Exhibit "B", which has been duly executed as aforesaid simultaneously with the passage of this Ordinance and made a part hereof, is hereby ratified and confirmed in all respects.

This Committee is hereby authorized and directed to proceed immediately on behalf of the City of Durant, Oklahoma, to pool and combine the Fund into the Oklahoma Municipal Retirement Fund as a part thereof, with similar funds of such other cities and towns, for purposes of pooled management and investment.

**Section 5. 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 6. SEVERABILITY.** If, regardless of cause, any section, subsection, paragraph, sentence or clause of this Ordinance, including the System as set forth in Exhibit "A" and Exhibit "B", 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 7. EMERGENCY.** Whereas, in the judgment of the City Council of the **City of Durant**, Oklahoma, the public peace, health, safety, and welfare of the **City of Durant**, 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.

\*\*\*END\*\*\*

The undersigned hereby certifies that the foregoing Ordinance was introduced before the City Council of the City of Durant on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and was duly adopted and approved by the Mayor and City Council, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, after compliance with notice requirements of the Open Meeting Law (25 OSA, Sections 301, et. seq.).

City of Durant

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

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

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

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

**City of Durant** [a municipality or authority chartered, incorporated or formed under the laws of Oklahoma], a city, town, agency, instrumentality, or public trust located in the State of Oklahoma, with its principal office at Durant, Oklahoma, hereby establishes a Defined Contribution Plan to be known as **City of Durant 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 \_\_ ("Effective Date") [such date may not be earlier than the first day of the Plan Year in which it is executed].
- ☒ This instrument is an amendment, restatement, and continuation of the Previous Plan, which was originally effective August 22, 1992. The effective date of this Joinder Agreement is April 1, 2022 ("Effective Date") [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)
- ☐ Any person who \_ [description may include a position but not the name of an individual].



**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: [must be definitely determinable]

**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 % of the Participant's contributions under the Employer's Section 457(b) Deferred Compensation Plan. The Employer matching contribution shall be limited to % 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 for the calendar quarter following the Participant's Break in Service.

☐ Shall reduce the Employer contribution under such Option for the current or next following Plan Year.

**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%                          |

### ☒ 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 | 0%                       | 100%                        |
| at least 2 but less than 3 | 0%                       | 100%                        |
| at least 3 but less than 4 | 0%                       | 100%                        |
| at least 4 but less than 5 | 0%                       | 100%                        |
| at least 5 but less than 6 | 0%                       | 100%                        |
| at least 6 but less than 7 | 0%                       | 100%                        |
| 7 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 on each business day of the Plan Year for which Plan assets are valued on an established market.

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**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 Durant 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 Durant

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

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

Attest:

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

(SEAL)

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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. 2017-41, the Provider (as defined in Rev. Proc. 2017-41) 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 Provider will inform adopting employers of any such amendments or of the discontinuance or abandonment of the Pre-Approved Plan document. The name, address and telephone number of the Provider is: 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 Pre-Approved Plan may be directed to the Provider.

**Reliance on Sponsor Opinion Letter.** The Provider has obtained from the IRS an Opinion Letter (as defined in Rev. Proc. 2017-41) specifying the form of this Joinder Agreement and the basic plan document satisfy, as of the date of the Opinion Letter, Code §401. An adopting Employer may rely on the Preapproved Plan Sponsor's IRS Opinion Letter only to the extent provided in Rev. Proc. 2017 41. The Employer may not rely on the Opinion Letter in certain other circumstances or with respect to certain qualification requirements, which are specified in the Opinion Letter and in Rev. Proc. 2017 41 or subsequent guidance. In order to have reliance in such circumstances or with respect to such qualification requirements, the Employer must apply for a determination letter to Employee Plans Determinations of the IRS.



## MEMORANDUM

TO: Oklahoma Municipal Retirement Fund

FROM: McAfee & Taft A Professional Corporation  
(John A. Papahronis)

DATE: November 12, 2021

RE: Oklahoma Municipal Retirement Fund Master Defined Contribution Plan and Joinder Agreement—Summary of Material Changes

The following summary compares the current version of the Oklahoma Municipal Retirement Fund Master Defined Contribution Plan and Joinder Agreement with the version recently approved by the Internal Revenue Service:

### A. Master Defined Contribution Plan

| <u>Sec.</u> | <u>Feature</u>                                          | <u>Current Version</u>                                  | <u>Newly-Approved Version</u>                                                                                                      |
|-------------|---------------------------------------------------------|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 1.1         | Purpose                                                 | States the purpose of the Plan.                         | Adds IRS required sentence that the plan is intended to qualify as a governmental plan.                                            |
| 1.3         | Exclusive Benefit                                       | None                                                    | Added IRS required language that the Plan is for the exclusive benefit of employees. Expanded language that was previously in 1.1. |
| 2.1(m)      | Definition of Compensation                              | Includes historical language required by IRS            | Deletes historical IRS required language that is obsolete.                                                                         |
| 2.1(r)      | Definition of Employee                                  | None                                                    | Includes a definition of Employee by cross referencing Joinder Agreement.                                                          |
| 4.5         | Change of Rate of Voluntary Nondeductible Contributions | Permits Participant to change rate of payroll deduction | Deletes reference to minimum and maximum rates.                                                                                    |

|              |                                         |                                                                            |                                                                                                                                             |
|--------------|-----------------------------------------|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 4.8(d)(i)(3) | Roth Elective Deferrals                 | Provisions describing permitted Roth Elective Deferrals                    | Added IRS required language regarding correction of excess contributions of Roth Elective Deferrals.                                        |
| 5.11(a)(iv)  | Maximum Permissible Amount              | Definition for IRS limit                                                   | Updated IRS dollar limit for current amount.                                                                                                |
| 6.12         | Loss of Benefits for Cause              | Reserved Section holder                                                    | Deleted per request of IRS.                                                                                                                 |
| 6.17         | Forfeiture of Benefits                  | Reserved Section holder                                                    | Deleted per request of IRS.                                                                                                                 |
| 8.5          | Provider's Power to Amend               | Authority of Volume Submitter Practitioner to Amend for Adopting Employers | Modified to reflect current IRS terminology in accordance with Rev. Proc. 2017-41.                                                          |
| 10.5         | Benefits Payable to Incompetents        | Protocol for benefit payments to incompetents                              | Modified to provide payments will be made to valid power of attorney, court appointed guardian, or other person authorized under state law. |
| 11.11        | Supersession of Inconsistent Provisions | Incorporates provisions of Trust Indenture                                 | IRS required deletion of incorporation of provisions of Trust Indenture.                                                                    |

**B. Joinder Agreement**

| <u>Sec.</u> | <u>Feature</u>                       | <u>Current Version</u>                                                             | <u>Newly-Approved Version</u>                    |
|-------------|--------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------|
| 8.          | Forfeitures                          | Timing of allocation of forfeitures not specified                                  | Timing of allocation specified                   |
| Sig. page   | Required Disclosure re: IRS Approval | IRS required disclosure regarding the use and restrictions of IRS Preapproved Plan | Update language to meet current IRS requirements |



TAX EXEMPT AND  
GOVERNMENT ENTITIES  
DIVISION

DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

Plan Description: Non-Standardized Pre-Approved Profit Sharing Plan With CODA  
FFN: 317D1080001-001 Case: 201800527 EIN: 73-0781676  
Letter Serial No: Q702320a  
Date of Submission: 12/18/2018

MCAFEE & TAFT  
211 NORTH ROBINSON  
TWO LEADERSHIP SQUARE, 10TH FLOOR  
OKLAHOMA CITY, OK 73102

Contact Person:  
Janell Hayes  
Telephone Number:  
513-975-6319  
In Reference To: TEGE:EP:7521  
Date: 06/30/2020

Dear Applicant:

In our opinion, the form of the plan identified above is acceptable for use by employers for the benefit of their employees under Internal Revenue Code (IRC) Section 401.

We considered the changes in qualification requirements in the 2017 Cumulative List of Notice 2017-37, 2017-29 Internal Revenue Bulletin (IRB) 89. Our opinion relates only to the acceptability of the form of the plan under the IRC. We did not consider the effect of other federal or local statutes.

You must provide the following to each employer who adopts this plan:

- . A copy of this letter
- . A copy of the approved plan
- . Copies of any subsequent amendments including their dates of adoption
- . Direct contact information including address and telephone number of the plan provider

Our opinion on the acceptability of the plan's form is a determination as to the qualification of the plan as adopted by a particular employer only under the circumstances, and to the extent, described in Revenue Procedure (Rev. Proc.) 2017-41, 2017-29 I.R.B. 92. The employer who adopts this plan can generally rely on this letter to the extent described in Rev. Proc. 2017-41. Thus, Employee Plans Determinations, except as provided in Section 12 of Rev. Proc. 2020-4, 2020-01 I.R.B. 148 (as updated annually), will not issue a determination letter to an employer who adopts this plan. Review Rev. Proc. 2020-4 to determine the eligibility of an adopting employer, and the items needed, to submit a determination letter application. The employer must also follow the terms of the plan in operation.

Except as provided below, our opinion doesn't apply to the requirements of IRC Sections 401(a)(4), 401(l), 410(b), and 414(s). Our opinion doesn't apply to IRC Sections 415 and 416 if an employer maintains or ever maintained another qualified plan for one or more employees covered by this plan. For this purpose, we will not consider the employer to have maintained another defined contribution plan provided both of the following are true:

- . The employer terminated the other plan before the effective date of this plan
- . No annual additions have been credited to any participant's account under the other plan as of any date within the limitation year of this plan

Also, for this purpose, we'll consider an employer as maintaining another defined contribution plan, if the employer maintains any of the following:

- . A welfare benefit fund defined in IRC Section 419(e), which provides post-retirement medical benefits allocated to separate accounts for key employees as defined in IRC Section 419A(d)



- . An individual medical account as defined in IRC Section 415(l)(2), which is part of a pension or annuity plan maintained by the employer
- . A simplified employee pension plan

Our opinion doesn't apply to Treasury Regulations Section 1.401(a)-1(b)(2) requirements for a money purchase plan or target benefit plan where the normal retirement age under the employer's plan is lower than age 62.

Our opinion doesn't constitute a determination that the plan is an IRC Section 414(d) governmental plan. This letter is not a ruling with respect to the tax treatment to be given contributions which are picked up by the governmental employing unit within the meaning of IRC Section 414(h)(2).

Our opinion doesn't constitute a determination that the plan is an IRC Section 414(e) church plan.

Our opinion may not be relied on by a non-electing church plan for rules governing pre-ERISA participation and coverage.

Our opinion applies to the requirements of IRC Section 410(b) if 100 percent of all non-excludable employees benefit under the plan.

Employers who choose a safe harbor allocation formula and a safe harbor compensation definition may also rely on this opinion letter for the non-discriminatory amounts requirement under IRC Section 401(a)(4).

If this plan includes a cash or deferred arrangement (CODA) or otherwise provides for contributions subject to IRC Sections 401(k) and/or 401(m), the employer may rely on the opinion letter regarding the form of the non-discrimination tests of IRC Sections 401(k)(3) and 401(m)(2), if the employer uses a safe harbor compensation definition. For plans described in IRC Sections 401(k)(12) or (13) and/or 401(m)(11) or (12), employers may rely on the opinion letter regarding whether the plan's form satisfies the requirements of those sections unless the plan provides for the safe harbor contribution to be made under another plan. For SIMPLE plans described in IRC Sections 401(k)(11) and 401(m)(10), employers may also rely on the opinion letter regarding whether the plan's form satisfies the requirements of those sections.

The provisions of this plan override any conflicting provision contained in the trust or custodial account documents used with the plan, and an adopting employer may not rely on this letter to the extent that provisions of a trust or custodial account that are a separate portion of the plan override or conflict with the provisions of the plan document. This opinion letter does not cover any provisions in trust or custodial account documents.

An employer who adopts this plan may not rely on this letter when:

- . the plan is being used to amend or restate a plan of the employer which was not previously qualified
- . the employer's adoption of the plan precedes the issuance of the letter
- . the employer doesn't correctly complete the adoption agreement or other elective provisions in the plan
- . the plan is not identical to the pre-approved plan (that is, the employer has made amendments that cause the plan not to be considered identical to the pre-approved plan, as described in Section 8.03 of Rev. Proc. 2017-41)

Our opinion doesn't apply to what is contained in any documents referenced outside the plan or adoption agreement, if applicable, such as a collective bargaining agreement.

Our opinion doesn't consider issues under Title I of the Employee Retirement Income Security Act (ERISA) which are administered by the Department of Labor.

If you, the pre-approved plan provider, have questions about the status of this case, you can call the telephone number at the top of the first page of this letter. This number is only for the provider's use.

Individual participants or adopting eligible employers with questions about the plan should contact you.

You must include your address and telephone number on the pre-approved plan or the plan's adoption agreement, if applicable, so that adopting employers can contact you directly.

If you write to us about this plan, provide your telephone number and the best time to call if we need more information. Whether you call or write, refer to the letter serial number and file folder number at the top of the first page of this letter.

Let us know if you change or discontinue sponsorship of this plan.

Keep this letter for your records.

Sincerely Yours,

A handwritten signature in cursive script that reads "Khin M. Chow".

Khin M. Chow  
Director, EP Rulings & Agreements

**Letter 6186 (June-2020)**  
**Catalog Number 72434C**



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

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

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**ARTICLE I.**  
**Purpose and Organization**

1.1 **Purpose:** The purpose of this Plan is to encourage the loyalty and continuity of service of the Participants, to provide retirement benefits for all eligible Employees of the Employer, as hereinafter defined, who complete a period of faithful service and become eligible hereunder, and to qualify the Plan under Section 401(a) of the Code. It is intended that the Plan satisfy Section 401(a) of the Code by meeting the requirements of Section 414(d) of the Code. The benefits provided by this Plan will be paid from a Fund established by the Employer and will be in addition to the benefits Employees are entitled to receive under any other programs of the Employer and from the Federal Social Security Act.

The design type of this Plan is a profit sharing plan. To the extent this Plan is a governmental retiree benefit plan under Section 401(a)(24) of the Code, and prior to the termination of the Plan and satisfaction of all liabilities of the Plan, no part of the corpus or income of the Fund shall be used for, or diverted to, purposes other than for the exclusive benefit of the Plan participants and their beneficiaries.

1.2 **Parties:** The Oklahoma Municipal Retirement Fund hereby adopts and establishes this Plan for the benefit of Employees of those Employers, as defined herein, formed, chartered or incorporated under the laws of the State of Oklahoma, who wish to adopt it by executing a Joinder Agreement which incorporates this Plan by reference.

1.3 **Exclusive Benefit:** This Plan and the separate related Fund forming a part hereof are established and shall be maintained for the exclusive benefit of the eligible Employees of the Employer and their beneficiaries. Except as provided under Section 11.12, the Employer does not have any beneficial interest in any asset of the Fund and no part of any asset in the Fund may ever revert to or be repaid to the Employer, either directly or indirectly; nor, prior to the satisfaction of all liabilities with respect to the Participants and their Beneficiaries under the Plan, may any part of the corpus or income of the Fund, or any asset of the Fund, be (at any time) used for, or diverted to, purposes other than the exclusive benefit of the Participants or their Beneficiaries and for defraying reasonable expenses of administering the Plan.



**ARTICLE II.**  
**Definitions and Construction**

2.1 **Definitions:** Where the following words and phrases appear in this Plan, they shall have the respective meanings set forth below, unless their context clearly indicates to the contrary:

(a) **Account:** One or more of several records maintained to record the interest in the Plan of each Participant and Beneficiary, and shall include any or all, where appropriate, of the following: (i) Municipality Contribution Account, (ii) Participant Deductible Contribution Account, (iii) Participant Deferred Compensation Contribution Account, (iv) Participant Mandatory Contribution Account, (v) Participant Nondeductible Contribution Account, (vi) Participant Roth Contribution Account, (vii) Pick-Up Contribution Account, (viii) Participant Rollover Account, (ix) Catch-Up Contribution Account, and (x) Loan Account.

(b) **Adjustment Factor:** The cost of living adjustment factor prescribed by the Secretary of the Treasury under Section 415(d) of the Code for years beginning after December 31, 1987, as applied to such items and in such manner as the Secretary shall provide.

(c) **Amount(s) Forfeited:** That portion of a terminated Participant's Municipality Contribution Account to which such Participant is not entitled because of insufficient Service.

(d) **Authorized Agent:** The City Clerk of the Employer or such other person designated by the Employer to carry out the efficient operation of the Plan at the local level.

(e) **Authorized Leave of Absence:** Any absence authorized by the Employer under the Employer's standard personnel practices applied to all persons under similar circumstances in a uniform manner, including any required military service during which a Participant's re-employment rights are protected by law; provided that he resumes employment with the Employer within the applicable time period established by the Employer or by law.

(f) **Beneficiary:** Any person or entity designated or deemed designated by a Participant as provided in Section 6.11 hereof.

(g) **Break in Service:** The expiration of ninety (90) days from the date the Participant last performed Service for the Employer for which such Participant was entitled to wages as defined in Section 3121(a) of the Code unless the Participant is on Authorized Leave of Absence. If a Participant does not resume employment with the Employer upon the expiration of an Authorized Leave of Absence, the Participant will be deemed to be absent from work on the first day of his Authorized Leave of Absence for purposes of determining if the Participant has a Break in Service.

For determining the amounts to be forfeited from a Participant's account under Section 6.6, any periods of employment with the Employer during which the Participant was not considered an Employee under the Plan shall not be considered as a Break in Service that causes a forfeiture unless the Participant was covered under a state retirement system or any other program outside the Oklahoma Municipal Retirement Fund System.

(h) **Catch-Up Contributions:** A Participant's contributions described in Section 4.8(c) herein.

(i) **Catch-Up Contribution Account:** The Account maintained for a Participant in which any Catch-Up Contributions are recorded.

(j) **City Council:** The City Council or Board of Trustees of the Employer or other duly qualified and acting governing authority of the Employer.

(k) **Code:** The Internal Revenue Code of 1986, as amended from time to time.

(l) **Committee:** The City Council of the Municipality, which shall act as the Plan Administrator of the Plan as provided for under Article X hereof.

(m) **Compensation:** Compensation means wages for federal income tax withholding purposes, as defined under Code §3401(a), plus all other payments to an Employee in the course of the Employer's trade or business, for which the Employer must furnish the Employee a written statement under Code §§6041, 6051 and 6052, but determined without regard to any rules that limit the remuneration included in wages based on the nature or location of the employment or services performed (such as the exception for agricultural labor in Code §3401(a)(2)). The Employer in Section 4 of its Joinder Agreement may specify modifications to the definition of Compensation, for purposes of contribution allocations under the Plan. For purposes of determining a Participant's compensation, any election by such Participant to reduce his regular cash remuneration under Code Sections 125, 401(k), 414(h), 403(b) or 457 shall be disregarded.

(1) **Limitations.** The annual compensation of each Participant taken into account in determining allocations for any Plan Year beginning after December 31, 2001, shall not exceed \$280,000, as adjusted for cost-of-living increases in accordance with Section 401(a)(17)(B) of the Code. Annual compensation means compensation during the Plan Year or such other consecutive 12-month period over which compensation is otherwise determined under the Plan (the determination period). The cost-of-living adjustment in effect for a calendar year applies to annual compensation for the determination period that begins with or within such calendar year. If compensation for a period of less than 12 months is used for a plan year, then the otherwise applicable compensation limit is reduced in the same proportion as the reduction in the 12-month period. If a determination period consists of fewer than 12 months, the annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

If Compensation for any prior determination period is taken into account in determining an Employee's benefits accruing in the current Plan Year, the Compensation for that prior determination period is subject to applicable annual compensation limit in effect for that prior determination period.

For limitation years beginning on and after January 1, 2001, for purposes of applying the limitations described in this Subsection 2.1(m), Compensation paid or made available during such limitation years shall include elective amounts that are not includible in the gross income of the Employee by reason of Section 132(f)(4) of the Code.



(n) **Deductible Participant Contribution:** Prior to January 1, 1987, the amount a Participant may voluntarily contribute to the Plan which could not exceed the lesser of \$2,000 (or such higher limit as allowed by the Code), or 100% of Compensation, and is deductible from gross income by the Participant pursuant to the Code. No Deductible Participant Contributions may be made after January 1, 1987.

(o) **Deferred Compensation Contributions:** A Participant's contributions described in Section 4.8 herein and credited to his Participant Deferred Compensation Contribution Account.

(p) **Disability:** A physical or mental condition which, in the judgment of the Committee, totally and presumably permanently prevents a Participant from engaging in any substantial gainful employment with the Employer. A determination of such disability shall be based upon competent medical evidence.

(q) **Effective Date:** The later of: (a) the date specified in the Joinder Agreement; or (b) the first day on which the Plan has a Participant.

(r) **Employee:** Shall have the meaning set forth in Section 2 of the Joinder Agreement.

(s) **Employer:** A Municipality chartered, incorporated or formed under the laws of the State of Oklahoma which executes the Joinder Agreement.

(t) **Employment Commencement Date:** The first day of the first pay period during which the Participant receives wages as defined in Section 3121(a) of the Code from the Employer.

(u) **Entry Date:** The date an Employee becomes a Participant.

(v) **Forfeiture:** The portion of a Participant's Accounts which becomes forfeitable pursuant to Section 6.6 hereof.

(w) **Fund:** The fund established to provide the benefits under the Plan for the exclusive benefit of the Participants included in the Plan, and which will be pooled with similar funds of other incorporated cities and towns of Oklahoma as a part of the Oklahoma Municipal Retirement Fund, for purposes of pooled management and investment.

(x) **Investment Manager:** A person who is either (i) registered as an investment adviser under the Investment Advisers Act of 1940, (ii) a bank, as defined in the Investment Advisers Act of 1940, or (iii) an insurance company qualified to perform investment management services under the laws of more than one state.

(y) **Investment Options:** Any of those investment options selected by the Committee in accordance with Section 5.12 hereof.

(z) **Joinder Agreement:** The agreement by which the Employer adopts this Plan and Fund as its Plan and Fund.

**(aa) Leased Employee:** Any person (other than an employee of the recipient) who pursuant to an agreement between the recipient and any other person ("leasing organization") has performed services for the recipient (or for the recipient and related persons determined in accordance with Section 414(n)(6) of the Code) on a substantially full time basis for a period of at least one year, and such services are performed under primary direction or control by the recipient. Contributions or benefits provided a Leased Employee by the leasing organization which are attributable to services performed for the recipient employer shall be treated as provided by the recipient employer.

A Leased Employee shall not be considered an employee of the recipient if: (i) such employee is covered by a money purchase pension plan providing: (1) a nonintegrated employer contribution rate of at least 10% of compensation, as defined in Section 415(c)(3) of the Code, but including amounts contributed pursuant to a salary reduction agreement which are excludable from the employee's gross income under Section 125, Section 402(e)(3), Section 402(h)(1)(B) or Section 403(b) of the Code, (2) immediate participation, and (3) full and immediate vesting; and (ii) leased employees do not constitute more than 20% of the recipient's nonhighly compensated work force.

**(bb) Limitation Year:** The twelve (12) consecutive month period ending on June 30th of each year. If the Limitation Year is amended to a different twelve (12) consecutive month period, the new Limitation Year must begin on a date within the Limitation Year in which the amendment is made.

**(cc) Loan Account:** A Participant's Separate Account established in the event he desires to make a loan from his applicable Account as provided in Section 6.13 herein.

**(dd) Mandatory Contributions:** Contributions, if elected by the Employer in the Joinder Agreement, which Participants are required to make in order to participate in the Plan.

**(ee) Municipality:** (1) each and every incorporated municipality in the State of Oklahoma; (2) public trusts having municipalities as a beneficiaries; (3) interlocal cooperatives created pursuant to 74 Oklahoma Statutes, Sections 1001, et seq., between municipalities and/or their public trust, and; (4) any other legal entity comprising a municipal authority as that term is used in Chapter 48 of Title 11 Oklahoma statutes, which has adopted the Plan and/or which has become a participant in the related trust according to the terms herein.

**(ff) Municipality Contribution Account:** The account maintained for a Participant in which his share of the contributions of the Employer and the Amounts Forfeited and any adjustments relating thereto are recorded.

**(gg) Normal Retirement Date:** The first day of the month occurring on or next following the date a Participant attains sixty-five (65) years of age.

**(hh) Oklahoma Municipal Retirement Fund:** The trust created in accordance with Sections 48-101 et seq., of Title 11, Oklahoma Statutes 1981, to combine pension and retirement funds in incorporated cities and towns of Oklahoma for purposes of management and investment, represented by and acting through its Board of Trustees.



**(ii) Participant:** Any Employee or former Employee who meets the eligibility requirements and is covered under the Plan.

**(jj) Participant Contribution Accounts:** All of the following Accounts: (i) Participant Deductible Contribution Account, (ii) Participant Deferred Compensation Contribution Account, (iii) Participant Nondeductible Contribution Account, (iv) Catch-Up Contribution Account, (v) Pick-Up Contributions Account, (vi) Participant Mandatory Contributions Account, (vii) Participant Rollover Account, and (viii) Participant Roth Contribution Account.

**(kk) Participant Deductible Contribution Account:** The Account maintained for a Participant in which his Deductible Participant Contributions and adjustments relating thereto are recorded.

**(ll) Participant Deferred Compensation Contribution Account:** The Account maintained for a Participant in which his Deferred Compensation Contributions resulting from the Participant's election under Section 4.8 of the Plan and adjustments thereto are recorded.

**(mm) Participant Mandatory Contribution Account:** The Account maintained for a Participant in which his Mandatory Contributions and adjustments relating thereto are recorded.

**(nn) Participant Nondeductible Contribution Account:** The Account maintained for a Participant in which his voluntary nondeductible contributions and adjustments relating thereto are recorded.

**(oo) Participant Rollover Account:** The Account maintained for a Participant in which any Rollover Contributions are recorded.

**(pp) Participant Roth Contribution Account:** The Account maintained for a Participant in which any Roth Contributions are recorded.

**(qq) Participation:** The period commencing as of the date an Employee became a Participant and ending on the date the final distributions of all the Account balances are made.

**(rr) Period(s) of Service or Service:**

**(1)** A Participant's last continuous period during which the Participant was an Employee of the Employer and/or any other Municipality prior to the earlier of his Retirement or Break in Service.

(i) Service includes employment with a Municipality other than the Employer prior to the time that the other Municipality adopted the Plan if the other Municipality credits a participant's past service under its retirement plan; and

(ii) Service for the Employer does not include employment with any Municipality if that service would not be included under the Municipality's Plan.

(2) Concurrent employment with more than one Municipality shall be credited as only one period of service.

(3) Any Authorized Leave of Absence shall not be considered as interrupting continuity of employment, provided the Employee returns within the period of authorized absence. Until such time as the City Council shall adopt rules to the contrary, credit for Service with the Employer shall be granted for any period of Authorized Leave of Absence during which the Employee's full Compensation is continued and contributions to the Fund are continued at the same rate and made by or for him, but credit for Service with the Employer shall not be granted for any period of authorized, nonpaid absence due to illness, union leave, military service, or any other reason, unless arrangements are made with the City Council for the Employee's continued participation and for contributions to be continued at the same rate and made by him or on his behalf during such absence. Provided, however, if a Participant is on an Authorized Leave of Absence and is receiving worker's compensation during such Authorized Leave of Absence, and if the Employer so elects in the Joinder Agreement, such Participant shall be credited with Service for such period for purposes of vesting only (and not for purposes of allocation of Employer Contributions).

(4) The expiration of the term of office of an elected official shall not be considered as interrupting continuity of employment, provided the official is re-elected for a consecutive term.

(5) Any reference in this Plan to the number of years of Service of a Participant shall include fractional portions of a year.

(6) With respect to a Participant who was previously 100% vested in any other Municipality's qualified retirement plan prior to becoming a Participant in this Plan, such Participant's "Service" for purposes of determining years of service for vesting under this Plan shall include the Participant's last continuous period during which the Participant was an employee of the other Municipality.

**(ss) Pick-Up Contributions:** The Employer's contributions described in Section 4.7 hereof and credited to his Pick-Up Contribution Account.

**(tt) Pick-Up Contributions Account:** The account maintained for a Participant in which his share of Pick-Up Contributions are recorded.

**(uu) Plan:** The Oklahoma Municipal Retirement Fund Master Defined Contribution Plan set forth herein, and all subsequent amendments.

**(vv) Plan Administrator:** The persons who administer the Plan pursuant to the provisions of Article X hereof.

**(ww) Plan Year:** Means the twelve (12) consecutive month period ending June 30th of each year. The initial or final Plan Year may be less than a twelve (12) consecutive month period.

(xx) **Previous Plan:** The terms and provisions in the prior instruments governing the Employer's qualified defined contribution retirement plan and related trust, and applying before the Effective Date hereof, or any other date expressly specified herein if different from the Effective Date, which prior instruments are amended, restated and superseded by this instrument.

(yy) **Retirement:** Termination of employment upon a Participant's attaining age 65.

(zz) **Roth Contributions:** A Participant's contributions described in Section 4.8(d) herein and credited to his Participant Roth Contribution Account.

(aaa) **Trust Service Provider:** The person appointed by the Trustee to supervise operation of the Oklahoma Municipal Retirement Fund and to assist participating Municipalities in the adoption and operation of the Plan.

(bbb) **Trustee:** The Trustees appointed pursuant to the Trust Indenture establishing the Oklahoma Municipal Retirement Fund.

(ccc) **Valuation Date:** The date specified in Section 13 of the Joinder Agreement and any Special Valuation Dates determined in accordance with Section 5.10.

(ddd) **Valuation Period:** The period of time between two successive Valuation Dates.

2.2 **Construction:** The masculine gender, where appearing in the Plan, shall be deemed to include the feminine gender, unless the context clearly indicates to the contrary. The words "hereof," "herein," "hereunder" and other similar compounds of the word "herein" shall mean and refer to the entire Plan, not to any particular provision or section.



**ARTICLE III.**  
**Eligibility and Participation**

3.1 **Eligibility:** An Employee, as defined in the Joinder Agreement, who has satisfied all the requirements set forth in the Joinder Agreement shall be eligible to participate in the Plan. Any person who has been classified by the Employer as an independent contractor and has had his compensation reported to the Internal Revenue Service on Form 1099 but who has been reclassified as an "employee" (other than by the Employer) shall not be considered as an eligible Employee who can participate under this Plan; provided, if the Employer does reclassify such worker as an "Employee," for purposes of this Plan, such reclassification shall only be prospective from the date that the Employee is notified by the Employer of such reclassification.

3.2 **Entry Date:** The participation of an Employee eligible to become a Participant shall commence on the earliest date permitted by the Employer in the Joinder Agreement.

3.3 **Re-employment of Former Participants:** Subject to Section 3.4, if a Participant incurs a Break in Service and is subsequently re-employed by the Employer, the Participant shall not receive any credit for his previous Period of Service with the Employer and such Participant shall be treated in the same manner as a person who has not previously been employed by any Municipality.

3.4 **Re-employment of Retired or Fully Vested Participants:** If a retired or fully vested Participant is re-employed by the Employer, no distributions shall be made from the Plan during the period of such re-employment. Periods of Service prior to such Participant's retirement or termination of service, as applicable, shall count as Periods of Service for purposes of determining such Participant's vested interest in his Municipality Contribution Account.

## **ARTICLE IV.**

### **Contributions**

**4.1 Contributions by Employer:** The Employer shall make such contributions as set forth in the Joinder Agreement. Such contributions shall be made from the operating revenue of the current taxable year or from accumulated revenue or surplus, as appropriate. The contribution shall be determined by written action of the Employer stating the amount of such contribution, and by the payment of such stated amount to the Trustee monthly. Upon execution of the Joinder Agreement, the Employer will contribute one Dollar (\$1.00) to establish the Fund. Any Participant who received Compensation from the Employer during the Valuation Period shall share in the Employer's contribution for the Valuation Period, even if not employed on the last day of the Valuation Period.

All Participant contributions shall be transmitted monthly to the Trustee after being withheld by the Employer. The Trustee shall hold all such contributions, subject to the provisions of the Plan and Fund, and no part of these contributions shall be used for, or diverted to, any other purpose.

**4.2 Required Participant Contributions:** If the Employer so elects in the Joinder Agreement, Participants shall not be required to contribute to the Plan.

**4.3 Mandatory Contributions:** If the Employer so elects in the Joinder Agreement, a Participant shall contribute to the Plan for each Plan Year the percentage of his Compensation set forth in the Joinder Agreement. Mandatory Contributions shall be made by payroll deductions. The Participant shall authorize such deductions in writing on forms approved by, and filed with, the Committee.

**4.4 Voluntary Nondeductible Contributions by Participants:** Subject to the limitations of Sections 5.11 and to such rules of uniform application as the Committee may adopt, each Participant may elect to make nondeductible contributions to the Plan. The contributions of such Participant after the Effective Date may be by payroll deduction, which the Participant shall authorize the Employer to make on written authorization forms designated by and filed with the Committee, or by cash payments by such Participant to the Trustee. The authorization to make contributions by payroll deductions shall be effective on the first day following the Committee's receipt of the payroll deduction authorization. In addition, a Participant may make Rollover Contributions notwithstanding the percentage limitations in the first sentence of this Section or the cash payment requirement of the second sentence of this Section.

**4.5 Change of Rate of Voluntary Nondeductible Contributions by Participant:** The Participant may change his rate of payroll deduction at any time, or he may discontinue his payroll deductions at any time. Any change of rate or discontinuance of payroll deductions shall be effective on the first payday following the receipt of written notice thereof by the Committee; provided, however, that not more than one change or discontinuance shall be made within a calendar month unless otherwise stated by the Committee.



The Participant must furnish the Committee at the time of any Participant Contribution or payroll deduction authorization an election designating the contribution as a Mandatory Contribution, Deductible Participant Contribution, or a Voluntary Nondeductible Contribution.

**4.6 Participant Contributions Nonforfeitable:** Each Participant who contributes hereunder shall have a nonforfeitable vested interest in that portion of the value of his own contributions not theretofore previously withdrawn by him.

**4.7 Pick-Up Contributions:** If the Employer elects in Section 5 of the Joinder Agreement, all Participants shall be required as a condition of employment to make the contributions specified in the Joinder Agreement. These contributions shall be picked up and assumed by the Employer and paid to the Fund in lieu of contributions by the Participant. Such contributions shall be designated as Employer contributions for federal income tax purposes. Each Participant's Compensation will be reduced by the amount paid to the Fund by the Employer in lieu of the required contribution by the Participant. These contributions shall be excluded from the Participant's gross income for federal income tax purposes and from wages for purposes of withholding under Sections 3401 through 3404 of the Code in the taxable year in which contributed. No Participant shall have the option of receiving the contributed amounts directly as Compensation. Contributions made by the Employer under this election shall be designated as Participant contributions for purposes of vesting, determining Participant rights and Participant Compensation. [In order for the Employer to have reliance on whether the Pick-Up Contributions comply with Section 414(h)(2) of the Code, the Employer must obtain a private letter ruling from the Internal Revenue Service.]

**4.8 Deferred Compensation Contributions:** If the Employer elects in the Joinder Agreement and if such Employer adopted a cash or deferred feature before May 7, 1986, the following provisions shall apply:

**(a) Deferred Compensation Contributions under Code Section 401(k):** A Participant, by written notice to the Plan Administrator, may elect to make a Deferred Compensation Contribution to the Plan rather than receive Compensation to which the Participant would otherwise be entitled during the period immediately following such election.

Subject to the limitations of this Section 4.8 and Section 5.11, a Participant's Deferred Compensation Contribution may be any whole percentage of his Compensation, but in no case shall a Participant's Deferred Compensation Contribution election exceed the percentage set forth in the Joinder Agreement. Such election shall be binding until the Participant, by written notice to the Plan Administrator, modifies or discontinues his Deferred Compensation Contribution. A Participant's initial election, or modification or discontinuance shall be effective as soon as administratively practicable following the Plan Administrator's receipt of the Participant's written notice of election, modification or discontinuance, and shall remain in effect until modified or terminated. Provided, not more than one change or discontinuance shall be made within a calendar month unless otherwise stated by the Committee.

Employer contributions made pursuant to this Section 4.8 shall be credited to the Participant's Participant Deferred Compensation Account. All such Employer contributions shall



be paid to the Trustee as soon as practicable following the retention of such amounts by the Employer from the Participant's Compensation.

**(b) Dollar Limitation on Deferred Compensation Contributions:**

**(i) General Rule.** No Participant shall be permitted to make Deferred Compensation Contributions during any calendar year in excess of the dollar limitation contained in Section 402(g) of the Code (including, if applicable, the dollar limitation on Catch-Up Contributions defined in Section 414(v) of the Code) in effect as of the beginning of the taxable year as adjusted under Section 402(g)(4) of the Code (hereafter referred to as "Excess Elective Deferrals"). In the case of a Participant who is age 50 or over by the end of the taxable year, the dollar limitation described in the preceding sentence includes the amount of Deferred Compensation Contributions that can be Catch-Up Contributions. In the event a Catch-Up Contribution eligible Participant makes Excess Elective Deferrals, the Plan Administrator shall cause such Participant's Deferred Compensation Contributions to be recharacterized as Catch-Up Contributions to the extent necessary to either (i) exhaust his Excess Elective Deferrals, and/or (ii) increase his Catch-Up Contributions to the applicable limit under Section 414(v) of the Code for the Plan Year.

**(ii) Recharacterization to Meet Limits of Section 402(g) of the Code.** In the event a Participant's Deferred Compensation Contributions for a Plan Year do not equal the maximum Contributions that may be made under the Plan during that Plan Year for any reason, the Participant's Catch-Up Contributions for such Plan Year shall be recharacterized as Deferred Compensation Contributions for all purposes to the extent necessary to increase his Deferred Compensation Contributions to equal such maximum for such Plan Year.

**(iii) Corrective Distributions.**

a. **General.** Notwithstanding any other provision of the Plan to the contrary, Excess Elective Deferrals (remaining after recharacterization as discussed above) and income and loss allocable thereto for the applicable calendar year must be distributed no later than April 15 following the calendar year in which Excess Elective Deferrals are incurred to avoid penalty, to Participants who have Excess Elective Deferrals for the preceding calendar year. Provided that, Excess Elective Deferrals to be distributed for a taxable year will be reduced by Excess Contributions previously distributed for the Plan Year beginning in such taxable year. For years beginning after 2005, distribution of Excess Elective Deferrals for a year shall be made first from the Participant's Account holding Deferred Compensation Contributions, to the extent Deferred Compensation Contributions were made for the year, unless the Participant specifies otherwise.

b. **Calculation of Income Allocable to Excess Elective Deferrals.** The Plan Administrator shall use the method provided in Section 5.6 herein for computing the income allocable to corrective distributions pursuant to this Section. Excess Elective Deferrals are determined on a date that is no more than seven (7) days before the distribution. For the Plan Year beginning in 2007, income or loss allocable to the period between the end of the taxable year and the

date of distribution (“gap period”) must be taken into account for corrective distributions. For Plan Years beginning after 2007, income or loss applicable to the gap will not be taken into account for corrective distributions.

**(c) Catch-up Contributions:** For Plan Years beginning after December 31, 2001, all Employees who are eligible to make Deferred Compensation Contributions under this Plan and who have attained age 50 before the close of the Employee’s taxable year shall be eligible to make Catch-Up Contributions in accordance with, and subject to the limitations of, Section 414(v) of the Code. Catch-Up Contributions are Deferred Compensation Contributions made to the Plan that are in excess of an otherwise applicable Plan limit and that are made by Participants who are age 50 or over by the end of their taxable years. An otherwise applicable Plan limit is a limit in the Plan that applies to Deferred Compensation Contributions without regard to Catch-Up Contributions, such as the limit on Annual Additions and the Code Section 402(g) limit. Such Catch-Up Contributions shall not be taken into account for purposes of the provisions of the Plan implementing the required limitations of Sections 402(g) and 415 of the Code. The Plan shall not be treated as failing to satisfy the provisions of the Plan implementing the requirements of Section 401(k)(3), 401(k)(11), 401(k)(12), 410(b), or 416 of the Code, as applicable, by reason of the making of such Catch-Up Contributions.

**(d) Roth Elective Deferrals:**

**(i) General Application.**

(1) If elected by the Employer in the Joinder Agreement, this Subsection (d) will apply to Contributions beginning with the effective date specified in the adoption agreement but in no event before the first day of the first taxable year beginning on or after January 1, 2006.

(2) As of the effective date under Subsection (1), the Plan will accept Roth elective deferrals made on behalf of Participants. A Participant’s Roth elective deferrals will be allocated to a separate account maintained for such deferrals as described in Subsection (ii).

(3) Unless specifically stated otherwise, Roth elective deferrals will be treated as elective deferrals for all purposes under the Plan. Roth elective deferrals that are determined to be excess elective deferrals shall be corrected by distribution in the manner set forth in Section 4.8.

**(ii) Separate Accounting.**

(1) Contributions and withdrawals of Roth elective deferrals will be credited and debited to the Roth elective deferral account maintained for each Participant.

(2) The Plan will maintain a record of the amount of Roth elective deferrals in each Participant’s account.



(3) Gains, losses, and other credits or charges must be separately allocated on a reasonable and consistent basis to each Participant's Roth elective deferral account and the Participant's other accounts under the Plan.

(4) No contributions other than Roth elective deferrals and properly attributable earnings will be credited to each Participant's Roth elective deferral account.

(iii) Direct Rollovers.

(1) Notwithstanding Section 9.5, a direct rollover of a distribution from a Roth elective deferral account under the Plan will only be made to another Roth elective deferral account under an applicable retirement plan described in § 402A(e)(1) or to a Roth IRA described in Code Section 408A, and only to the extent the rollover is permitted under the rules of Code Section 402(c).

(2) Notwithstanding Section 9.5, if elected by the Employer in the Joinder Agreement, the Plan will accept a rollover contribution to a Roth elective deferral account only if it is a direct rollover from another Roth elective deferral account under an applicable retirement plan described in Code Section 402A(e)(1) and only to the extent the rollover is permitted under the rules of Code Section 402(c).

(3) The Plan will not provide for a direct rollover (including an automatic rollover) for distributions from a Participant's Roth elective deferral account if the amount of the distributions that are eligible rollover distributions are reasonably expected to total less than \$200 during a year. In addition, any distribution from a Participant's Roth elective deferral account is not taken into account in determining whether distributions from a Participant's other accounts are reasonably expected to total less than \$200 during a year. However, eligible rollover distributions from a Participant's Roth elective deferral account are taken into account in determining whether the total amount of the Participant's account balances under the Plan exceeds \$1,000 for purposes of mandatory distributions from the plan.

(iv) Definition.

(1) **Roth Elective Deferrals.** A Roth elective deferral is an elective deferral that is:

a. Designated irrevocably by the Participant at the time of the cash or deferred election as a Roth elective deferral that is being made in lieu of all or a portion of the pre-tax elective deferrals the Participant is otherwise eligible to make under the plan; and

b. Treated by the Employer as includible in the Participant's income at the time the Participant would have received that amount in cash if the Participant had not made a cash or deferred election.

**ARTICLE V.**  
**Accounting, Allocation and Valuation**

5.1 **Accounts:** The Committee shall maintain a separate Municipality Contribution Account, Participant Nondeductible Contribution Account, Participant Mandatory Contribution Account, Participant Deductible Contribution Account, Participant Rollover Account, Participant Deferred Compensation Contribution Account, Catch-Up Contribution Account, Pick-Up Contributions Account and Loan Account as necessary for each Participant. A separate sub-account for each such Account shall be maintained for each Investment Option offered in accordance with Section 5.12. All such Accounts shall be credited or debited as herein provided.

5.2 **Eligibility for Allocation:** Employer contributions together with Amounts Forfeited as of the Valuation Date shall be allocated to the Municipality Contribution Accounts of Participants.

5.3 **Allocation of Contribution:** The Employer contributions, together with Amounts Forfeited as of the prior Valuation Date shall be allocated in the manner elected by the Employer in the Joinder Agreement.

5.4 **Allocation of Amounts Forfeited:** No Amount Forfeited attributable to the contribution of one Employer adopting this Plan may be allocated for the benefit of Participants of the Plan of any other adopting Employer.

5.5 **Value of Account:** The value of a Participant's Account is equal to the sum of all contributions, earnings or losses, and other additions credited to the Account, less all distributions (including distributions to Beneficiaries and to alternate payees and also including disbursement of Plan loan proceeds), forfeitures, expenses and other charges against the Account as of a Valuation Date or other relevant date. For purposes of a distribution under the Plan, the value of a Participant's Account balance is its value as of the Valuation Date immediately preceding the date of the distribution. The value of a Participant's Account is the fair market value of the assets in the account.

5.6 **Allocation of Investment Earnings and Losses:** As of each Valuation Date, the Accounts will be adjusted to reflect the earnings and losses since the last Valuation Date. Earnings or losses will be allocated using the daily valuation method so that earnings or losses will be allocated on each day of the Plan Year for which Plan assets are valued on an established market.

5.7 **Accounting for Participants' Contributions:** Contributions by or on behalf of each Participant shall be credited to his Participant Nondeductible Contribution Account, Participant Mandatory Contribution Account, Participant Deductible Contribution Account, Catch-Up Contribution Account, Pick-Up Contribution Account, or Participant Deferred Compensation Contribution Account as deposited with the Trustee.

5.8 **Accounting for Statement of Account:** As soon as is administratively feasible, the Committee shall present to each Participant a statement of such Participant's Accounts, at least annually, showing the balances at the beginning of the reported period, any changes during the reported period, the balances at the end of the reported period, and such other information as the Committee may determine. However, neither the maintenance of accounts, the allocations to



Accounts, nor the statements of account shall operate to vest in any Participant any right or interest in or to the Fund except as the Plan specifically provides herein.

**5.9 Time of Adjustment:** Each adjustment required by this Article V shall be deemed to have been made at the times specified in this Article V, regardless of the dates of actual entries or receipts by the Trustee of contributions for such Plan Year.

**5.10 Special Valuation Date:** If the Committee determines that a substantial change in the value of any Investment Fund has occurred since the last Valuation Date, the Committee may, prior to the next Valuation Date, establish one or more Special Valuation Dates and determine the adjustment required to make the total net credit balance in the Accounts of the then Participants equal to the then market value of the total assets of the Fund. Such adjustments shall be made consistent with the procedure specified in Section 5.5. Having determined such adjustment, all distributions which are to be made as of or after such special Valuation Date, but prior to the next succeeding Valuation Date or Special Valuation Date, shall be made as if the net credit balances in all Accounts had actually been credited or debited to reflect the adjustment provided by this Section.

**5.11 Limitation on Allocation of Employer Contributions:** The following provisions will be applicable in determining if the Plan and the Employer contributions thereto satisfy the requirements of Section 415 of the Code and the regulations thereunder. Except to the extent permitted under Section 4.8(c) of this Plan and Section 414(v) of the Code, if applicable, the Annual Additions that may be contributed or allocated to a Participant's Accounts under the Plan for any limitation year shall not exceed the Maximum Permissible Amount.

**(a) Definitions:** For the purposes of this Section the following definitions shall be applicable:

**(i) Annual Additions:** For purposes of the Plan, "Annual Additions" shall mean the amount allocated to a Participant's Account during the Limitation Year that constitutes:

- (1) Employer contributions,
- (2) Employee Deferred Compensation Contributions or Roth Contributions (excluding excess deferrals that are distributed in accordance with Treas. Reg. § 1.402(g)-1(e)(2) or (3)),
- (3) Forfeitures, and
- (4) Amounts allocated to an individual medical account, as defined in Section 415(1)(2) of the Code, which is part of a pension or annuity plan maintained by the Employer are treated as annual additions to a defined contribution plan; and amounts derived from contribution plans or accrued after December 31, 1985, and taxable years ending after such date, which are attributable to post-retirement medical benefits, allocated to the separate account of a key employee, as defined in Section 419(A)(d)(3) of the Code, under a welfare benefit fund, as defined in Section 419(e) of the Code, maintained by the Employer are treated as annual addition to a defined contribution plan.

Annual additions for purposes of Code § 415 shall not include restorative payments. A restorative payment is a payment made to restore losses to a Plan resulting from actions by a fiduciary for which there is reasonable risk of liability for breach of a fiduciary duty under federal or state law, where participants who are similarly situated are treated similarly with respect to the payments. Generally, payments are restorative payments only if the payments are made in order to restore some or all of the Plan's losses due to an action (or a failure to act) that creates a reasonable risk of liability for such a breach of fiduciary duty (other than a breach of fiduciary duty arising from failure to remit contributions to the Plan). This includes payments to a plan made pursuant to a court-approved settlement, to restore losses to a qualified defined contribution plan on account of the breach of fiduciary duty (other than a breach of fiduciary duty arising from failure to remit contributions to the Plan). Payments made to the Plan to make up for losses due merely to market fluctuations and other payments that are not made on account of a reasonable risk of liability for breach of a fiduciary duty are not restorative payments and generally constitute contributions that are considered annual additions.

Annual additions for purposes of Code § 415 shall not include: (1) The direct transfer of a benefit or employee contributions from a qualified plan to this Plan; (2) rollover contributions (as described in Code §§ 401(a)(31), 402(c)(1), 403(a)(4), 403(b)(8), 408(d)(3), and 457(e)(16)); (3) repayments of loans made to a participant from the Plan; and (4) repayments of amounts described in Code § 411(a)(7)(B) (in accordance with Code § 411(a)(7)(C)) and Code § 411(a)(3)(D), as well as Employer restorations of benefits that are required pursuant to such repayments.

If, in addition to this Plan, the Participant is covered under another qualified plan which is a defined contribution plan maintained by the Employer, a welfare benefit fund, as defined in Section 419(e) of the Code maintained by the Employer, or an individual medical benefit account, as defined in Section 415(1)(2) of the Code maintained by the Employer, which provides for Annual Additions during any Limitation Year, then the Annual Additions which may be credited to a Participant's Account under this Plan for any such Limitation Year will not exceed the Maximum Permissible Amount reduced by the Annual Additions credited to a Participant's Account under the other plans and welfare benefit funds for the same Limitation Year. If the Annual Additions with respect to the Participant under other defined contribution plans and welfare benefit plans maintained by the Employer are less than the Maximum Permissible Amount and the Employer contribution that would otherwise be contributed or allocated to the Participant's Account under this Plan would cause the Annual Additions for the Limitation Year to exceed this limitation, the amount contributed or allocated will be reduced so that the Annual Additions under all such plans and funds for the Limitation Year will equal the Maximum Permissible Amount. If the Annual Additions with respect to the Participant under such other defined contribution plans and welfare benefit funds in the aggregate are equal to or greater than the Maximum Permissible amount, no excess amount will be contributed or allocated to a Participant's Account under this Plan for the Limitation Year.

(ii) **Actual Compensation:** The words "Actual Compensation" shall mean a Participant's wages, salaries, and fees for professional services and other amounts received without regard to whether or not an amount is paid in cash for personal services actually rendered in the course of employment with the Employer, to the extent that the amounts are includible in gross income (or to the extent amounts deferred at the election of the Employee



would be includible in gross income but for the rules of Sections 125, 132 (for limitation years beginning after December 31, 2001), 402(e)(3), 402(h)(1)(B), 402(k), or 457(b) of the Code). These amounts include, but are not limited to, commissions paid salesmen, compensation for services on the basis of a percentage of profits, commissions on insurance premiums, tips and bonuses, fringe benefits, and reimbursements or other expense allowances under a nonaccountable plan as described in Treas. Reg. §1.62-2(c)). For years beginning after December 31, 2008, (i) an individual receiving a differential wage payment, as defined by Code §3401(h)(2), is treated as an employee of the employer making the payment, (ii) the differential wage payment is treated as Actual Compensation, and (iii) the Plan is not treated as failing to meet the requirements of any provision described in Code §414(u)(1)(C) by reason of any contribution or benefit which is based on the differential wage payment.

For purposes of applying the limitations described in this Section 5.11 of the Plan, Compensation paid or made available during such limitation years shall include elective amounts that are not includable in the gross income of the Employee by reason of Code Section 132(f)(4).

Actual Compensation shall be adjusted, as set forth herein, for the following types of compensation paid after a Participant's severance from employment with the Employer maintaining the Plan (or any other entity that is treated as the Employer pursuant to Code § 414(b), (c), (m) or (o)). However, amounts described in Subsections (a) and (b) below may only be included in Actual Compensation to the extent such amounts are paid by the later of 2½ months after severance from employment or by the end of the limitation year that includes the date of such severance from employment. Any other payment of compensation paid after severance of employment that is not described in the following types of compensation is not considered Actual Compensation within the meaning of this Section, even if payment is made within the time period specified above.

(1) **Regular Pay:** Actual Compensation shall include regular pay after severance of employment if:

A. The payment is regular compensation for services during the Participant's regular working hours, or compensation for services outside the Participant's regular working hours (such as overtime or shift differential), commissions, bonuses, or other similar payments; and

B. The payment would have been paid to the Participant prior to a severance from employment if the Participant had continued in employment with the Employer.

(2) **Leave Cashouts and Deferred Compensation:** Leave cashouts shall not be included in Actual Compensation. In addition, deferred compensation shall be included in Actual Compensation.

(3) **Salary Continuation Payments for Disabled Participants:** Actual Compensation does not include compensation paid to a Participant who is permanently and totally disabled (as defined in Code § 22(e)(3)).

(iii) **Excess Amount:** The words "Excess Amount" shall mean the excess of the Participant's Annual Additions for the applicable Limitation Year over the Maximum Permissible Amount.

(iv) **Maximum Permissible Amount:** The words “Maximum Permissible Amount” shall mean for the applicable Limitation Year, the “maximum permissible amount” (except for Employee Catch-Up Contributions under Section 414(v) of the Code) which may be contributed or allocated to or made with respect to any Participant which amount shall be the lesser of:

(1) \$56,000, as adjusted for cost-of-living under Code Section 415(d) the “Defined Contribution Dollar Limitation,” or

(2) 100% of the Participant’s Actual Compensation for the Limitation Year.

The compensation limitation referred to above shall not apply to: any contribution for medical benefits (within the meaning of Section 419A(f)(2) of the Code) after separation from service which is otherwise treated as an Annual Addition, or any amount otherwise treated as an Annual Addition under Section 415(1)(1) of the Code.

(b) **Determination of Excess:** If an excess amount was allocated to a Participant on an allocation date of this Plan which coincides with an allocation date of another plan, the excess amount attributed to this Plan will be the product of (1) the total excess amount allocated as of such date times (2) the ratio of (i) the Annual Additions allocated to the Participant for the Limitation Year as of such date under this Plan to (ii) the total Annual Additions allocated to the Participant for the Limitation Year as of such date under this and all other qualified plans which are defined contribution plans.

(c) **Treatment of Excess:** Notwithstanding any provision of the Plan to the contrary, if the annual additions (within the meaning of Code § 415) are exceeded for any participant, then the Plan may be able to correct such excess in accordance with the Employee Plans Compliance Resolution System (EPCRS) as set forth in Revenue Procedure 2018-52 or any superseding guidance, including, but not limited to, the preamble of the final § 415 regulations. However, EPCRS may not be available in all situations.

#### 5.12 **Investment Options:**

(a) **Self-Directed:** If the Employer elects in the Joinder Agreement, each Participant in the Plan is hereby given the specific authority to direct the investment of all or any portion of his Accounts in one or more Investment Options provided under this Plan in accordance with the procedures established by the Committee. If a Participant does not designate an Investment Option for his Accounts, his Accounts will be invested in the age-based balanced fund or such other Investment Option as may be designated by the Trustees. For purposes of this Section, the Participants shall be exercising full investment control, discretion, authority and fiduciary responsibility as provided in this Plan of the investments in such Participants’ applicable Accounts.

(b) **Non-Self-Directed:** If the Employer does not elect in the Joinder Agreement to allow self-directed investments, all Accounts will be invested in the Balanced Fund or such other Investment Option as may be designated by the Trustees.



**ARTICLE VI.**  
**Benefits**

**6.1 Retirement or Disability:** If a Participant's employment with the Employer is terminated when he attains age sixty-five (65), or if a Participant's employment is terminated at an earlier age as the result of a Disability, he shall be entitled to receive the entire amount of his Municipality Contribution Account.

**6.2 Deferred Retirement:** If a Participant, with the consent of the Employer, shall continue in active employment following his Normal Retirement Date, he shall continue to participate under the Plan. Upon actual retirement, such Participant shall be entitled to receive the entire amount of his Municipality Contribution Account as of his actual retirement date.

**6.3 Death of a Participant:** Upon the death of a Participant, his Beneficiary shall be entitled to receive the entire amount of his Municipality Contribution Account and Participant Contribution Accounts as of the date of his death. In the case of a death occurring on or after January 1, 2007, if a Participant dies while performing qualified military service (as defined in Code § 414(u)), the survivors of the Participant are entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) provided under the Plan as if the Participant had resumed and then terminated employment on account of death.

**6.4 Termination for Other Reasons - Vested Percentage:** If a Participant's employment with the Employer is terminated before his Normal Retirement Date for any reason other than Disability or death, he shall be entitled to an amount equal to the vested percentage of his Municipality Contribution Account. Such vested percentage shall be determined as of the date of termination in accordance with the election of the Employer in the Joinder Agreement.

**6.5 Initial Distribution Date:** The date of initial distribution ("Initial Distribution Date") of a Participant whose employment is terminated and provided that the Participant requests a distribution, shall be as soon as practicable following his termination of employment and he shall be entitled to the vested percentage of his Accounts on such Initial Distribution Date payable in accordance with the provisions of Section 6.10. The portion of the Employer's contribution, the Amounts Forfeited or the periodic adjustment which is allocated to a Participant terminated for the reasons specified in Section 6.4 after such Initial Distribution Date shall be payable in accordance with the method utilized under Section 6.10 as soon as practicable.

**6.6 Determination of Amounts Forfeited:** Upon a distribution pursuant to Section 6.4 or if the Participant incurs a Break in Service, the forfeited percentage of a Participant's Municipality Contribution Account, if any, shall be deducted from the Participant's Account. Such Amounts Forfeited shall become available for allocation in accordance with Item 8 of the Joinder Agreement as of the end of the calendar quarter following the Valuation Period in which the terminated Participant forfeited such amounts.

**6.7 Participant Contribution Accounts:** A Participant shall be fully vested in his Participant Contribution Accounts at all times. A Participant's Contribution Account balances shall be paid to him in connection with the distribution to him of the vested portion of his

Municipality Contribution Account on or after his Initial Distribution Date. Such distributions shall be made in accordance with Section 6.10 and Section 6.8.

**6.8 Withdrawals from Participant's Contribution Accounts:** In accordance with the provisions hereof, a Participant may withdraw all or any part of his Participant Contribution accounts by filing a written application with the Administrator. Such withdrawal shall be effective no sooner than thirty (30) (unless waived by the Participant) but not later than ninety (90) days after the Participant's receipt from the Plan Administrator of a rollover notice required by Code Section 402(f). A Participant who withdraws all or part of his Participant Contribution Account balances shall not forfeit his proportionate share of net income, gains and profits, if any, for the Valuation Periods previously allocated to his Participant Contribution Accounts, nor any portion of his Municipality Contribution Account but the Participant's Contribution Accounts shall not share (to the extent of any withdrawals) in any net income for the Valuation Period in which the withdrawal occurs. For any distribution notice issued in Plan Years beginning after December 31, 2006, any reference to the 90-day maximum notice period prior to distribution in applying the notice requirements of Code §§402(f) (the rollover notice), or 411(a)(11) (Participant's consent to distribution) will become 180 days.

**(a) Participant Deductible Contribution Account:** If allowed in the Joinder Agreement, a Participant may withdraw all or any part of his Participant Deductible Contribution Account (but not to exceed the amount in his Participant Deductible Contribution Account at the time of withdrawal) by filing a written application with the Plan Administrator. Such withdrawal may be made no more often than once a year. If at the time of the withdrawal the Participant has not attained age 59½ or is not disabled, the Participant will be subject to a federal income tax penalty unless such withdrawal is rolled over to a qualified plan or individual retirement account within sixty (60) days of the date of distribution.

**(b) Participant Nondeductible Contribution Account:** A Participant may withdraw all or any part of his Participant Nondeductible Contribution Account by filing a written application with the Plan Administrator.

**(c) Participant Deferred Compensation Contribution Account:** Notwithstanding any other provision of this Plan, no amount in a Participant's Deferred Contribution Account may be distributed to a Participant earlier than such Participant's retirement, death, Disability, or severance from employment. The above distribution requirements shall be strictly interpreted by the Plan Administrator to conform with the requirements of Section 401(k) of the Code and future amendments or Internal Revenue Service interpretations thereof. If a Participant is allowed to withdraw from his Participant Deferred Compensation Contribution Account, the provisions of the first paragraph of this Section 6.8 shall apply to such withdrawals. Notwithstanding the foregoing, for purposes of Code §401(k)(2)(B)(i)(I), effective January 1, 2009, an individual is treated as having been severed from employment during any period the individual is performing service in the uniformed services described in Code §3401(h)(2)(A). If an individual elects to receive a distribution by reason of severance from employment, death or disability, the individual may not make an elective deferral or Employee contribution during the 6-month period beginning on the date of the distribution.



(d) **Pick-up Contribution Account:** Notwithstanding any other provision of this Plan, no amount in a Participant's Pick-Up Contribution Account may be distributed to a Participant earlier than such Participant's retirement, death, Disability, or separation from service. If a Participant is allowed to withdraw from his Pick-Up Contribution Account, the provisions of the first paragraph of this Section 6.8 shall apply.

6.9 **Withdrawals from Participant's Mandatory Contribution Account:** A Participant may not withdraw any portion of his Participant Mandatory Contribution Account prior to the termination of his employment. Such account balances will be paid at the same time and in the same manner as such Participant's Municipality Contribution Account.

6.10 **Methods of Distribution:** On and after each Participant's Initial Distribution Date, after all adjustments to his Accounts required as of such date shall have been made, distribution of his share shall be made to or for the benefit of the Participant or, in case of his death, to or for the benefit of his Beneficiary, by one of the following methods, as determined by the Committee:

- (a) a lump sum distribution;
- (b) an installment distribution consisting of approximately equal installments for a term not exceeding ten (10) years;
- (c) an installment distribution consisting of approximately equal installments for a term not extending beyond the joint life expectancy (as calculated in accordance with Income Tax Regulation section 1.72-9) on the Initial Distribution Date of the Participant and his spouse;
- (d) periodic distributions as designated by the Participant or Beneficiary; or
- (e) purchase of an annuity.

Commencement of payments under the method of distribution selected shall be as of the initial Distribution Date of the Participant, provided that for administrative convenience, such commencement may be delayed as reasonably necessary but in no event for more than sixty (60) days after a reasonable time for all administrative calculations, allocations and accounting operations necessary to determine the amount of the distribution. The Committee, in its sole discretion, may accelerate the payment of any unpaid installments. If a former Participant receiving installment payments dies prior to the receipt by him of the full amount to be paid to him from his Participant Accounts, the remaining installments shall be paid to his Beneficiary. Under no circumstance may a method of payment be elected that would be expected to cause more than fifty percent (50%) of the present value of any series of payments to go to a person other than the Participant.

6.11 **Designation of Beneficiary:** Each Participant shall designate his Beneficiary on a form provided by the Committee and such designation may include primary and contingent Beneficiaries. If Participant designates more than one Beneficiary, each shall share equally unless the Participant specifies a different allocation. The designation may be changed at any time by filing a new form with the Committee. In the absence of such written designation, the surviving spouse, if any, of the Participant shall be deemed to be the designated Beneficiary, and otherwise the estate of such Participant. Further, the written designation of the Participant's spouse may be voided upon divorce of the Participant if required by applicable state law. In all events, the date of determination of a Participant's Beneficiary shall be the date of death of a

Participant. Production of a certified copy of the death certificate of any Participant or other persons shall be sufficient evidence of death, and the Committee shall be fully protected in relying thereon.

#### **6.12 Payments Under a Qualified Domestic Relations Order:**

(a) The Municipality shall follow the terms of any “Qualified Domestic Relations Order” as defined in Subsection (b) below issued with respect to a Participant where such Qualified Domestic Relations Order grants to an “Alternate Payee” rights in the benefit of the Participant.

(b) The term “Qualified Domestic Relations Order” means an order issued by the District Court of the State of Oklahoma pursuant to the domestic relations laws of the State of Oklahoma which relates to the provision of marital property rights to a spouse or former spouse of a Participant and which creates or recognizes the existence of an Alternate Payee’s right to, or assigns to an Alternate Payee the right to receive a portion of the benefits payable with respect to a Participant of the Plan.

(c) To qualify as an Alternate Payee, a spouse or former spouse must have been married to the Participant for a period of not less than thirty (30) continuous months immediately preceding the commencement of the proceedings from which the Qualified Domestic Relations Order issues.

(d) A Qualified Domestic Relations Order is valid and binding on the Trustees and the Participant only if it meets the requirements of this Section.

(e) A Qualified Domestic Relations Order shall clearly specify:

- 1) the name, social security number, and last-known mailing address (if any) of the Participant, and the name and mailing address of the alternative payee covered by the order;
- 2) the amount or percentage of the Participant’s benefits to be paid by the Plan to the Alternate Payee;
- 3) the characterization of the benefit as to marital property rights, and whether the benefit ceases upon the death or remarriage of the Alternate Payee; and,
- 4) each plan to which such order applies.

(f) A Qualified Domestic Relations Order meets the requirements of this Section only if such order:

- 1) does not require the Plan to provide any type or form of benefit, or any option not otherwise provided under the Plan;
- 2) does not require the Plan to provide increased benefits; and,



3) does not require the payment of benefits to an Alternate Payee which are required to be paid to another Alternate Payee pursuant to another order previously determined to be a Qualified Domestic Relations Order, or an order recognized by the Plan as a valid order prior to the effective date of the Plan.

(g) A Qualified Domestic Relations Order shall not require payment of benefits to an Alternate Payee prior to the actual retirement date or withdrawal of the related member.

(h) In the event a Qualified Domestic Relations Order requires the benefits payable to an Alternate Payee to terminate upon the remarriage of said Alternate Payee, the Plan shall terminate said benefit only upon the receipt of a certified copy of a marriage license, or a copy of a certified order issued by the Court that originally issued said Qualified Domestic Relations Order declaring the remarriage of said Alternate Payee.

(i) This Section of the Plan shall not be subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C.A. Section 1001, et seq., as amended from time to time, or rules and regulations promulgated thereunder, and court cases interpreting said Act.

(j) Effective on or after April 6, 2007, a domestic relations order that otherwise satisfies the requirements for a QDRO will not fail to be a QDRO: (i) solely because the order is issued after, or revises, another domestic relations order or QDRO; or (ii) solely because of the time at which the order is issued, including issuance after the annuity starting date.

(k) The Board of Trustees of the Oklahoma Municipal Retirement Fund shall promulgate such rules as are necessary to implement the provisions of this Section.

(l) An Alternate Payee who has acquired beneficiary rights pursuant to a valid Qualified Domestic Relations Order must fully comply with all provisions of the rules promulgated by the Trustees pursuant to this Section in order to continue receiving his or her benefits.

(m) Nothing in this Section shall grant a spouse or former spouse of a Participant any property rights in the benefits of any Participant except as specifically authorized for Qualified Domestic Relations Orders, and no spousal consent shall be required for a Participant to elect or change elections pertaining to a benefit payable under this Plan.

#### 6.13 Loans to Participants:

(a) **General:** The Committee, in its sole discretion, may direct Trustees to make loans to Participants upon the written direction and application of the Participant who desires to effect such loan, up to 50% of the vested balance of a Participant's Accounts. All such loans (i) shall not be made available to Highly Compensated Employees (as defined in Section 414(q) of the Code) in an amount greater than the amount made available to other Employees, (ii) shall be available to all Participants on a nondiscriminatory basis, (iii) shall be made available in an amount equal to the lesser of 50% of the borrowing Participant's vested Benefit in his Account or \$50,000, (iv) shall bear a reasonable rate of interest which will be established by the Committee, (v) shall be secured by the borrowing Participant's Benefit account balance attributable to his Account, (vi) shall be amortized and repaid in level payments of principal and

interest made not less frequently than monthly over the term of the loan, (vii) shall be repaid by payroll reduction while the Participant is employed; (viii) shall accelerate and be due in full on the date a Participant terminates employment with the Employer; (ix) shall not be less than \$1,000 in amount each; and (x) shall be made upon such other reasonable terms which the Committee shall designate, such terms being applied in a nondiscriminatory fashion; provided, in no event shall any loan have a term in excess of five years. There shall not be more than one or two loans outstanding (as elected by the Employer) at any time with respect to a Participant. No Participant who has borrowed from the Plan may make another loan until the previous loan has been fully repaid. Outstanding loans are not subject to refinancing by a new loan. Upon direction by the Committee, and subject to Subsection (c) below, the Trustees may foreclose upon such Participant's interest in his Account in the event of default. A loan to a Participant, when added to the outstanding balance of all other loans to the Participant from the Plan and other plans sponsored by the Employer, cannot exceed \$50,000, reduced by the excess of the highest outstanding balance of loans from the Plan (and all other plans sponsored by the Employer) during the one-year period ending on the day before the date the loan is made over the outstanding balance of the loans from the Plan on the date the loan is made. No distribution of a Benefit shall be made to any Participant, Beneficiary or the estate of a Participant unless and until all unpaid loans made by the Plan to such Participant together with accrued interest have been paid in full. In determining if any of the foregoing limitations regarding the making of loans to Participants, loans made under all other plans (i) sponsored by the Employer and (ii) qualified under Sections 401(a) and 501(a) of the Code will be considered. All costs and expenses of any loan will be charged to the applicable Accounts of the Participant.

**(b) Establishment of Loan Account:** At such time as it is determined that a Participant is to receive a loan from the Plan, the loan shall be made from the Participant's applicable Account in the order and precedence indicated hereafter and such amount shall be deemed to be credited to the Participant's Loan Account with a corresponding debit to occur to his Account: (i) first, an Account holding Employer contributions, including "rollover contributions" (other than Deferred Compensation Contributions, if applicable); (ii) second, an Account holding Deferred Compensation Contributions, if applicable; and (iii) third, an Account holding contributions picked up and assumed by the Employer pursuant to Section 4.7 of this Plan. All interest payments to be made pursuant to the terms and provisions of the loan shall be credited to the applicable Account in such a manner so that the Loan Account will reflect unpaid principal and interest from time to time. The earnings attributable to the Loan Account shall be allocable only to the Loan Account of such Participant and shall not be considered as general earnings of the Trust Fund to be allocated to the other Participants therein as provided herein. Other than for the limited purposes of establishing a separate account for the allocation of the interest thereto, a Participant's Loan Account shall, for all other purposes, be considered as part of his applicable Account.

**(c) Foreclosure of Loan Account:** The Trustees may foreclose upon such Participant's interest in his Account in the event of default under the loan made to the Participant under this Section.

**(d) Special Restrictions on Foreclosure:** In the event of default under a loan made under this Section, foreclosure under the promissory note evidencing such loan and attachment of the Participant's interest in his applicable Accounts shall occur within a reasonable time



following the event of default; provided, with respect to any portion of a loan secured by amounts governed under Section 401(k) of the Code, if applicable, foreclosure on such 401(k) amounts shall not occur until the occurrence of an event described under Section 401(k) of the Code which would otherwise permit a distribution to be made from the Plan.

(e) **Establishment of Loan Program:** The Trustees are hereby authorized and directed to establish a "loan program" (the "Loan Program") and the Trustees are further authorized to delegate to the Committee the duties and responsibilities with regard to the implementation of the Loan Program as adopted by the Trustees for and on behalf of the Plan. The Loan Program shall be considered to be a part of this Plan for the purposes stated in the Loan Program.

(f) **Loan Account:** The words "Loan Account" shall mean a Participant's separate Account established in the event he desires to make a loan from his applicable Account as provided in this Section 6.13.

**6.14 Required Minimum Distributions:** The provisions of this Section 6.14 will apply for purposes of determining Required Minimum Distributions for distribution calendar years beginning with the 2003 calendar year, as well as Required Minimum Distributions for the 2002 Distribution Calendar Years that are made on or after August 1, 2002. The requirements of this Section will take precedence over any inconsistent provisions of the Plan. All distributions required under this Section will be determined and made in accordance with the Treasury regulations under Section 401(a)(9) and the minimum distribution incidental benefit requirement of Section 401(a)(9)(G) of the Internal Revenue Code. Notwithstanding the other provisions of this Section, distributions may be made under a designation made before January 1, 1984, in accordance with Section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and the provisions of the Plan that relate to Section 242(b)(2) of TEFRA.

(a) **Limits on Distribution Periods:** As of the first distribution calendar year, distributions, if not made in a single-sum, may only be made over one of the following periods (or a combination thereof): (1) the life of the participant; (2) the life of the participant and a designated beneficiary; (3) a period certain not extending beyond the life expectancy of the participant; or (4) a period certain not extending beyond the joint and last survivor expectancy of the participant and a designated beneficiary.

(b) **Time and Manner of Distribution:**

(i) **Required Beginning Date.** The Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the Participant's Required Beginning Date. For purposes of this Section, the "Required Beginning Date" of a Participant is the April 1 of the calendar year following the later of the calendar year in which the Participant attains age 70½ or the calendar year in which the Participant retires.

(ii) **Death of Participant Before Distributions Begin.** If the Participant dies before distributions begin, the Participant's entire interest will be distributed, or begin to be distributed, no later than as follows:

(1) If the Participant's surviving spouse is the Participant's sole

designated Beneficiary, then, distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 70½, if later.

(2) If the Participant's surviving spouse is not the Participant's sole designated Beneficiary, then, distributions to the designated Beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died.

(3) If there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, the Participant's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(4) If the Participant's surviving spouse is the Participant's sole designated Beneficiary and the surviving spouse dies after the Participant but before distributions to the surviving spouse begin, this Subsection (ii), other than Subsection (ii)(1), will apply as if the surviving spouse were the Participant.

For purposes of this Subsection (ii) and Subsection (d), unless Subsection (ii)(1) applies, distributions are considered to begin on the Participant's Required Beginning Date. If Subsection (ii)(1) applies, distributions are considered to begin on the date distributions are required to begin to the surviving spouse under Subsection (ii)(4). If distributions under an annuity purchased from an insurance company irrevocably commence to the Participant before the Participant's Required Beginning Date (or to the Participant's surviving spouse before the date distributions are required to begin to the surviving spouse under Subsection (ii)(4)), the date distributions are considered to begin is the date distributions actually commence.

**(iii) Forms of Distribution.** Unless the Participant's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the Required Beginning Date, as of the first distribution calendar year distributions will be made in accordance with Subsections (c) and (d) of this Section. If the Participant's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Section 401(a)(9) of the Code and the Treasury regulations.

**(c) Required Minimum Distributions During Participant's Lifetime:**

**(i) Amount of Required Minimum Distribution For Each Distribution Calendar Year.** During the Participant's lifetime, the minimum amount that will be distributed for each distribution calendar year is the lesser of:

(1) the quotient obtained by dividing the Participant's Account balance by the distribution period in the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9, Q&A-2, of the Treasury regulations, using the Participant's age as of the Participant's birthday in the distribution calendar year; or

(2) if the Participant's sole designated Beneficiary for the distribution calendar year is the Participant's spouse, the quotient obtained by dividing the Participant's Account balance by the number in the Joint and Last Survivor Table set forth in Section



1.401(a)(9)-9, Q&A-3, of the Treasury regulations, using the Participant's and spouse's attained ages as of the Participant's and spouse's birthdays in the distribution calendar year.

**(ii) Lifetime Required Minimum Distributions Continue Through Year of Participant's Death.** Required minimum distributions will be determined under this Subsection (c) beginning with the first distribution calendar year and up to and including the distribution calendar year that includes the Participant's date of death.

**(d) Required Minimum Distributions After Participant's Death:**

**(i) Death On or After Date Distributions Begin.**

**(1) Participant Survived by Designated Beneficiary.** If the Participant dies on or after the date distributions begin and there is a designated Beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the longer of the remaining life expectancy of the Participant or the remaining life expectancy of the Participant's designated Beneficiary, determined as follows:

a. The Participant's remaining life expectancy is calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

b. If the Participant's surviving spouse is the Participant's sole designated Beneficiary, the remaining life expectancy of the surviving spouse is calculated for each distribution calendar year after the year of the Participant's death using the surviving spouse's age as of the spouse's birthday in that year. For distribution calendar years after the year of the surviving spouse's death, the remaining life expectancy of the surviving spouse is calculated using the age of the surviving spouse as of the spouse's birthday in the calendar year of the spouse's death, reduced by one for each subsequent calendar year.

c. If the Participant's surviving spouse is not the Participant's sole designated Beneficiary, the designated Beneficiary's remaining life expectancy is calculated using the age of the Beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.

**(2) No Designated Beneficiary.** If the Participant dies on or after the date distributions begin and there is no designated Beneficiary as of September 30 of the year after the year of the Participant's death, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the Participant's remaining life expectancy calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

**(ii) Death Before Date Distributions Begin.**

**(1) Participant Survived by Designated Beneficiary.** If the Participant dies before the date distributions begin and there is a designated Beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the

Participant's death is the quotient obtained by dividing the Participant's Account balance by the remaining life expectancy of the Participant's designated Beneficiary, determined as provided in Subsection (i).

(2) **No Designated Beneficiary.** If the Participant dies before the date distributions begin and there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(3) **Death of Surviving Spouse Before Distributions to Surviving Spouse Are Required to Begin.** If the Participant dies before the date distributions begin, the Participant's surviving spouse is the Participant's sole designated Beneficiary, and the surviving spouse dies before distributions are required to begin to the surviving spouse under Subsection (b)(ii)(1), this Section 6.14(ii) will apply as if the surviving spouse were the Participant.

(e) **Definitions:**

(i) **Designated Beneficiary.** The individual who is designated as the Beneficiary under Section 6.11 of the Plan and is the designated Beneficiary under Section 401(a)(9) of the Internal Revenue Code and Section 1.401(a)(9)-4 of the Treasury regulations.

(ii) **Distribution Calendar Year.** A Calendar Year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first Distribution Calendar Year is the calendar year immediately preceding the Calendar Year which contains the Participant's Required Beginning Date. For distributions beginning after the Participant's death, the first Distribution Calendar Year is the calendar year in which distributions are required to begin under Subsection (b)(ii). The Required Minimum Distribution for the Participant's first Distribution Calendar Year will be made on or before the Participant's Required Beginning Date. The Required Minimum Distribution for other Distribution Calendar Years, including the Required Minimum Distribution for the Distribution Calendar Year in which the Participant's Required Beginning Date occurs, will be made on or before December 31 of that distribution calendar year.

(iii) **Life Expectancy.** Life Expectancy as computed by use of the Single Life Table in Section 1.401(a)(9)-9, Q&A-1 of the Treasury regulations.

(iv) **Participant's Account Balance.** The Account Balance as of the last valuation date in the calendar year immediately preceding the distribution calendar year (valuation calendar year) increased by the amount of any contributions made and allocated or forfeitures allocated to the Account Balance as of dates in the valuation calendar year after the valuation date and decreased by distributions made in the valuation calendar year after the valuation date. The Account Balance for the valuation calendar year includes any amounts rolled over or transferred to the Plan either in the valuation calendar year or in the distribution calendar year if distributed or transferred in the valuation calendar year.

**6.15 Withdrawals from Participant Rollover Account:** A Participant may request and receive a distribution from his Participant Rollover Account at any time, even if he or she has not terminated employment, unless the rollover was from a defined benefit retirement plan sponsored by the Employer.



## ARTICLE VII.

### Notices

7.1 **Notice to Oklahoma Municipal Retirement Fund:** As soon as practicable after a Participant ceases to be in the employ of the Employer, the Committee shall give written notice to the Oklahoma Municipal Retirement Fund. The notice shall include such of the following information and directions as are necessary or advisable under circumstances:

- (a) name and address of the Participant;
- (b) reason he ceased to be in the Employer's employ;
- (c) name and address of the Beneficiary or Beneficiaries in case of Participant's death;
- (d) percentage or amount to which such Participant is entitled in case of termination of employment;
- (e) time, manner and amount of payments to be made to such Participant; and
- (f) information required to complete the Trustee's Withholding Election Form.

As soon as practicable after the Committee learns of the death of a Participant, it shall give like notice to the Oklahoma Municipal Retirement Fund.

7.2 **Subsequent Notices:** At any time and from time to time after giving the notice as provided for in Section 7.1, the Committee may modify such original notice or any subsequent notice by means of a further written notice or notices to the Oklahoma Municipal Retirement Fund, but any action taken or payments made by the Oklahoma Municipal Retirement Fund pursuant to a prior notice shall not be affected by a subsequent notice.

7.3 **Copy of Notice:** A copy of each notice provided for in Sections 7.1 and 7.2 shall be mailed by the Committee to the Participant or to each Beneficiary involved, as the case may be, but if, for any reason, such copy is not sent or received, that fact shall not affect the validity of any notice to the Oklahoma Municipal Retirement Fund nor the validity of any action taken or payment made pursuant thereto.

7.4 **Reliance Upon Notice:** Upon receipt of any notice as provided in this Article VII, the Oklahoma Municipal Retirement Fund shall promptly take whatever action and make whatever payments are called for therein, it being intended that the Oklahoma Municipal Retirement Fund may rely upon the information and directions in such notice absolutely and without question. However, the Oklahoma Municipal Retirement Fund may call to the attention of the Committee any error or oversight which the Oklahoma Municipal Retirement Fund believes to exist in any notice.

**ARTICLE VIII.**  
**Amendment and Termination**

**8.1 Termination of Plan:** The Employer may at any time, effective as specified, terminate the Plan and may direct and require the Oklahoma Municipal Retirement Fund to liquidate the Fund. In the event the Employer shall for any reason cease to exist, the Plan shall terminate and the Fund shall be liquidated. In the event of the termination, partial termination, or complete discontinuance of contributions hereunder, the Account balances of each Participant will become nonforfeitable.

**8.2 Suspension and Discontinuance of Contributions:** If the governing body of the Employer decides it is impossible or inadvisable to continue to make contributions to the Plan, it shall have the power by appropriate resolution or decision to:

- (a) suspend contributions to the Plan;
- (b) discontinue contributions to the Plan; or
- (c) terminate the Plan.

Suspension shall be a temporary cessation of contributions and shall not constitute or require a termination of the Plan. A discontinuance of contributions shall not constitute a formal termination of the Plan and shall not preclude later contributions but all Municipality Contribution Accounts not theretofore fully vested shall become fully vested in the respective Participants notwithstanding the provisions of Section 6.4. In such event, Employees who become eligible to enter the Plan subsequent to the discontinuance shall receive no benefits. After the date of a discontinuance of contributions, the Trust shall remain in existence as provided in this Section 8.2 and the provisions of the Plan and Trust shall remain in force. A certified copy of such decision or resolution shall be delivered to the Oklahoma Municipal Retirement Fund, and as soon as possible thereafter the Oklahoma Municipal Retirement Fund shall send or deliver to each Participant or Beneficiary concerned a copy thereof.

**8.3 Liquidation of Trust Fund:** Upon a complete termination or upon a partial termination of the Plan, unless the Employer's successor shall elect to continue the Plan, the Accounts of all Participants and Beneficiaries shall thereupon be and become fully vested. Upon a complete termination, the Oklahoma Municipal Retirement Fund shall convert the proportionate interest of such Participants and Beneficiaries in the Trust Fund to cash and, after deducting all charges and expenses, the Oklahoma Municipal Retirement Fund shall adjust the balances of such Accounts as provided in Section 5.5 treating the termination date as the current Valuation Date.

Thereafter, the Oklahoma Municipal Retirement Fund shall distribute as soon as administratively feasible the amount to the credit of each such Participant and Beneficiary as the Committee shall direct.

**8.4 Amendments:** Each Employer agrees to adopt any amendments to this Plan which are necessary for an initial or continued determination that the Plan is a qualified, tax exempt plan under Sections 401(a) and 501(a) of the Code. Any such amendments will be an amendment of the Employer's separate Plan if approved by the Trustee. The Employer may amend its separate

Plan in any respect and at any time, subject to the limitations of the Plan, by amendment of or addition to the Joinder Agreement. However, the Oklahoma Municipal Retirement Fund reserves the right to approve all Employer amendments.

**8.5 Provider's Power to Amend for Adopting Employers:** The Provider, as defined in section 4.08 of Rev. Proc. 2017-41, may amend any part of the Plan. However, for purposes of reliance on an Opinion Letter (as defined in Rev. Proc. 2017-41), the Provider will no longer have the authority to amend the Plan on behalf of the Employer as of the date (1) the Employer amends the Plan to incorporate a type of plan described in section 6.03 of Rev. Proc. 2017-41 that is not permitted under the Pre-Approved Plan program, or (2) the Internal Revenue Service notifies the Employer, in accordance with section 8.06(3) of Rev. Proc. 2017-41, that the Plan is an individually designed plan due to the nature and extent of Employer amendments to the Plan.



**ARTICLE IX.**  
**Employment Transfers**

**9.1 Transfers from This Plan:**

(a) **To Another Category with This Employer:** If a Participant is employed by the Employer and is transferred to employment with this Employer but under another department, classification or category, so that he is no longer eligible to participate in this Plan, such participation shall thereupon cease and his Account balance shall remain in the Fund and will continue to accrue interest but he will not continue to accrue Service for the purpose of additional vesting credit for benefits under this Plan. However, if an Employee participates in any other plan sponsored by the Employer within the Fund, he or she will continue to accrue service under this Plan for vesting purposes only.

(b) **To Another Municipality:** If a Participant's employment by the Employer is terminated by virtue of his transfer to employment with another Municipality, his membership in this Plan shall thereupon cease and he shall be subject to the following rules and requirements relating to this Plan and his right and benefits hereunder, to-wit:

(i) if he is fully vested under this Plan as of the date of such employment transfer, he shall be entitled to take any distribution, full or partial, without any effect on his current vesting status; or

(ii) if he is not fully vested under this Plan as of the date of such employment transfer, and he is, immediately upon such transfer of employment, covered by the retirement system under which such other Municipality participates in the Oklahoma Municipal Retirement Fund, he will continue to accrue Service for the purpose of additional vesting credit for benefits under this Plan. However, upon any distribution (that would not be optional to an active Employee), full or partial, vesting will stop and any unvested balance, if any, will be forfeited.

**9.2 Transfers to This Plan:**

(a) **From Another Category with This Employer:** If a person becomes a Participant immediately upon his transfer from full-time, regular employment with this Employer under another department, classification or category where he is ineligible for membership only because of the type of such employment, his Service accrued by virtue of such prior employment shall not be counted in determining his vesting credit for benefits hereunder.

(b) **From Another Municipality:** If a person becomes a Participant immediately upon his transfer from full-time, regular employment with a Municipality other than this Employer, his Service accrued by virtue of such prior employment shall be counted in determining his vesting credit for benefits hereunder, and he shall also be subject to all the other provisions of this Plan. A Participant's eligibility for membership under this Plan will be determined by applying the eligibility requirements in the Joinder Agreement as though the date which his credited Service from the other Municipality began was his date of employment with this Employer. Service from such prior employment will however be ignored in its entirety upon any distribution from that Municipality, full or partial, if taken prior to its full vesting.

(c) **Previously Fully Vested With Another Municipality:** With respect to a Participant who was previously 100% vested in any other Municipality's qualified retirement plan prior to becoming a Participant in this Plan, such Participant's "Service" for purposes of determining years of service for vesting under this Plan shall include the Participant's last continuous period during which the Participant was an Employee of the other Municipality.

9.3 **Notice of Transfers:** Immediately after any transfer of employment referred to in Sections 9.1 or 9.2, the transferred Participant shall give written notice of such transfer to the Authorized Agent on a form furnished by the Authorized Agent. Such Participant shall not be penalized, however, for failure to give such notice. The Authorized Agent shall give immediate notice in writing of such transfers to the Trust Service Provider and the Committee.

9.4 **Transfer from Other Qualified Plans:** The Employer may cause to be transferred to the Oklahoma Municipal Retirement Fund all or any of the assets held in respect to any plan or trust which satisfied the applicable requirements of the Code relating to qualified plans and trusts, which is maintained by the Employer for the benefit of its Employees. Any such assets so transferred shall be accompanied by written instructions from the Employer, or the trustee or custodian or the individual holding such assets, setting forth the Participants for whose benefit such assets have been transferred and showing separately the respective contributions by the Employer and by the Participants and the current value of the assets attributable thereto. Upon receipt of such assets and instructions the Oklahoma Municipal Retirement Fund shall thereafter proceed in accordance with the provisions of the Fund.

9.5 **Rollover Contributions:** A Participant who is or was entitled to receive an eligible rollover distribution, as defined in Code Section 402(c)(4) and Treasury Regulations issued thereunder, from a qualified plan described in Section 401(a) or 403(a) of the Code (including after-tax employee contributions), an annuity contract described in Section 403(b) of the Code (including after-tax employee contributions, or an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state, or an individual retirement account may elect to contribute all or any portion of such distribution to the Trust directly from such qualified plan, annuity contract or eligible plan, or within 60 days of receipt of such distribution to the Participant. Rollover Contributions shall only be made in the form of cash, or, if and to the extent permitted by the Employer with the consent of the Trustee, promissory notes evidencing a plan loan to the Participant; provided, however, that Rollover Contributions shall only be permitted in the form of promissory notes if the Plan otherwise provides for loans.

The Committee shall develop such procedures and require such information from Participants as it deems necessary to ensure that amounts contributed under this Section 9.5 meet the requirements for tax-deferred rollovers established by this Section 9.5 and by Code Section 402(c). No Rollover Contributions may be made to the Plan until approved by the Committee.

If a Rollover Contribution made under this Section 9.5 is later determined by the Administrator not to have met the requirements of this Section 9.5 or of the Code or Treasury regulations, then, within a reasonable time after such determination is made, the amounts then held in the Trust attributable to such Rollover Contribution shall be distributed to the Employee.



A Participant's Rollover Contributions Account shall be subject to the terms of the Plan except as otherwise provided in this Section 9.5.

Notwithstanding any other provision of this Section 9.5, the Employer may direct the Trustee not to accept Rollover contributions.

**9.6 Transfer to Other Qualified Plans:** The Employer, by written direction to the Oklahoma Municipal Retirement Fund, may transfer some or all of the assets held under the Fund to another plan or trust meeting the requirements of the Code relating to qualified plans and trusts. In the case of any merger or consolidation with, or transfer of assets and liabilities to, any other plan, provisions shall be made so that each Participant in the Plan on the date thereof (if the Plan then terminated) would receive a benefit immediately after the merger, consolidation or transfer which is equal to or greater than the benefit he would have been entitled to receive immediately prior to the merger, consolidation or transfer (if the Plan had then terminated).

**9.7 Rollover to Another Plan or IRA:**

**(a) General:** Notwithstanding any provision of the Plan to the contrary that would otherwise limit a Distributee's election under this Section, a Distributee may elect, at the time and in the manner prescribed by the Committee, to have any portion of an Eligible Rollover Distribution paid directly to an Eligible Retirement Plan specified by the Distributee in a Direct Rollover. The Committee shall establish procedures for implementing such Direct Rollover distribution.

**(b) Definitions:** For purposes of this Section 9.7, the following definitions shall apply:

**(i) "Eligible Rollover Distribution":** An "Eligible Rollover Distribution" is any distribution of all or any portion of the balance to the credit of the Distributee, except that an Eligible Rollover Distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the Distributee or the joint lives (or joint life expectancies) of the Distributee and the Distributee's designated Beneficiary, or for a specified period of 10 years or more; any distribution to the extent such distribution is required under Section 401(a)(9) of the Code; the portion of any distribution that is not includable in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to Employer Stock); and any distributions attributable to a hardship. With respect to distributions made after December 31, 2001, for purposes of the direct rollover provisions in Section 9.7 of the Plan, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includible in gross income. However, such portion may be transferred only to (i) an individual retirement account or annuity described in Section 408(a) or (b) of the Code or, effective for distributions on or after January 1, 2008, a Roth individual retirement account or annuity described in Section 408A of the Code, or (ii) a qualified defined contribution plan described in Section 401(a) or 403(a) of the Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.



(ii) **“Eligible Retirement Plan”:** An “Eligible Retirement Plan” is an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, an annuity plan described in Section 403(a) of the Code, or a qualified plan described in Section 401(a) of the Code, an annuity contract described in Section 403(b) of the Code and an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from this Plan; or, effective January 1, 2008, a Roth IRA described in Code Section 408A(b), that accepts the Distributee’s Eligible Rollover Distribution. However, in the case of an Eligible Rollover Distribution to the surviving spouse or a Participant’s surviving Beneficiary, an Eligible Retirement Plan is an individual retirement account or individual retirement annuity. The definition of Eligible Retirement Plan shall also apply in the case of a distribution to a surviving spouse, or to a spouse or former spouse who is the alternate payee under a qualified domestic relation order, as defined in Section 414(p) of the Code. If any portion of an Eligible Rollover Distribution is attributable to payments or distributions from a designated Roth account, an Eligible Retirement Plan with respect to such portion shall include only another designated Roth account of the individual from whose account the payments or distributions were made, or a Roth IRA of such individual. In the case of a nonspouse beneficiary, the direct rollover may be made only to an individual retirement account or annuity described in Code Section 408(a) or 408(b) (“IRA”) that is established on behalf of the designated Beneficiary and that will be treated as an inherited IRA pursuant to the provisions of Code Section 402(c)(ii). Further, the determination of any required minimum distribution under Code Section 401(a)(9) that is ineligible for rollover shall be made in accordance with IRS Notice 2007-7, Q&A 17 and 18, 2007-5 I.R.B. 395.

(iii) **“Distributee”:** A “Distributee” includes a Participant or former Participant. In addition, the Participant’s spouse or former Participant’s surviving spouse or surviving Beneficiary (effective January 1, 2007) and the Participant’s or former Participant’s spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse.

(iv) **“Direct Rollover”:** A “Direct Rollover” is a payment by the Plan directly to the Eligible Retirement Plan specified by the Distributee.

**9.8 Requirements for Rollover by Individuals:** An Employee (whether or not a Participant under this Plan), who, as a result of a termination of another plan qualified under Section 401(a) of the Code, a termination of employment, disability or attainment of age 59½ years, has had distributed to him his entire interest in a plan which meets the requirements of Section 401(a) of the Code (hereinafter referred to as the “Other Plan”) may, in accordance with procedures approved by the Committee, transfer all or any part of the distribution received from the Other Plan to the Trustees under this Plan, provided the following conditions are met:

(a) the transfer occurs on or before the 60th day following his receipt of the distribution from the Other Plan, or, if such distribution had previously been deposited in an individual retirement account (as defined in Section 408 of the Code), the transfer occurs on or

before the 60th day following his receipt of such distribution, plus earnings thereon from such individual retirement account;

(b) the distribution from the Other Plan qualifies as a lump sum distribution within the meaning of Subsection 402(e)(4)(A) of the Code or is a result of a termination of another plan qualified under Section 401(a) of the Code; and

(c) the amount transferred shall not exceed the distribution he received from the Other Plan, less the amount, if any, considered contributed by him in accordance with Subsection 402(e)(4)(D)(i) of the Code, plus earnings thereon during the period, if any, in which the amount was held in an individual retirement account.

#### **9.9 Transfers From Another Qualified Plan:**

(a) With respect to an Employee (whether or not a Participant under this Plan), who has an undistributed account balance in another plan which meets the requirements of Section 401(a) of the Code (hereinafter referred to as the "Other Plan"), the Committee may, in its sole discretion, approve a direct transfer of such account balance from the Other Plan to the Trustees under this Plan.

(b) If the Plan receives a direct transfer (by merger or otherwise) of elective contributions (or amounts treated as elective contributions) under a plan with a Section 401(k) arrangement, the distribution restrictions of Sections 401(k)(2) and (10) of the Code continue to apply to those transferred elective contributions.

**9.10 Procedures:** With respect to transfers under either Section 9.8 or 9.9 herein, the Committee shall develop such procedures, and may require such information from an Employee or the fiduciaries of the Other Plan desiring to make such a transfer, as it deems necessary or desirable to determine that the proposed transfer will meet requirements of this Article and the law. Upon approval by the Committee, the amount transferred shall be deposited in the Trust Fund and shall be credited to a Rollover Account established in the Employee's name. Such Account shall be 100% vested in and nonforfeitable by the Employee, shall share in increases and decreases thereon determined in accordance with the Plan, but shall not share in Employer Contributions or Forfeitures. Upon termination of employment, the total amount of Employee's Participant Rollover Account shall be distributed as part of his Benefit.



**ARTICLE X.**  
**Administration**

10.1 **Administration:** The Plan shall be administered by the Committee which is hereby created and established and which shall be composed of the members of the City Council of the Employer. The duties of the Committee shall be performed without compensation other than the compensation, if any, which they receive as officers of the Employer unless additional compensation is specifically provided for by action of the City Council. Any usual and reasonable expenses incurred by the Committee in the administration of this Fund and Plan shall be paid by the Employer.

(a) **Committee:** The Committee shall have such powers as may be necessary to discharge its duties hereunder and under the document creating the Oklahoma Municipal Retirement Fund, and under the contract for the pooling of the Fund with similar funds of other Municipalities. Such powers shall include but not be limited to the following powers and duties:

(1) to delegate to, specify, direct, and supervise the performance of duties of the Authorized Agent, as the agent of the Employer and Committee in matters relating to the Plan, the Fund, and the Oklahoma Municipal Retirement Fund, including but not limited to, the duties set forth below in Subsection 10.1(b) and including any duties of the Employer under the Plan, or as set forth in this Subsection 10.1(a);

(2) acting by direction to the Authorized Agent to file a petition for nomination, or otherwise nominate, and cause the ballot for the election of Trustees of the Oklahoma Municipal Retirement Fund;

(3) to construe and interpret the Plan and resolve any ambiguities with respect to any of the terms and provisions thereof as written and as applied to the operation of the Plan;

(4) to decide all questions of eligibility and determine the amount, manner and time of payment of any benefits hereunder;

(5) to prescribe procedures to be followed by Participants in filing applications for benefits;

(6) to make a determination as to the right of any person to a benefit and to afford any person dissatisfied with such determination the right to a hearing thereon;

(7) to receive from the Employer, the Trustees, the Trust Service Provider and the Authorized Agent, such information as shall be necessary for the proper administration of the Plan;

(8) to prepare and distribute, in such manner as it determines to be appropriate, information explaining the Plan;

(9) to furnish the Employer, upon request, such annual reports with respect to the administration of the Plan as are reasonable and appropriate;

(10) to receive and review reports from the auditor appointed by the Trustees, the City Treasurer and City Auditors, of the financial condition of the Fund;

(11) to have full power, to manage and control, the Plan and Fund and to authorize in writing, all payments from the Fund by written direction of the Authorized Agent, or otherwise;

(12) to sue in any court of competent jurisdiction for the enforcement of any contract, claim or other right, and to defend against or to compromise, settle or otherwise dispose of any claim or suit against the Employer, the Plan, or the City Treasurer, as Treasurer of the Plan; and

(13) to appoint such person or persons as necessary to perform the following:

a. to receive and separately account for, payments, appropriations, apportionments, allocations, payroll deductions, and any other assets, which are for, or consist of contributions or assets under the Plan for the Fund, which are made by the Employer, the Participants, or from any other source;

b. to transfer, remit, pay over and deliver, upon the written direction of the Authorized Agent, as soon as practicable after his receipt thereof, all such contributions and assets, to the Oklahoma Municipal Retirement Fund for management and investment;

c. to keep as evidence and permanent records, all such written directions of the Authorized Agent for such transfers and disbursements, maintain accurate accounts and records of such receipts, transfers and disbursements, and keep such other records and furnish such information and advice to the Employer, the City Council, the Committee and the Authorized Agent as may be necessary and proper for the performance of such duties in coordinating the administration and operation of the Plan;

d. maintain such records including vital statistics on health, age, sex, birth, death, Compensation and length of Service of all the Participants of the Employer or their beneficiaries who are included in the Plan or who are, or may become eligible for such inclusion, as are necessary for the proper administration of the Plan, and furnish such information as is requested by the Authorized Agent, or is requested by the Administrator;

e. notify the Authorized Agent when any Participant is eligible for Retirement under the Plan; and

f. attend meetings of the Committee while matters pertaining to the Plan, the Employees or their beneficiaries are under consideration.

The Committee shall have no power to waive or fail to apply any requirements of eligibility for a Benefit under the Plan. The Committee may adopt such rules, regulations and actuarial tables as it deems necessary or desirable to administer the Plan. All such rules,



regulations and decisions shall be uniformly and consistently applied to all Employees in similar circumstances.

Any such rule or decision which is not inconsistent with the provisions of the Plan shall be conclusive and binding upon all persons affected by it and there shall be no appeal from any ruling by the Committee which is within its authority.

When making a determination or calculation, the Committee shall be entitled to rely upon information furnished by the Trustees, the Trust Service Provider, the Employer, the Authorized Agent, the legal counsel of the Employer, or the actuary for the Plan.

**(b) Authorized Agent:** An Authorized Agent shall be designated in writing by the Committee and shall act as the agent of the Employer (but not the agent of the Trustees or the Trust Service Provider of the Oklahoma Municipal Retirement Fund) in matters pertaining to the Plan, the Fund and the Oklahoma Municipal Retirement Fund, to centralize in one person the local administration and coordination thereof, and to file payroll and contribution information, to file claims, forms and applications for Participants, and to advise Participants, the Employer and the Committee. The Authorized Agent, under the control and direction of the Committee, shall have such general duties as the Employer and the Committee may deem necessary and proper for such purposes, which duties shall include but not be limited to, the following:

(1) to coordinate the deduction of Participant contributions and to see that Employer and Participant contributions are properly received and forwarded promptly to the Oklahoma Municipal Retirement Fund for management and investment;

(2) to forward any communications directed to Participants and beneficiaries by the Trustees, the Trust Service Provider or the Oklahoma Municipal Retirement Fund;

(3) to lend assistance to Participants and beneficiaries in filing applications for benefits, and in communicating with the Employer, the Committee and the Trustees or the Trust Service Provider of the Oklahoma Municipal Retirement Fund and to forward such communications to the addressees;

(4) to assist the Committee in determining whether or not Employees are eligible for participation in the Plan;

(5) to certify at the direction of the Committee that a Participant is on an authorized leave of absence, paid or unpaid; and

(6) to file at the direction of the Committee a petition or nomination, and cast a ballot for election of Trustees of the Oklahoma Municipal Retirement Fund.

**(c) Plan Counselor:** The Committee of the Employer shall appoint the legal advisor of the Employer and the Committee, and such legal advisor shall represent them in any legal matters, proceedings, or litigation.

**10.2 Bonds:** No bond to secure the performance of administrative duties in the operation of the Plan and Fund, shall be required of any persons or organizations unless required by law, or unless required by the Trust Indenture establishing The Oklahoma Municipal Retirement Fund, or unless required by the Employer for any persons or organizations engaged in the

administration of the Plan. If such a bond is required by law, the Trustees or the Employer, the premiums therefor shall be paid as expenses of the Oklahoma Municipal Retirement Fund as to its members, agents, employees, Municipal Retirement Fund, or as expenses of the Employer as to the administration of the Plan. Any agents, officials or Employees of the Employer engaged in the administration of the Plan shall be covered as to the performance of such administrative duties, by any official or other bond covering their regular duties otherwise.

**10.3 Benefit Payments:** All benefits are to be paid pursuant to the provisions of the Plan out of the applicable portion of the Oklahoma Municipal Retirement Fund.

**10.4 Abandonment of Benefits:**

(a) If, anytime following the date either of a Participant or Beneficiary of a deceased Participant becomes entitled to receive any non-deferred benefits under the Plan, then, if the whereabouts of such Participant or Beneficiary is unknown, the benefits may be forfeited in certain limited circumstances as provided hereafter. If the Committee has mailed to the Participant or Beneficiary notice of the present right to receive benefits, and the Committee mails such notice again after one year, then, if no claim has been received by the second anniversary of the first mailing of the notice, the Accounts representing unclaimed Benefits (including those holding Employee contributions) can be forfeited pursuant to Section 5.4 herein.

(b) Each Participant and Beneficiary shall file with the Committee, from time to time in writing, their post office address and each change of post office address, if any, and the Committee shall not be obliged to search for or ascertain the whereabouts of any Participant or Beneficiary. Any communication addressed to a Participant or Beneficiary at their last post office address filed with the Committee, or if no such address was filed, then at their last post office address as shown on the Employer's records, shall be binding on the Participant and the Beneficiary for all purposes of the Plan and Trust.

(c) In the event that the whereabouts of a lost Participant, or lost Beneficiary of a deceased Participant, ever becomes known to the Committee, and either of such parties makes a claim for benefits, the Committee shall, if the Plan is in existence, reinstate any Benefits which have been previously forfeited to satisfy such claim; provided, the amount reinstated shall, in any event, be equal to the amount of the forfeited benefit unadjusted by any increases or decreases under Section 5.6 herein occurring after such forfeitures were allocated. Reinstated Forfeitures shall be satisfied from the following sources in the priority indicated: (i) unallocated Forfeitures, (ii) unallocated Fund increases, or (iii) Employer contributions which the Employer shall make if necessary to satisfy such reinstatement. For purposes of this Subsection (c), the limitations under Section 415 of the Code shall not apply.

**10.5 Benefits Payable to Incompetents:** Any payments due hereunder to a minor or other person under legal disability may be made, at the discretion of the Committee, to a valid power of attorney, a court appointed guardian, or any other person authorized under state law to receive the benefit. The Committee shall not be required to see to the application of any such payment, and the payee's receipt shall be a full and final discharge of all responsibility hereunder of the Employer, the Committee and the Trustees.



## ARTICLE XI.

### General

11.1 **USERRA:** Notwithstanding any provision of this Plan to the contrary, effective December 12, 1994, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with Section 414(u) of the Code. A Participant returning from military service shall not be entitled to catch-up on Pick-Up Contributions missed during such military service.

11.2 **Not Contract Between Employer and Participant:** Neither the creation of this Plan, nor any amendment to it, nor the creation of any fund, nor the payment of benefits hereunder shall be construed as giving any legal or equitable right to any Participant against the Employer or against the Oklahoma Municipal Retirement Fund, except as provided herein, and all liabilities under this Plan shall be satisfied, if at all, only out of the Fund held by the Oklahoma Municipal Retirement Fund. Participation in the Plan shall not give any Participant any right to be retained in the employ of the Employer, and the Employer hereby expressly retains the right to hire and discharge any Participant at any time with or without cause, as if this Plan had not been adopted, and any such discharged Participant shall have only such rights or interests in the Fund as may be specified herein.

11.3 **Payment of Fees:** The Employer shall pay a fee in an amount determined and revised from time to time by the Oklahoma Municipal Retirement Fund.

11.4 **Governing Law:** The validity, construction and administration of this Plan shall be determined under the laws of the State of Oklahoma.

11.5 **Counterpart Execution:** This Plan may be executed in two or more counterparts, as may be all amendments thereto be executed, and any one of the executed copies shall be deemed an original.

11.6 **Severability:** Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Plan.

11.7 **Spendthrift Provisions:** Benefits payable under this Plan shall not be subject in any manner to anticipation, alienation, sale, transfer, assignment, pledge, encumbrance, charge, garnishment, execution or levy of any kind, either voluntary or involuntary, including any such liability which is for alimony or other payments for the support of a spouse or former spouse, or for any other support of a spouse or former spouse, or for any other relative of the Employee, prior to actually being received by the person entitled to the benefit under the terms of the Plan; and any attempt to anticipate, alienate, sell, transfer, assign, pledge, encumber, charge or otherwise dispose of any right to benefits payable hereunder, shall be void. The Fund shall not in any manner be liable for, or subject to, the debts, contracts, liabilities, engagements or torts of any person entitled to benefits hereunder. The preceding provisions shall not apply to the creation, assignment or recognition of a right to any benefit payable with respect to a Participant pursuant to a domestic relations order, and does not preclude the Oklahoma Municipal



Retirement Fund from complying with a court order requiring deduction from the benefits of a Participant in pay status for alimony and support payments.

**11.8 Maximum Duration:** Nothing herein shall be construed to suspend the power of alienation or prevent the vesting of the interest of any person in the Plan for a longer period than the duration of the lives of the designated Beneficiaries of a particular interest therein in being at the time such designation becomes irrevocable, plus twenty-one (21) years; if any provisions shall be held to violate a rule or law against restraints on alienation or remote vesting, the Plan shall not be vitiated thereby, but the Plan, or the portion of the Plan thus affected, shall immediately be distributed to those entitled as their interest shall then appear.

**11.9 Number and Gender:** Pronouns and other similar words used herein in the masculine gender shall be read as the feminine gender where appropriate; pronouns and other similar words used herein in the neuter gender shall be read as the masculine or feminine gender where appropriate; and the singular form of words shall be read as the plural where appropriate.

**11.10 Compensation and Expenses of Administration:** If a Trustee, a member of Oklahoma Municipal Retirement Fund, or a member of the Committee is an Employee of the Employer, he shall serve without any additional compensation. The Employer may pay all or part of the expenses of administration of the Plan, including the compensation and expenses of the Trustee, and any other expenses incurred at the direction of the Oklahoma Municipal Retirement Fund, including, without limitation, fees of actuaries, accountants, attorneys, investment managers, investment advisors and other specialists, and any other costs of administering the Plan. To the extent that any of such expenses are not paid by the Employer, such expenses shall be paid by the Oklahoma Municipal Retirement Fund out of the Fund. In addition, the Plan or Trustees shall be authorized to charge to a Participant's Account any direct expenses it incurs in connection with such Account, which shall include by example, and not by limitation, expenses resulting from a Participant's QDRO, bankruptcy or default on a Plan loan, and expenses incurred in attempting to locate a Participant. Trustees shall have the power under this Section in their sole discretion to determine the items and amounts thereof which should equitably and reasonably be charged to a particular Account. If such charges exceed the balance in a Participant's Accounts, the excess shall be charged to the general Trust Fund.

**11.11 Supercession of Inconsistent Provisions:** The provisions of the Plan override any conflicting provision contained in the Trust or custodial account documents used with the Plan.

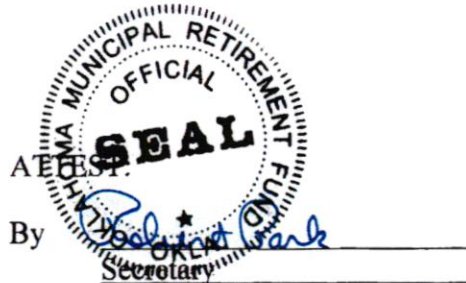
**11.12 Mistake of Fact:** All contributions to the Plan are made subject to the correctness of the amount. In the event a contribution is made to the Plan and Trust by the Employer under a mistake of fact concerning the correctness of such contribution, then the Oklahoma Municipal Retirement Fund shall return such portion of such contribution which is in excess of the amount that would have been contributed had there not occurred a mistake of fact within one year after the payment of the contribution to the Oklahoma Municipal Retirement Fund.

In the case of amounts returned pursuant to this Section 11.12, no earnings attributable to such amounts may be returned to the Employer, but losses attributable thereto shall reduce the amount returned, and no such return shall reduce the balance of any Participant's Municipality

Contribution Accounts to less than the balance which would have been credited thereto had such amount not been contributed.

**11.13 Written Notices:** Any reference herein to written notices or documents or notices or elections in writing shall be deemed to include any method of communication acceptable to the Oklahoma Municipal Retirement Fund, and subject to applicable requirements of Treas. Reg. Section 1.401(a)-21.

IN WITNESS WHEREOF, and as conclusive evidence of the adoption of the foregoing instrument comprising the Plan, the Oklahoma Municipal Retirement Fund, has caused its corporate seal to be affixed hereto and these presents to be duly executed in its name and behalf by its proper officers thereunto authorized this 17th day of December, 2021.



OKLAHOMA MUNICIPAL RETIREMENT  
FUND

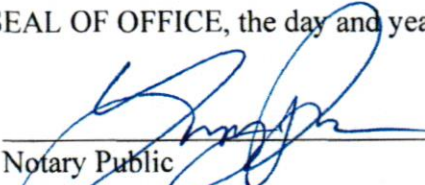
By 

STATE OF OKLAHOMA                    )  
                                                          ) ss.  
COUNTY OF OKLAHOMA                )

BEFORE ME, the undersigned a Notary Public in and for said County and State, on this 17 day of December, 2021, personally appeared Donna Doden, to me known to be the identical person who subscribed the name of the Oklahoma Municipal Retirement Fund, a municipal corporation, to the foregoing instrument as its Chairperson and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, the day and year last above written.

My Commission Expires:  
09/27/2025

  
Notary Public  
My Commission No.: 21012746

(NOTARY SEAL)





# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Kari Jones, Supervisor  
**Re:** Discussion, Consideration and Possible Action on Ordinance 0-2022-13 Regarding an Amendment to the City of Durant CMO Plan Adopting the Revised and Restated OkMRF Master Defined Contribution Retirement Plan, and Declaring an Emergency

---

The OkMRF Defined Contribution Master Plan and Joinder Agreement were recently amended, reviewed, and approved by the IRS. With the approval comes a requirement of plan members (the City) to adopt the plan changes and any updated language.

Ordinance 0-2022-13 outlines changes to be made to the City's CMO Plan, as required by the IRS effective 04/01/2022. These changes are primarily language clean-up and do not affect the purpose, function, or financing of the Plan.

A summary of changes, IRS acceptance letter, and the DC Master Plan Document are attached.

### **Council Information / Action Requested**

1. Approval of Sections 1 - 6 of Ordinance 0-2022-13
2. Approval of Section 7 of Ordinance 0-2022-13, Emergency Clause

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

Return to OkMRF:

One (1) original Ordinance

Two (2) original Joinder Agreement

### **ATTACHMENTS:**

1. Ordinance 0-2022-13, CMO
2. Summary of Changes DC, CMO
3. IRS Letter, DC CMO
4. DC Master Plan



ORDINANCE NO. 0-2022-13

AN ORDINANCE AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE POSITION OF CITY MANAGER FOR THE CITY OF DURANT, OKLAHOMA BY ADOPTING A REVISED AND RESTATED RETIREMENT PLAN; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF DURANT, OKLAHOMA; PROVIDING FOR PURPOSE AND ORGANIZATION; PROVIDING FOR DEFINITIONS; PROVIDING FOR ELIGIBILITY AND PARTICIPATION; PROVIDING FOR NON-ALIENATION OF BENEFITS; PROVIDING FOR EMPLOYER AND EMPLOYEE CONTRIBUTIONS; PROVIDING FOR ACCOUNTING, ALLOCATION, AND VALUATION; PROVIDING BENEFITS; PROVIDING FOR REQUIRED NOTICE; PROVIDING FOR AMENDMENTS AND TERMINATION; PROVIDING FOR TRANSFER TO AND FROM OTHER PLANS; CREATING A RETIREMENT COMMITTEE AND PROVIDING FOR POWERS, DUTIES, AND RIGHTS OF RETIREMENT COMMITTEE; PROVIDING FOR PAYMENT OF CERTAIN OBLIGATIONS; PROVIDING FOR DURATION AND PAYMENT OF EXPENSES; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR VESTING SCHEDULES; PROVIDING FOR A FUND TO FINANCE THE SYSTEM TO BE POOLED WITH OTHER INCORPORATED CITIES TOWNS AND THEIR AGENCIES AND INSTRUMENTALITIES FOR PURPOSES OF ADMINISTRATION, MANAGEMENT, AND INVESTMENTS PART OF THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR PAYMENT OF ALL CONTRIBUTIONS UNDER THE SYSTEM TO THE OKLAHOMA MUNICIPAL RETIREMENT FUND FOR MANAGEMENT AND INVESTMENT; PROVIDING FOR REPEALER AND SEVERABILITY; ADOPTING THOSE AMENDMENTS MANDATED BY THE INTERNAL REVENUE CODE; AND DECLARING AN EMERGENCY.

**BE IT ORDAINED BY THE CITY COUNCIL OF DURANT, OKLAHOMA:**

**Section 1.** That pursuant to the authority conferred by the laws of the State of Oklahoma, and for the purpose of encouraging continuity and meritorious service on the part of City employees and thereby promote public efficiency, there is hereby authorized created, established, and approved and adopted, effective as of **April 1, 2022**, the amended and restated Plan designated "Employee Retirement System of the City of Durant, Oklahoma, Defined Contribution Plan," (hereinafter called System), an executed counterpart of which is marked Exhibit "A" (Joinder Agreement) and Exhibit "B" (amended and restated plan) and attached hereto as part hereof.

**Section 2. FUND.** A fund is hereby provided for the exclusive use and benefit of the persons entitled to benefits under the System. All contributions to such fund shall be paid over to and received in trust for such purpose by the City. Such Fund shall be pooled for purposes of management and investment with similar funds of other incorporated cities, towns, and municipal trusts in the State of Oklahoma as a part of the Oklahoma Municipal Retirement Fund in accordance with the trust agreement of the Oklahoma Municipal Retirement Fund, a public trust. The City shall hold such contributions in the form received, and from time to time pay over and transfer the same to the Oklahoma Municipal Retirement Fund, as duly authorized and directed by the Board of Trustees. The Fund shall be nonfiscal and shall not be considered in computing any levy when the annual estimate is made to the County Excise Board.

**Section 3. APPROPRIATIONS.** The City of Durant, Oklahoma, is hereby authorized to incur the necessary expenses for the establishment, operation, and administration of the System, and to appropriate and pay the same. In addition, the City of Durant, Oklahoma, is hereby authorized to appropriate annually such amounts as are required in addition to employee contributions to maintain the System and the Fund in accordance with the provisions of the Defined Contribution Plan. Any appropriation so made to maintain the System and Fund shall be for deferred wages or salaries, and for the payment of necessary expenses of operation and administration to be transferred to the trustees of the Oklahoma Municipal Retirement Fund for such purposes and shall be paid into the Fund when available, to be duly transferred to the Oklahoma Municipal Retirement Fund.

**Section 4. EXECUTION.** The Mayor and City Clerk be and they are each hereby authorized and directed to execute (in counterparts, each of which shall constitute an original) the System instrument,

and to do all other acts and things necessary, advisable, and proper to put said System and related trust into full force and effect, and to make such changes therein as may be necessary to qualify the same under Sections 401(a) and 501(a) of the Internal Revenue Code of the United States. The counterpart attached hereto as Exhibit "A" and Exhibit "B", which has been duly executed as aforesaid simultaneously with the passage of this Ordinance and made a part hereof, is hereby ratified and confirmed in all respects.

This Committee is hereby authorized and directed to proceed immediately on behalf of the City of Durant, Oklahoma, to pool and combine the Fund into the Oklahoma Municipal Retirement Fund as a part thereof, with similar funds of such other cities and towns, for purposes of pooled management and investment.

**Section 5. 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 6. SEVERABILITY.** If, regardless of cause, any section, subsection, paragraph, sentence or clause of this Ordinance, including the System as set forth in Exhibit "A" and Exhibit "B", 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 7. EMERGENCY.** Whereas, in the judgment of the City Council of the City of Durant, Oklahoma, the public peace, health, safety, and welfare of the City of Durant, 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 effective on its passage, approvals and publication.

\*\*\*END\*\*\*

The undersigned hereby certifies that the foregoing Ordinance was introduced before the City Council of the City of Durant on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and was duly adopted and approved by the Mayor and City Council, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, after compliance with notice requirements of the Open Meeting Law (25 OSA, Sections 301, et. seq.).

City of Durant

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

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

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



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

**City of Durant** [a municipality or authority chartered, incorporated or formed under the laws of Oklahoma], a city, town, agency, instrumentality, or public trust located in the State of Oklahoma, with its principal office at Durant, Oklahoma, hereby establishes a Defined Contribution Plan to be known as **City of Durant CMO 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 \_\_ ("Effective Date") [such date may not be earlier than the first day of the Plan Year in which it is executed].
- ☒ This instrument is an amendment, restatement, and continuation of the Previous Plan, which was originally effective July 1, 2007. The effective date of this Joinder Agreement is April 1, 2022 ("Effective Date") [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)
- ☐ Any person who \_ [description may include a position but not the name of an individual].



**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: [must be definitely determinable]

**5. Plan Design.**

The Employer hereby elects the following Plan design:

- ☒ **Pick-up Option.** Each Employee shall be required to contribute to the Plan **4.00%** 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 % of the Participant's contributions under the Employer's Section 457(b) Deferred Compensation Plan. The Employer matching contribution shall be limited to % 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 for the calendar quarter following the Participant's Break in Service.

☒ Shall reduce the Employer contribution under such Option for the current or next following Plan Year.

**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%                          |

## ☐ 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                 | %                        | %                           |
| at least 1 but less than 2  | %                        | %                           |
| at least 2 but less than 3  | %                        | %                           |
| at least 3 but less than 4  | %                        | %                           |
| at least 4 but less than 5  | %                        | %                           |
| at least 5 but less than 6  | %                        | %                           |
| at least 6 but less than 7  | %                        | %                           |
| at least 7 but less than 8  | %                        | %                           |
| at least 8 but less than 9  | %                        | %                           |
| at least 9 but less than 10 | %                        | %                           |
| 10 or more                  | %                        | %                           |

## ☐ 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 on each business day of the Plan Year for which Plan assets are valued on an established market.

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**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 Durant 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 Durant

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

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

Attest:

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

(SEAL)

---

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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. 2017-41, the Provider (as defined in Rev. Proc. 2017-41) 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 Provider will inform adopting employers of any such amendments or of the discontinuance or abandonment of the Pre-Approved Plan document. The name, address and telephone number of the Provider is: 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 Pre-Approved Plan may be directed to the Provider.

**Reliance on Sponsor Opinion Letter.** The Provider has obtained from the IRS an Opinion Letter (as defined in Rev. Proc. 2017-41) specifying the form of this Joinder Agreement and the basic plan document satisfy, as of the date of the Opinion Letter, Code §401. An adopting Employer may rely on the Preapproved Plan Sponsor's IRS Opinion Letter only to the extent provided in Rev. Proc. 2017 41. The Employer may not rely on the Opinion Letter in certain other circumstances or with respect to certain qualification requirements, which are specified in the Opinion Letter and in Rev. Proc. 2017 41 or subsequent guidance. In order to have reliance in such circumstances or with respect to such qualification requirements, the Employer must apply for a determination letter to Employee Plans Determinations of the IRS.



## MEMORANDUM

TO: Oklahoma Municipal Retirement Fund

FROM: McAfee & Taft A Professional Corporation  
(John A. Papahronis)

DATE: November 12, 2021

RE: Oklahoma Municipal Retirement Fund Master Defined Contribution Plan and Joinder Agreement—Summary of Material Changes

The following summary compares the current version of the Oklahoma Municipal Retirement Fund Master Defined Contribution Plan and Joinder Agreement with the version recently approved by the Internal Revenue Service:

### A. Master Defined Contribution Plan

| <u>Sec.</u> | <u>Feature</u>                                          | <u>Current Version</u>                                  | <u>Newly-Approved Version</u>                                                                                                      |
|-------------|---------------------------------------------------------|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 1.1         | Purpose                                                 | States the purpose of the Plan.                         | Adds IRS required sentence that the plan is intended to qualify as a governmental plan.                                            |
| 1.3         | Exclusive Benefit                                       | None                                                    | Added IRS required language that the Plan is for the exclusive benefit of employees. Expanded language that was previously in 1.1. |
| 2.1(m)      | Definition of Compensation                              | Includes historical language required by IRS            | Deletes historical IRS required language that is obsolete.                                                                         |
| 2.1(r)      | Definition of Employee                                  | None                                                    | Includes a definition of Employee by cross referencing Joinder Agreement.                                                          |
| 4.5         | Change of Rate of Voluntary Nondeductible Contributions | Permits Participant to change rate of payroll deduction | Deletes reference to minimum and maximum rates.                                                                                    |

|              |                                         |                                                                            |                                                                                                                                             |
|--------------|-----------------------------------------|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 4.8(d)(i)(3) | Roth Elective Deferrals                 | Provisions describing permitted Roth Elective Deferrals                    | Added IRS required language regarding correction of excess contributions of Roth Elective Deferrals.                                        |
| 5.11(a)(iv)  | Maximum Permissible Amount              | Definition for IRS limit                                                   | Updated IRS dollar limit for current amount.                                                                                                |
| 6.12         | Loss of Benefits for Cause              | Reserved Section holder                                                    | Deleted per request of IRS.                                                                                                                 |
| 6.17         | Forfeiture of Benefits                  | Reserved Section holder                                                    | Deleted per request of IRS.                                                                                                                 |
| 8.5          | Provider's Power to Amend               | Authority of Volume Submitter Practitioner to Amend for Adopting Employers | Modified to reflect current IRS terminology in accordance with Rev. Proc. 2017-41.                                                          |
| 10.5         | Benefits Payable to Incompetents        | Protocol for benefit payments to incompetents                              | Modified to provide payments will be made to valid power of attorney, court appointed guardian, or other person authorized under state law. |
| 11.11        | Supersession of Inconsistent Provisions | Incorporates provisions of Trust Indenture                                 | IRS required deletion of incorporation of provisions of Trust Indenture.                                                                    |

**B. Joinder Agreement**

| <u>Sec.</u> | <u>Feature</u>                       | <u>Current Version</u>                                                             | <u>Newly-Approved Version</u>                    |
|-------------|--------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------|
| 8.          | Forfeitures                          | Timing of allocation of forfeitures not specified                                  | Timing of allocation specified                   |
| Sig. page   | Required Disclosure re: IRS Approval | IRS required disclosure regarding the use and restrictions of IRS Preapproved Plan | Update language to meet current IRS requirements |





TAX EXEMPT AND  
GOVERNMENT ENTITIES  
DIVISION

DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

Plan Description: Non-Standardized Pre-Approved Profit Sharing Plan With CODA  
FFN: 317D1080001-001 Case: 201800527 EIN: 73-0781676  
Letter Serial No: Q702320a  
Date of Submission: 12/18/2018

MCAFEE & TAFT  
211 NORTH ROBINSON  
TWO LEADERSHIP SQUARE, 10TH FLOOR  
OKLAHOMA CITY, OK 73102

Contact Person:  
Janell Hayes  
Telephone Number:  
513-975-6319  
In Reference To: TEGE:EP:7521  
Date: 06/30/2020

Dear Applicant:

In our opinion, the form of the plan identified above is acceptable for use by employers for the benefit of their employees under Internal Revenue Code (IRC) Section 401.

We considered the changes in qualification requirements in the 2017 Cumulative List of Notice 2017-37, 2017-29 Internal Revenue Bulletin (IRB) 89. Our opinion relates only to the acceptability of the form of the plan under the IRC. We did not consider the effect of other federal or local statutes.

You must provide the following to each employer who adopts this plan:

- . A copy of this letter
- . A copy of the approved plan
- . Copies of any subsequent amendments including their dates of adoption
- . Direct contact information including address and telephone number of the plan provider

Our opinion on the acceptability of the plan's form is a determination as to the qualification of the plan as adopted by a particular employer only under the circumstances, and to the extent, described in Revenue Procedure (Rev. Proc.) 2017-41, 2017-29 I.R.B. 92. The employer who adopts this plan can generally rely on this letter to the extent described in Rev. Proc. 2017-41. Thus, Employee Plans Determinations, except as provided in Section 12 of Rev. Proc. 2020-4, 2020-01 I.R.B. 148 (as updated annually), will not issue a determination letter to an employer who adopts this plan. Review Rev. Proc. 2020-4 to determine the eligibility of an adopting employer, and the items needed, to submit a determination letter application. The employer must also follow the terms of the plan in operation.

Except as provided below, our opinion doesn't apply to the requirements of IRC Sections 401(a)(4), 401(l), 410(b), and 414(s). Our opinion doesn't apply to IRC Sections 415 and 416 if an employer maintains or ever maintained another qualified plan for one or more employees covered by this plan. For this purpose, we will not consider the employer to have maintained another defined contribution plan provided both of the following are true:

- . The employer terminated the other plan before the effective date of this plan
- . No annual additions have been credited to any participant's account under the other plan as of any date within the limitation year of this plan

Also, for this purpose, we'll consider an employer as maintaining another defined contribution plan, if the employer maintains any of the following:

- . A welfare benefit fund defined in IRC Section 419(e), which provides post-retirement medical benefits allocated to separate accounts for key employees as defined in IRC Section 419A(d)

- . An individual medical account as defined in IRC Section 415(l)(2), which is part of a pension or annuity plan maintained by the employer
- . A simplified employee pension plan

Our opinion doesn't apply to Treasury Regulations Section 1.401(a)-1(b)(2) requirements for a money purchase plan or target benefit plan where the normal retirement age under the employer's plan is lower than age 62.

Our opinion doesn't constitute a determination that the plan is an IRC Section 414(d) governmental plan. This letter is not a ruling with respect to the tax treatment to be given contributions which are picked up by the governmental employing unit within the meaning of IRC Section 414(h)(2).

Our opinion doesn't constitute a determination that the plan is an IRC Section 414(e) church plan.

Our opinion may not be relied on by a non-electing church plan for rules governing pre-ERISA participation and coverage.

Our opinion applies to the requirements of IRC Section 410(b) if 100 percent of all non-excludable employees benefit under the plan.

Employers who choose a safe harbor allocation formula and a safe harbor compensation definition may also rely on this opinion letter for the non-discriminatory amounts requirement under IRC Section 401(a)(4).

If this plan includes a cash or deferred arrangement (CODA) or otherwise provides for contributions subject to IRC Sections 401(k) and/or 401(m), the employer may rely on the opinion letter regarding the form of the non-discrimination tests of IRC Sections 401(k)(3) and 401(m)(2), if the employer uses a safe harbor compensation definition. For plans described in IRC Sections 401(k)(12) or (13) and/or 401(m)(11) or (12), employers may rely on the opinion letter regarding whether the plan's form satisfies the requirements of those sections unless the plan provides for the safe harbor contribution to be made under another plan. For SIMPLE plans described in IRC Sections 401(k)(11) and 401(m)(10), employers may also rely on the opinion letter regarding whether the plan's form satisfies the requirements of those sections.

The provisions of this plan override any conflicting provision contained in the trust or custodial account documents used with the plan, and an adopting employer may not rely on this letter to the extent that provisions of a trust or custodial account that are a separate portion of the plan override or conflict with the provisions of the plan document. This opinion letter does not cover any provisions in trust or custodial account documents.

An employer who adopts this plan may not rely on this letter when:

- . the plan is being used to amend or restate a plan of the employer which was not previously qualified
- . the employer's adoption of the plan precedes the issuance of the letter
- . the employer doesn't correctly complete the adoption agreement or other elective provisions in the plan
- . the plan is not identical to the pre-approved plan (that is, the employer has made amendments that cause the plan not to be considered identical to the pre-approved plan, as described in Section 8.03 of Rev. Proc. 2017-41)

Our opinion doesn't apply to what is contained in any documents referenced outside the plan or adoption agreement, if applicable, such as a collective bargaining agreement.

Our opinion doesn't consider issues under Title I of the Employee Retirement Income Security Act (ERISA) which are administered by the Department of Labor.

If you, the pre-approved plan provider, have questions about the status of this case, you can call the telephone number at the top of the first page of this letter. This number is only for the provider's use.

Individual participants or adopting eligible employers with questions about the plan should contact you.

You must include your address and telephone number on the pre-approved plan or the plan's adoption agreement, if applicable, so that adopting employers can contact you directly.

If you write to us about this plan, provide your telephone number and the best time to call if we need more information. Whether you call or write, refer to the letter serial number and file folder number at the top of the first page of this letter.

Let us know if you change or discontinue sponsorship of this plan.

Keep this letter for your records.

Sincerely Yours,



Khin M. Chow  
Director, EP Rulings & Agreements

**Letter 6186 (June-2020)**  
**Catalog Number 72434C**

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



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

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**ARTICLE I.**  
**Purpose and Organization**

1.1 **Purpose:** The purpose of this Plan is to encourage the loyalty and continuity of service of the Participants, to provide retirement benefits for all eligible Employees of the Employer, as hereinafter defined, who complete a period of faithful service and become eligible hereunder, and to qualify the Plan under Section 401(a) of the Code. It is intended that the Plan satisfy Section 401(a) of the Code by meeting the requirements of Section 414(d) of the Code. The benefits provided by this Plan will be paid from a Fund established by the Employer and will be in addition to the benefits Employees are entitled to receive under any other programs of the Employer and from the Federal Social Security Act.

The design type of this Plan is a profit sharing plan. To the extent this Plan is a governmental retiree benefit plan under Section 401(a)(24) of the Code, and prior to the termination of the Plan and satisfaction of all liabilities of the Plan, no part of the corpus or income of the Fund shall be used for, or diverted to, purposes other than for the exclusive benefit of the Plan participants and their beneficiaries.

1.2 **Parties:** The Oklahoma Municipal Retirement Fund hereby adopts and establishes this Plan for the benefit of Employees of those Employers, as defined herein, formed, chartered or incorporated under the laws of the State of Oklahoma, who wish to adopt it by executing a Joinder Agreement which incorporates this Plan by reference.

1.3 **Exclusive Benefit:** This Plan and the separate related Fund forming a part hereof are established and shall be maintained for the exclusive benefit of the eligible Employees of the Employer and their beneficiaries. Except as provided under Section 11.12, the Employer does not have any beneficial interest in any asset of the Fund and no part of any asset in the Fund may ever revert to or be repaid to the Employer, either directly or indirectly; nor, prior to the satisfaction of all liabilities with respect to the Participants and their Beneficiaries under the Plan, may any part of the corpus or income of the Fund, or any asset of the Fund, be (at any time) used for, or diverted to, purposes other than the exclusive benefit of the Participants or their Beneficiaries and for defraying reasonable expenses of administering the Plan.

**ARTICLE II.**  
**Definitions and Construction**

2.1 **Definitions:** Where the following words and phrases appear in this Plan, they shall have the respective meanings set forth below, unless their context clearly indicates to the contrary:

(a) **Account:** One or more of several records maintained to record the interest in the Plan of each Participant and Beneficiary, and shall include any or all, where appropriate, of the following: (i) Municipality Contribution Account, (ii) Participant Deductible Contribution Account, (iii) Participant Deferred Compensation Contribution Account, (iv) Participant Mandatory Contribution Account, (v) Participant Nondeductible Contribution Account, (vi) Participant Roth Contribution Account, (vii) Pick-Up Contribution Account, (viii) Participant Rollover Account, (ix) Catch-Up Contribution Account, and (x) Loan Account.

(b) **Adjustment Factor:** The cost of living adjustment factor prescribed by the Secretary of the Treasury under Section 415(d) of the Code for years beginning after December 31, 1987, as applied to such items and in such manner as the Secretary shall provide.

(c) **Amount(s) Forfeited:** That portion of a terminated Participant's Municipality Contribution Account to which such Participant is not entitled because of insufficient Service.

(d) **Authorized Agent:** The City Clerk of the Employer or such other person designated by the Employer to carry out the efficient operation of the Plan at the local level.

(e) **Authorized Leave of Absence:** Any absence authorized by the Employer under the Employer's standard personnel practices applied to all persons under similar circumstances in a uniform manner, including any required military service during which a Participant's re-employment rights are protected by law; provided that he resumes employment with the Employer within the applicable time period established by the Employer or by law.

(f) **Beneficiary:** Any person or entity designated or deemed designated by a Participant as provided in Section 6.11 hereof.

(g) **Break in Service:** The expiration of ninety (90) days from the date the Participant last performed Service for the Employer for which such Participant was entitled to wages as defined in Section 3121(a) of the Code unless the Participant is on Authorized Leave of Absence. If a Participant does not resume employment with the Employer upon the expiration of an Authorized Leave of Absence, the Participant will be deemed to be absent from work on the first day of his Authorized Leave of Absence for purposes of determining if the Participant has a Break in Service.

For determining the amounts to be forfeited from a Participant's account under Section 6.6, any periods of employment with the Employer during which the Participant was not considered an Employee under the Plan shall not be considered as a Break in Service that causes a forfeiture unless the Participant was covered under a state retirement system or any other program outside the Oklahoma Municipal Retirement Fund System.



(h) **Catch-Up Contributions:** A Participant's contributions described in Section 4.8(c) herein.

(i) **Catch-Up Contribution Account:** The Account maintained for a Participant in which any Catch-Up Contributions are recorded.

(j) **City Council:** The City Council or Board of Trustees of the Employer or other duly qualified and acting governing authority of the Employer.

(k) **Code:** The Internal Revenue Code of 1986, as amended from time to time.

(l) **Committee:** The City Council of the Municipality, which shall act as the Plan Administrator of the Plan as provided for under Article X hereof.

(m) **Compensation:** Compensation means wages for federal income tax withholding purposes, as defined under Code §3401(a), plus all other payments to an Employee in the course of the Employer's trade or business, for which the Employer must furnish the Employee a written statement under Code §§6041, 6051 and 6052, but determined without regard to any rules that limit the remuneration included in wages based on the nature or location of the employment or services performed (such as the exception for agricultural labor in Code §3401(a)(2)). The Employer in Section 4 of its Joinder Agreement may specify modifications to the definition of Compensation, for purposes of contribution allocations under the Plan. For purposes of determining a Participant's compensation, any election by such Participant to reduce his regular cash remuneration under Code Sections 125, 401(k), 414(h), 403(b) or 457 shall be disregarded.

(1) **Limitations.** The annual compensation of each Participant taken into account in determining allocations for any Plan Year beginning after December 31, 2001, shall not exceed \$280,000, as adjusted for cost-of-living increases in accordance with Section 401(a)(17)(B) of the Code. Annual compensation means compensation during the Plan Year or such other consecutive 12-month period over which compensation is otherwise determined under the Plan (the determination period). The cost-of-living adjustment in effect for a calendar year applies to annual compensation for the determination period that begins with or within such calendar year. If compensation for a period of less than 12 months is used for a plan year, then the otherwise applicable compensation limit is reduced in the same proportion as the reduction in the 12-month period. If a determination period consists of fewer than 12 months, the annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

If Compensation for any prior determination period is taken into account in determining an Employee's benefits accruing in the current Plan Year, the Compensation for that prior determination period is subject to applicable annual compensation limit in effect for that prior determination period.

For limitation years beginning on and after January 1, 2001, for purposes of applying the limitations described in this Subsection 2.1(m), Compensation paid or made available during such limitation years shall include elective amounts that are not includible in the gross income of the Employee by reason of Section 132(f)(4) of the Code.

(n) **Deductible Participant Contribution:** Prior to January 1, 1987, the amount a Participant may voluntarily contribute to the Plan which could not exceed the lesser of \$2,000 (or such higher limit as allowed by the Code), or 100% of Compensation, and is deductible from gross income by the Participant pursuant to the Code. No Deductible Participant Contributions may be made after January 1, 1987.

(o) **Deferred Compensation Contributions:** A Participant's contributions described in Section 4.8 herein and credited to his Participant Deferred Compensation Contribution Account.

(p) **Disability:** A physical or mental condition which, in the judgment of the Committee, totally and presumably permanently prevents a Participant from engaging in any substantial gainful employment with the Employer. A determination of such disability shall be based upon competent medical evidence.

(q) **Effective Date:** The later of: (a) the date specified in the Joinder Agreement; or (b) the first day on which the Plan has a Participant.

(r) **Employee:** Shall have the meaning set forth in Section 2 of the Joinder Agreement.

(s) **Employer:** A Municipality chartered, incorporated or formed under the laws of the State of Oklahoma which executes the Joinder Agreement.

(t) **Employment Commencement Date:** The first day of the first pay period during which the Participant receives wages as defined in Section 3121(a) of the Code from the Employer.

(u) **Entry Date:** The date an Employee becomes a Participant.

(v) **Forfeiture:** The portion of a Participant's Accounts which becomes forfeitable pursuant to Section 6.6 hereof.

(w) **Fund:** The fund established to provide the benefits under the Plan for the exclusive benefit of the Participants included in the Plan, and which will be pooled with similar funds of other incorporated cities and towns of Oklahoma as a part of the Oklahoma Municipal Retirement Fund, for purposes of pooled management and investment.

(x) **Investment Manager:** A person who is either (i) registered as an investment adviser under the Investment Advisers Act of 1940, (ii) a bank, as defined in the Investment Advisers Act of 1940, or (iii) an insurance company qualified to perform investment management services under the laws of more than one state.

(y) **Investment Options:** Any of those investment options selected by the Committee in accordance with Section 5.12 hereof.

(z) **Joinder Agreement:** The agreement by which the Employer adopts this Plan and Fund as its Plan and Fund.



**(aa) Leased Employee:** Any person (other than an employee of the recipient) who pursuant to an agreement between the recipient and any other person ("leasing organization") has performed services for the recipient (or for the recipient and related persons determined in accordance with Section 414(n)(6) of the Code) on a substantially full time basis for a period of at least one year, and such services are performed under primary direction or control by the recipient. Contributions or benefits provided a Leased Employee by the leasing organization which are attributable to services performed for the recipient employer shall be treated as provided by the recipient employer.

A Leased Employee shall not be considered an employee of the recipient if: (I) such employee is covered by a money purchase pension plan providing: (1) a nonintegrated employer contribution rate of at least 10% of compensation, as defined in Section 415(c)(3) of the Code, but including amounts contributed pursuant to a salary reduction agreement which are excludable from the employee's gross income under Section 125, Section 402(e)(3), Section 402(h)(1)(B) or Section 403(b) of the Code, (2) immediate participation, and (3) full and immediate vesting; and (ii) leased employees do not constitute more than 20% of the recipient's nonhighly compensated work force.

**(bb) Limitation Year:** The twelve (12) consecutive month period ending on June 30th of each year. If the Limitation Year is amended to a different twelve (12) consecutive month period, the new Limitation Year must begin on a date within the Limitation Year in which the amendment is made.

**(cc) Loan Account:** A Participant's Separate Account established in the event he desires to make a loan from his applicable Account as provided in Section 6.13 herein.

**(dd) Mandatory Contributions:** Contributions, if elected by the Employer in the Joinder Agreement, which Participants are required to make in order to participate in the Plan.

**(ee) Municipality:** (1) each and every incorporated municipality in the State of Oklahoma; (2) public trusts having municipalities as a beneficiaries; (3) interlocal cooperatives created pursuant to 74 Oklahoma Statutes, Sections 1001, et seq., between municipalities and/or their public trust, and; (4) any other legal entity comprising a municipal authority as that term is used in Chapter 48 of Title 11 Oklahoma statutes, which has adopted the Plan and/or which has become a participant in the related trust according to the terms herein.

**(ff) Municipality Contribution Account:** The account maintained for a Participant in which his share of the contributions of the Employer and the Amounts Forfeited and any adjustments relating thereto are recorded.

**(gg) Normal Retirement Date:** The first day of the month occurring on or next following the date a Participant attains sixty-five (65) years of age.

**(hh) Oklahoma Municipal Retirement Fund:** The trust created in accordance with Sections 48-101 et seq., of Title 11, Oklahoma Statutes 1981, to combine pension and retirement funds in incorporated cities and towns of Oklahoma for purposes of management and investment, represented by and acting through its Board of Trustees.



**(ii) Participant:** Any Employee or former Employee who meets the eligibility requirements and is covered under the Plan.

**(jj) Participant Contribution Accounts:** All of the following Accounts: (i) Participant Deductible Contribution Account, (ii) Participant Deferred Compensation Contribution Account, (iii) Participant Nondeductible Contribution Account, (iv) Catch-Up Contribution Account, (v) Pick-Up Contributions Account, (vi) Participant Mandatory Contributions Account, (vii) Participant Rollover Account, and (viii) Participant Roth Contribution Account.

**(kk) Participant Deductible Contribution Account:** The Account maintained for a Participant in which his Deductible Participant Contributions and adjustments relating thereto are recorded.

**(ll) Participant Deferred Compensation Contribution Account:** The Account maintained for a Participant in which his Deferred Compensation Contributions resulting from the Participant's election under Section 4.8 of the Plan and adjustments thereto are recorded.

**(mm) Participant Mandatory Contribution Account:** The Account maintained for a Participant in which his Mandatory Contributions and adjustments relating thereto are recorded.

**(nn) Participant Nondeductible Contribution Account:** The Account maintained for a Participant in which his voluntary nondeductible contributions and adjustments relating thereto are recorded.

**(oo) Participant Rollover Account:** The Account maintained for a Participant in which any Rollover Contributions are recorded.

**(pp) Participant Roth Contribution Account:** The Account maintained for a Participant in which any Roth Contributions are recorded.

**(qq) Participation:** The period commencing as of the date an Employee became a Participant and ending on the date the final distributions of all the Account balances are made.

**(rr) Period(s) of Service or Service:**

**(1)** A Participant's last continuous period during which the Participant was an Employee of the Employer and/or any other Municipality prior to the earlier of his Retirement or Break in Service.

(i) Service includes employment with a Municipality other than the Employer prior to the time that the other Municipality adopted the Plan if the other Municipality credits a participant's past service under its retirement plan; and

(ii) Service for the Employer does not include employment with any Municipality if that service would not be included under the Municipality's Plan.

(2) Concurrent employment with more than one Municipality shall be credited as only one period of service.

(3) Any Authorized Leave of Absence shall not be considered as interrupting continuity of employment, provided the Employee returns within the period of authorized absence. Until such time as the City Council shall adopt rules to the contrary, credit for Service with the Employer shall be granted for any period of Authorized Leave of Absence during which the Employee's full Compensation is continued and contributions to the Fund are continued at the same rate and made by or for him, but credit for Service with the Employer shall not be granted for any period of authorized, nonpaid absence due to illness, union leave, military service, or any other reason, unless arrangements are made with the City Council for the Employee's continued participation and for contributions to be continued at the same rate and made by him or on his behalf during such absence. Provided, however, if a Participant is on an Authorized Leave of Absence and is receiving worker's compensation during such Authorized Leave of Absence, and if the Employer so elects in the Joinder Agreement, such Participant shall be credited with Service for such period for purposes of vesting only (and not for purposes of allocation of Employer Contributions).

(4) The expiration of the term of office of an elected official shall not be considered as interrupting continuity of employment, provided the official is re-elected for a consecutive term.

(5) Any reference in this Plan to the number of years of Service of a Participant shall include fractional portions of a year.

(6) With respect to a Participant who was previously 100% vested in any other Municipality's qualified retirement plan prior to becoming a Participant in this Plan, such Participant's "Service" for purposes of determining years of service for vesting under this Plan shall include the Participant's last continuous period during which the Participant was an employee of the other Municipality.

**(ss) Pick-Up Contributions:** The Employer's contributions described in Section 4.7 hereof and credited to his Pick-Up Contribution Account.

**(tt) Pick-Up Contributions Account:** The account maintained for a Participant in which his share of Pick-Up Contributions are recorded.

**(uu) Plan:** The Oklahoma Municipal Retirement Fund Master Defined Contribution Plan set forth herein, and all subsequent amendments.

**(vv) Plan Administrator:** The persons who administer the Plan pursuant to the provisions of Article X hereof.

**(ww) Plan Year:** Means the twelve (12) consecutive month period ending June 30th of each year. The initial or final Plan Year may be less than a twelve (12) consecutive month period.

(xx) **Previous Plan:** The terms and provisions in the prior instruments governing the Employer's qualified defined contribution retirement plan and related trust, and applying before the Effective Date hereof, or any other date expressly specified herein if different from the Effective Date, which prior instruments are amended, restated and superseded by this instrument.

(yy) **Retirement:** Termination of employment upon a Participant's attaining age 65.

(zz) **Roth Contributions:** A Participant's contributions described in Section 4.8(d) herein and credited to his Participant Roth Contribution Account.

(aaa) **Trust Service Provider:** The person appointed by the Trustee to supervise operation of the Oklahoma Municipal Retirement Fund and to assist participating Municipalities in the adoption and operation of the Plan.

(bbb) **Trustee:** The Trustees appointed pursuant to the Trust Indenture establishing the Oklahoma Municipal Retirement Fund.

(ccc) **Valuation Date:** The date specified in Section 13 of the Joinder Agreement and any Special Valuation Dates determined in accordance with Section 5.10.

(ddd) **Valuation Period:** The period of time between two successive Valuation Dates.

2.2 **Construction:** The masculine gender, where appearing in the Plan, shall be deemed to include the feminine gender, unless the context clearly indicates to the contrary. The words "hereof," "herein," "hereunder" and other similar compounds of the word "herein" shall mean and refer to the entire Plan, not to any particular provision or section.



**ARTICLE III.**  
**Eligibility and Participation**

3.1 **Eligibility:** An Employee, as defined in the Joinder Agreement, who has satisfied all the requirements set forth in the Joinder Agreement shall be eligible to participate in the Plan. Any person who has been classified by the Employer as an independent contractor and has had his compensation reported to the Internal Revenue Service on Form 1099 but who has been reclassified as an "employee" (other than by the Employer) shall not be considered as an eligible Employee who can participate under this Plan; provided, if the Employer does reclassify such worker as an "Employee," for purposes of this Plan, such reclassification shall only be prospective from the date that the Employee is notified by the Employer of such reclassification.

3.2 **Entry Date:** The participation of an Employee eligible to become a Participant shall commence on the earliest date permitted by the Employer in the Joinder Agreement.

3.3 **Re-employment of Former Participants:** Subject to Section 3.4, if a Participant incurs a Break in Service and is subsequently re-employed by the Employer, the Participant shall not receive any credit for his previous Period of Service with the Employer and such Participant shall be treated in the same manner as a person who has not previously been employed by any Municipality.

3.4 **Re-employment of Retired or Fully Vested Participants:** If a retired or fully vested Participant is re-employed by the Employer, no distributions shall be made from the Plan during the period of such re-employment. Periods of Service prior to such Participant's retirement or termination of service, as applicable, shall count as Periods of Service for purposes of determining such Participant's vested interest in his Municipality Contribution Account.

## **ARTICLE IV.**

### **Contributions**

**4.1 Contributions by Employer:** The Employer shall make such contributions as set forth in the Joinder Agreement. Such contributions shall be made from the operating revenue of the current taxable year or from accumulated revenue or surplus, as appropriate. The contribution shall be determined by written action of the Employer stating the amount of such contribution, and by the payment of such stated amount to the Trustee monthly. Upon execution of the Joinder Agreement, the Employer will contribute one Dollar (\$1.00) to establish the Fund. Any Participant who received Compensation from the Employer during the Valuation Period shall share in the Employer's contribution for the Valuation Period, even if not employed on the last day of the Valuation Period.

All Participant contributions shall be transmitted monthly to the Trustee after being withheld by the Employer. The Trustee shall hold all such contributions, subject to the provisions of the Plan and Fund, and no part of these contributions shall be used for, or diverted to, any other purpose.

**4.2 Required Participant Contributions:** If the Employer so elects in the Joinder Agreement, Participants shall not be required to contribute to the Plan.

**4.3 Mandatory Contributions:** If the Employer so elects in the Joinder Agreement, a Participant shall contribute to the Plan for each Plan Year the percentage of his Compensation set forth in the Joinder Agreement. Mandatory Contributions shall be made by payroll deductions. The Participant shall authorize such deductions in writing on forms approved by, and filed with, the Committee.

**4.4 Voluntary Nondeductible Contributions by Participants:** Subject to the limitations of Sections 5.11 and to such rules of uniform application as the Committee may adopt, each Participant may elect to make nondeductible contributions to the Plan. The contributions of such Participant after the Effective Date may be by payroll deduction, which the Participant shall authorize the Employer to make on written authorization forms designated by and filed with the Committee, or by cash payments by such Participant to the Trustee. The authorization to make contributions by payroll deductions shall be effective on the first day following the Committee's receipt of the payroll deduction authorization. In addition, a Participant may make Rollover Contributions notwithstanding the percentage limitations in the first sentence of this Section or the cash payment requirement of the second sentence of this Section.

**4.5 Change of Rate of Voluntary Nondeductible Contributions by Participant:** The Participant may change his rate of payroll deduction at any time, or he may discontinue his payroll deductions at any time. Any change of rate or discontinuance of payroll deductions shall be effective on the first payday following the receipt of written notice thereof by the Committee; provided, however, that not more than one change or discontinuance shall be made within a calendar month unless otherwise stated by the Committee.



The Participant must furnish the Committee at the time of any Participant Contribution or payroll deduction authorization an election designating the contribution as a Mandatory Contribution, Deductible Participant Contribution, or a Voluntary Nondeductible Contribution.

**4.6 Participant Contributions Nonforfeitable:** Each Participant who contributes hereunder shall have a nonforfeitable vested interest in that portion of the value of his own contributions not theretofore previously withdrawn by him.

**4.7 Pick-Up Contributions:** If the Employer elects in Section 5 of the Joinder Agreement, all Participants shall be required as a condition of employment to make the contributions specified in the Joinder Agreement. These contributions shall be picked up and assumed by the Employer and paid to the Fund in lieu of contributions by the Participant. Such contributions shall be designated as Employer contributions for federal income tax purposes. Each Participant's Compensation will be reduced by the amount paid to the Fund by the Employer in lieu of the required contribution by the Participant. These contributions shall be excluded from the Participant's gross income for federal income tax purposes and from wages for purposes of withholding under Sections 3401 through 3404 of the Code in the taxable year in which contributed. No Participant shall have the option of receiving the contributed amounts directly as Compensation. Contributions made by the Employer under this election shall be designated as Participant contributions for purposes of vesting, determining Participant rights and Participant Compensation. [In order for the Employer to have reliance on whether the Pick-Up Contributions comply with Section 414(h)(2) of the Code, the Employer must obtain a private letter ruling from the Internal Revenue Service.]

**4.8 Deferred Compensation Contributions:** If the Employer elects in the Joinder Agreement and if such Employer adopted a cash or deferred feature before May 7, 1986, the following provisions shall apply:

**(a) Deferred Compensation Contributions under Code Section 401(k):** A Participant, by written notice to the Plan Administrator, may elect to make a Deferred Compensation Contribution to the Plan rather than receive Compensation to which the Participant would otherwise be entitled during the period immediately following such election.

Subject to the limitations of this Section 4.8 and Section 5.11, a Participant's Deferred Compensation Contribution may be any whole percentage of his Compensation, but in no case shall a Participant's Deferred Compensation Contribution election exceed the percentage set forth in the Joinder Agreement. Such election shall be binding until the Participant, by written notice to the Plan Administrator, modifies or discontinues his Deferred Compensation Contribution. A Participant's initial election, or modification or discontinuance shall be effective as soon as administratively practicable following the Plan Administrator's receipt of the Participant's written notice of election, modification or discontinuance, and shall remain in effect until modified or terminated. Provided, not more than one change or discontinuance shall be made within a calendar month unless otherwise stated by the Committee.

Employer contributions made pursuant to this Section 4.8 shall be credited to the Participant's Participant Deferred Compensation Account. All such Employer contributions shall



be paid to the Trustee as soon as practicable following the retention of such amounts by the Employer from the Participant's Compensation.

**(b) Dollar Limitation on Deferred Compensation Contributions:**

**(i) General Rule.** No Participant shall be permitted to make Deferred Compensation Contributions during any calendar year in excess of the dollar limitation contained in Section 402(g) of the Code (including, if applicable, the dollar limitation on Catch-Up Contributions defined in Section 414(v) of the Code) in effect as of the beginning of the taxable year as adjusted under Section 402(g)(4) of the Code (hereafter referred to as "Excess Elective Deferrals"). In the case of a Participant who is age 50 or over by the end of the taxable year, the dollar limitation described in the preceding sentence includes the amount of Deferred Compensation Contributions that can be Catch-Up Contributions. In the event a Catch-Up Contribution eligible Participant makes Excess Elective Deferrals, the Plan Administrator shall cause such Participant's Deferred Compensation Contributions to be recharacterized as Catch-Up Contributions to the extent necessary to either (i) exhaust his Excess Elective Deferrals, and/or (ii) increase his Catch-Up Contributions to the applicable limit under Section 414(v) of the Code for the Plan Year.

**(ii) Recharacterization to Meet Limits of Section 402(g) of the Code.** In the event a Participant's Deferred Compensation Contributions for a Plan Year do not equal the maximum Contributions that may be made under the Plan during that Plan Year for any reason, the Participant's Catch-Up Contributions for such Plan Year shall be recharacterized as Deferred Compensation Contributions for all purposes to the extent necessary to increase his Deferred Compensation Contributions to equal such maximum for such Plan Year.

**(iii) Corrective Distributions.**

a. **General.** Notwithstanding any other provision of the Plan to the contrary, Excess Elective Deferrals (remaining after recharacterization as discussed above) and income and loss allocable thereto for the applicable calendar year must be distributed no later than April 15 following the calendar year in which Excess Elective Deferrals are incurred to avoid penalty, to Participants who have Excess Elective Deferrals for the preceding calendar year. Provided that, Excess Elective Deferrals to be distributed for a taxable year will be reduced by Excess Contributions previously distributed for the Plan Year beginning in such taxable year. For years beginning after 2005, distribution of Excess Elective Deferrals for a year shall be made first from the Participant's Account holding Deferred Compensation Contributions, to the extent Deferred Compensation Contributions were made for the year, unless the Participant specifies otherwise.

b. **Calculation of Income Allocable to Excess Elective Deferrals.** The Plan Administrator shall use the method provided in Section 5.6 herein for computing the income allocable to corrective distributions pursuant to this Section. Excess Elective Deferrals are determined on a date that is no more than seven (7) days before the distribution. For the Plan Year beginning in 2007, income or loss allocable to the period between the end of the taxable year and the

date of distribution ("gap period") must be taken into account for corrective distributions. For Plan Years beginning after 2007, income or loss applicable to the gap will not be taken into account for corrective distributions.

**(c) Catch-up Contributions:** For Plan Years beginning after December 31, 2001, all Employees who are eligible to make Deferred Compensation Contributions under this Plan and who have attained age 50 before the close of the Employee's taxable year shall be eligible to make Catch-Up Contributions in accordance with, and subject to the limitations of, Section 414(v) of the Code. Catch-Up Contributions are Deferred Compensation Contributions made to the Plan that are in excess of an otherwise applicable Plan limit and that are made by Participants who are age 50 or over by the end of their taxable years. An otherwise applicable Plan limit is a limit in the Plan that applies to Deferred Compensation Contributions without regard to Catch-Up Contributions, such as the limit on Annual Additions and the Code Section 402(g) limit. Such Catch-Up Contributions shall not be taken into account for purposes of the provisions of the Plan implementing the required limitations of Sections 402(g) and 415 of the Code. The Plan shall not be treated as failing to satisfy the provisions of the Plan implementing the requirements of Section 401(k)(3), 401(k)(11), 401(k)(12), 410(b), or 416 of the Code, as applicable, by reason of the making of such Catch-Up Contributions.

**(d) Roth Elective Deferrals:**

**(i) General Application.**

(1) If elected by the Employer in the Joinder Agreement, this Subsection (d) will apply to Contributions beginning with the effective date specified in the adoption agreement but in no event before the first day of the first taxable year beginning on or after January 1, 2006.

(2) As of the effective date under Subsection (1), the Plan will accept Roth elective deferrals made on behalf of Participants. A Participant's Roth elective deferrals will be allocated to a separate account maintained for such deferrals as described in Subsection (ii).

(3) Unless specifically stated otherwise, Roth elective deferrals will be treated as elective deferrals for all purposes under the Plan. Roth elective deferrals that are determined to be excess elective deferrals shall be corrected by distribution in the manner set forth in Section 4.8.

**(ii) Separate Accounting.**

(1) Contributions and withdrawals of Roth elective deferrals will be credited and debited to the Roth elective deferral account maintained for each Participant.

(2) The Plan will maintain a record of the amount of Roth elective deferrals in each Participant's account.



(3) Gains, losses, and other credits or charges must be separately allocated on a reasonable and consistent basis to each Participant's Roth elective deferral account and the Participant's other accounts under the Plan.

(4) No contributions other than Roth elective deferrals and properly attributable earnings will be credited to each Participant's Roth elective deferral account.

(iii) Direct Rollovers.

(1) Notwithstanding Section 9.5, a direct rollover of a distribution from a Roth elective deferral account under the Plan will only be made to another Roth elective deferral account under an applicable retirement plan described in § 402A(e)(1) or to a Roth IRA described in Code Section 408A, and only to the extent the rollover is permitted under the rules of Code Section 402(c).

(2) Notwithstanding Section 9.5, if elected by the Employer in the Joinder Agreement, the Plan will accept a rollover contribution to a Roth elective deferral account only if it is a direct rollover from another Roth elective deferral account under an applicable retirement plan described in Code Section 402A(e)(1) and only to the extent the rollover is permitted under the rules of Code Section 402(c).

(3) The Plan will not provide for a direct rollover (including an automatic rollover) for distributions from a Participant's Roth elective deferral account if the amount of the distributions that are eligible rollover distributions are reasonably expected to total less than \$200 during a year. In addition, any distribution from a Participant's Roth elective deferral account is not taken into account in determining whether distributions from a Participant's other accounts are reasonably expected to total less than \$200 during a year. However, eligible rollover distributions from a Participant's Roth elective deferral account are taken into account in determining whether the total amount of the Participant's account balances under the Plan exceeds \$1,000 for purposes of mandatory distributions from the plan.

(iv) Definition.

(1) **Roth Elective Deferrals.** A Roth elective deferral is an elective deferral that is:

a. Designated irrevocably by the Participant at the time of the cash or deferred election as a Roth elective deferral that is being made in lieu of all or a portion of the pre-tax elective deferrals the Participant is otherwise eligible to make under the plan; and

b. Treated by the Employer as includible in the Participant's income at the time the Participant would have received that amount in cash if the Participant had not made a cash or deferred election.

**ARTICLE V.**  
**Accounting, Allocation and Valuation**

5.1 **Accounts:** The Committee shall maintain a separate Municipality Contribution Account, Participant Nondeductible Contribution Account, Participant Mandatory Contribution Account, Participant Deductible Contribution Account, Participant Rollover Account, Participant Deferred Compensation Contribution Account, Catch-Up Contribution Account, Pick-Up Contributions Account and Loan Account as necessary for each Participant. A separate sub-account for each such Account shall be maintained for each Investment Option offered in accordance with Section 5.12. All such Accounts shall be credited or debited as herein provided.

5.2 **Eligibility for Allocation:** Employer contributions together with Amounts Forfeited as of the Valuation Date shall be allocated to the Municipality Contribution Accounts of Participants.

5.3 **Allocation of Contribution:** The Employer contributions, together with Amounts Forfeited as of the prior Valuation Date shall be allocated in the manner elected by the Employer in the Joinder Agreement.

5.4 **Allocation of Amounts Forfeited:** No Amount Forfeited attributable to the contribution of one Employer adopting this Plan may be allocated for the benefit of Participants of the Plan of any other adopting Employer.

5.5 **Value of Account:** The value of a Participant's Account is equal to the sum of all contributions, earnings or losses, and other additions credited to the Account, less all distributions (including distributions to Beneficiaries and to alternate payees and also including disbursement of Plan loan proceeds), forfeitures, expenses and other charges against the Account as of a Valuation Date or other relevant date. For purposes of a distribution under the Plan, the value of a Participant's Account balance is its value as of the Valuation Date immediately preceding the date of the distribution. The value of a Participant's Account is the fair market value of the assets in the account.

5.6 **Allocation of Investment Earnings and Losses:** As of each Valuation Date, the Accounts will be adjusted to reflect the earnings and losses since the last Valuation Date. Earnings or losses will be allocated using the daily valuation method so that earnings or losses will be allocated on each day of the Plan Year for which Plan assets are valued on an established market.

5.7 **Accounting for Participants' Contributions:** Contributions by or on behalf of each Participant shall be credited to his Participant Nondeductible Contribution Account, Participant Mandatory Contribution Account, Participant Deductible Contribution Account, Catch-Up Contribution Account, Pick-Up Contribution Account, or Participant Deferred Compensation Contribution Account as deposited with the Trustee.

5.8 **Accounting for Statement of Account:** As soon as is administratively feasible, the Committee shall present to each Participant a statement of such Participant's Accounts, at least annually, showing the balances at the beginning of the reported period, any changes during the reported period, the balances at the end of the reported period, and such other information as the Committee may determine. However, neither the maintenance of accounts, the allocations to



Accounts, nor the statements of account shall operate to vest in any Participant any right or interest in or to the Fund except as the Plan specifically provides herein.

**5.9 Time of Adjustment:** Each adjustment required by this Article V shall be deemed to have been made at the times specified in this Article V, regardless of the dates of actual entries or receipts by the Trustee of contributions for such Plan Year.

**5.10 Special Valuation Date:** If the Committee determines that a substantial change in the value of any Investment Fund has occurred since the last Valuation Date, the Committee may, prior to the next Valuation Date, establish one or more Special Valuation Dates and determine the adjustment required to make the total net credit balance in the Accounts of the then Participants equal to the then market value of the total assets of the Fund. Such adjustments shall be made consistent with the procedure specified in Section 5.5. Having determined such adjustment, all distributions which are to be made as of or after such special Valuation Date, but prior to the next succeeding Valuation Date or Special Valuation Date, shall be made as if the net credit balances in all Accounts had actually been credited or debited to reflect the adjustment provided by this Section.

**5.11 Limitation on Allocation of Employer Contributions:** The following provisions will be applicable in determining if the Plan and the Employer contributions thereto satisfy the requirements of Section 415 of the Code and the regulations thereunder. Except to the extent permitted under Section 4.8(c) of this Plan and Section 414(v) of the Code, if applicable, the Annual Additions that may be contributed or allocated to a Participant's Accounts under the Plan for any limitation year shall not exceed the Maximum Permissible Amount.

**(a) Definitions:** For the purposes of this Section the following definitions shall be applicable:

**(i) Annual Additions:** For purposes of the Plan, "Annual Additions" shall mean the amount allocated to a Participant's Account during the Limitation Year that constitutes:

- (1) Employer contributions,
- (2) Employee Deferred Compensation Contributions or Roth Contributions (excluding excess deferrals that are distributed in accordance with Treas. Reg. § 1.402(g)-1(e)(2) or (3)),
- (3) Forfeitures, and
- (4) Amounts allocated to an individual medical account, as defined in Section 415(1)(2) of the Code, which is part of a pension or annuity plan maintained by the Employer are treated as annual additions to a defined contribution plan; and amounts derived from contribution plans or accrued after December 31, 1985, and taxable years ending after such date, which are attributable to post-retirement medical benefits, allocated to the separate account of a key employee, as defined in Section 419(A)(d)(3) of the Code, under a welfare benefit fund, as defined in Section 419(e) of the Code, maintained by the Employer are treated as annual addition to a defined contribution plan.

Annual additions for purposes of Code § 415 shall not include restorative payments. A restorative payment is a payment made to restore losses to a Plan resulting from actions by a fiduciary for which there is reasonable risk of liability for breach of a fiduciary duty under federal or state law, where participants who are similarly situated are treated similarly with respect to the payments. Generally, payments are restorative payments only if the payments are made in order to restore some or all of the Plan's losses due to an action (or a failure to act) that creates a reasonable risk of liability for such a breach of fiduciary duty (other than a breach of fiduciary duty arising from failure to remit contributions to the Plan). This includes payments to a plan made pursuant to a court-approved settlement, to restore losses to a qualified defined contribution plan on account of the breach of fiduciary duty (other than a breach of fiduciary duty arising from failure to remit contributions to the Plan). Payments made to the Plan to make up for losses due merely to market fluctuations and other payments that are not made on account of a reasonable risk of liability for breach of a fiduciary duty are not restorative payments and generally constitute contributions that are considered annual additions.

Annual additions for purposes of Code § 415 shall not include: (1) The direct transfer of a benefit or employee contributions from a qualified plan to this Plan; (2) rollover contributions (as described in Code §§ 401(a)(31), 402(c)(1), 403(a)(4), 403(b)(8), 408(d)(3), and 457(e)(16)); (3) repayments of loans made to a participant from the Plan; and (4) repayments of amounts described in Code § 411(a)(7)(B) (in accordance with Code § 411(a)(7)(C)) and Code § 411(a)(3)(D), as well as Employer restorations of benefits that are required pursuant to such repayments.

If, in addition to this Plan, the Participant is covered under another qualified plan which is a defined contribution plan maintained by the Employer, a welfare benefit fund, as defined in Section 419(e) of the Code maintained by the Employer, or an individual medical benefit account, as defined in Section 415(1)(2) of the Code maintained by the Employer, which provides for Annual Additions during any Limitation Year, then the Annual Additions which may be credited to a Participant's Account under this Plan for any such Limitation Year will not exceed the Maximum Permissible Amount reduced by the Annual Additions credited to a Participant's Account under the other plans and welfare benefit funds for the same Limitation Year. If the Annual Additions with respect to the Participant under other defined contribution plans and welfare benefit plans maintained by the Employer are less than the Maximum Permissible Amount and the Employer contribution that would otherwise be contributed or allocated to the Participant's Account under this Plan would cause the Annual Additions for the Limitation Year to exceed this limitation, the amount contributed or allocated will be reduced so that the Annual Additions under all such plans and funds for the Limitation Year will equal the Maximum Permissible Amount. If the Annual Additions with respect to the Participant under such other defined contribution plans and welfare benefit funds in the aggregate are equal to or greater than the Maximum Permissible amount, no excess amount will be contributed or allocated to a Participant's Account under this Plan for the Limitation Year.

(ii) **Actual Compensation:** The words "Actual Compensation" shall mean a Participant's wages, salaries, and fees for professional services and other amounts received without regard to whether or not an amount is paid in cash for personal services actually rendered in the course of employment with the Employer, to the extent that the amounts are includible in gross income (or to the extent amounts deferred at the election of the Employee



would be includible in gross income but for the rules of Sections 125, 132 (for limitation years beginning after December 31, 2001), 402(e)(3), 402(h)(1)(B), 402(k), or 457(b) of the Code). These amounts include, but are not limited to, commissions paid salesmen, compensation for services on the basis of a percentage of profits, commissions on insurance premiums, tips and bonuses, fringe benefits, and reimbursements or other expense allowances under a nonaccountable plan as described in Treas. Reg. §1.62-2(c)). For years beginning after December 31, 2008, (i) an individual receiving a differential wage payment, as defined by Code §3401(h)(2), is treated as an employee of the employer making the payment, (ii) the differential wage payment is treated as Actual Compensation, and (iii) the Plan is not treated as failing to meet the requirements of any provision described in Code §414(u)(1)(C) by reason of any contribution or benefit which is based on the differential wage payment.

For purposes of applying the limitations described in this Section 5.11 of the Plan, Compensation paid or made available during such limitation years shall include elective amounts that are not includable in the gross income of the Employee by reason of Code Section 132(f)(4).

Actual Compensation shall be adjusted, as set forth herein, for the following types of compensation paid after a Participant's severance from employment with the Employer maintaining the Plan (or any other entity that is treated as the Employer pursuant to Code § 414(b), (c), (m) or (o)). However, amounts described in Subsections (a) and (b) below may only be included in Actual Compensation to the extent such amounts are paid by the later of 2½ months after severance from employment or by the end of the limitation year that includes the date of such severance from employment. Any other payment of compensation paid after severance of employment that is not described in the following types of compensation is not considered Actual Compensation within the meaning of this Section, even if payment is made within the time period specified above.

(1) **Regular Pay:** Actual Compensation shall include regular pay after severance of employment if:

A. The payment is regular compensation for services during the Participant's regular working hours, or compensation for services outside the Participant's regular working hours (such as overtime or shift differential), commissions, bonuses, or other similar payments; and

B. The payment would have been paid to the Participant prior to a severance from employment if the Participant had continued in employment with the Employer.

(2) **Leave Cashouts and Deferred Compensation:** Leave cashouts shall not be included in Actual Compensation. In addition, deferred compensation shall be included in Actual Compensation.

(3) **Salary Continuation Payments for Disabled Participants:** Actual Compensation does not include compensation paid to a Participant who is permanently and totally disabled (as defined in Code § 22(e)(3)).

(iii) **Excess Amount:** The words "Excess Amount" shall mean the excess of the Participant's Annual Additions for the applicable Limitation Year over the Maximum Permissible Amount.

(iv) **Maximum Permissible Amount:** The words “Maximum Permissible Amount” shall mean for the applicable Limitation Year, the “maximum permissible amount” (except for Employee Catch-Up Contributions under Section 414(v) of the Code) which may be contributed or allocated to or made with respect to any Participant which amount shall be the lesser of:

(1) \$56,000, as adjusted for cost-of-living under Code Section 415(d) the “Defined Contribution Dollar Limitation,” or

(2) 100% of the Participant’s Actual Compensation for the Limitation Year.

The compensation limitation referred to above shall not apply to: any contribution for medical benefits (within the meaning of Section 419A(f)(2) of the Code) after separation from service which is otherwise treated as an Annual Addition, or any amount otherwise treated as an Annual Addition under Section 415(1)(1) of the Code.

(b) **Determination of Excess:** If an excess amount was allocated to a Participant on an allocation date of this Plan which coincides with an allocation date of another plan, the excess amount attributed to this Plan will be the product of (1) the total excess amount allocated as of such date times (2) the ratio of (i) the Annual Additions allocated to the Participant for the Limitation Year as of such date under this Plan to (ii) the total Annual Additions allocated to the Participant for the Limitation Year as of such date under this and all other qualified plans which are defined contribution plans.

(c) **Treatment of Excess:** Notwithstanding any provision of the Plan to the contrary, if the annual additions (within the meaning of Code § 415) are exceeded for any participant, then the Plan may be able to correct such excess in accordance with the Employee Plans Compliance Resolution System (EPCRS) as set forth in Revenue Procedure 2018-52 or any superseding guidance, including, but not limited to, the preamble of the final § 415 regulations. However, EPCRS may not be available in all situations.

#### 5.12 **Investment Options:**

(a) **Self-Directed:** If the Employer elects in the Joinder Agreement, each Participant in the Plan is hereby given the specific authority to direct the investment of all or any portion of his Accounts in one or more Investment Options provided under this Plan in accordance with the procedures established by the Committee. If a Participant does not designate an Investment Option for his Accounts, his Accounts will be invested in the age-based balanced fund or such other Investment Option as may be designated by the Trustees. For purposes of this Section, the Participants shall be exercising full investment control, discretion, authority and fiduciary responsibility as provided in this Plan of the investments in such Participants’ applicable Accounts.

(b) **Non-Self-Directed:** If the Employer does not elect in the Joinder Agreement to allow self-directed investments, all Accounts will be invested in the Balanced Fund or such other Investment Option as may be designated by the Trustees.



**ARTICLE VI.**  
**Benefits**

**6.1 Retirement or Disability:** If a Participant's employment with the Employer is terminated when he attains age sixty-five (65), or if a Participant's employment is terminated at an earlier age as the result of a Disability, he shall be entitled to receive the entire amount of his Municipality Contribution Account.

**6.2 Deferred Retirement:** If a Participant, with the consent of the Employer, shall continue in active employment following his Normal Retirement Date, he shall continue to participate under the Plan. Upon actual retirement, such Participant shall be entitled to receive the entire amount of his Municipality Contribution Account as of his actual retirement date.

**6.3 Death of a Participant:** Upon the death of a Participant, his Beneficiary shall be entitled to receive the entire amount of his Municipality Contribution Account and Participant Contribution Accounts as of the date of his death. In the case of a death occurring on or after January 1, 2007, if a Participant dies while performing qualified military service (as defined in Code § 414(u)), the survivors of the Participant are entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) provided under the Plan as if the Participant had resumed and then terminated employment on account of death.

**6.4 Termination for Other Reasons - Vested Percentage:** If a Participant's employment with the Employer is terminated before his Normal Retirement Date for any reason other than Disability or death, he shall be entitled to an amount equal to the vested percentage of his Municipality Contribution Account. Such vested percentage shall be determined as of the date of termination in accordance with the election of the Employer in the Joinder Agreement.

**6.5 Initial Distribution Date:** The date of initial distribution ("Initial Distribution Date") of a Participant whose employment is terminated and provided that the Participant requests a distribution, shall be as soon as practicable following his termination of employment and he shall be entitled to the vested percentage of his Accounts on such Initial Distribution Date payable in accordance with the provisions of Section 6.10. The portion of the Employer's contribution, the Amounts Forfeited or the periodic adjustment which is allocated to a Participant terminated for the reasons specified in Section 6.4 after such Initial Distribution Date shall be payable in accordance with the method utilized under Section 6.10 as soon as practicable.

**6.6 Determination of Amounts Forfeited:** Upon a distribution pursuant to Section 6.4 or if the Participant incurs a Break in Service, the forfeited percentage of a Participant's Municipality Contribution Account, if any, shall be deducted from the Participant's Account. Such Amounts Forfeited shall become available for allocation in accordance with Item 8 of the Joinder Agreement as of the end of the calendar quarter following the Valuation Period in which the terminated Participant forfeited such amounts.

**6.7 Participant Contribution Accounts:** A Participant shall be fully vested in his Participant Contribution Accounts at all times. A Participant's Contribution Account balances shall be paid to him in connection with the distribution to him of the vested portion of his

Municipality Contribution Account on or after his Initial Distribution Date. Such distributions shall be made in accordance with Section 6.10 and Section 6.8.

**6.8 Withdrawals from Participant's Contribution Accounts:** In accordance with the provisions hereof, a Participant may withdraw all or any part of his Participant Contribution accounts by filing a written application with the Administrator. Such withdrawal shall be effective no sooner than thirty (30) (unless waived by the Participant) but not later than ninety (90) days after the Participant's receipt from the Plan Administrator of a rollover notice required by Code Section 402(f). A Participant who withdraws all or part of his Participant Contribution Account balances shall not forfeit his proportionate share of net income, gains and profits, if any, for the Valuation Periods previously allocated to his Participant Contribution Accounts, nor any portion of his Municipality Contribution Account but the Participant's Contribution Accounts shall not share (to the extent of any withdrawals) in any net income for the Valuation Period in which the withdrawal occurs. For any distribution notice issued in Plan Years beginning after December 31, 2006, any reference to the 90-day maximum notice period prior to distribution in applying the notice requirements of Code §§402(f) (the rollover notice), or 411(a)(11) (Participant's consent to distribution) will become 180 days.

**(a) Participant Deductible Contribution Account:** If allowed in the Joinder Agreement, a Participant may withdraw all or any part of his Participant Deductible Contribution Account (but not to exceed the amount in his Participant Deductible Contribution Account at the time of withdrawal) by filing a written application with the Plan Administrator. Such withdrawal may be made no more often than once a year. If at the time of the withdrawal the Participant has not attained age 59½ or is not disabled, the Participant will be subject to a federal income tax penalty unless such withdrawal is rolled over to a qualified plan or individual retirement account within sixty (60) days of the date of distribution.

**(b) Participant Nondeductible Contribution Account:** A Participant may withdraw all or any part of his Participant Nondeductible Contribution Account by filing a written application with the Plan Administrator.

**(c) Participant Deferred Compensation Contribution Account:** Notwithstanding any other provision of this Plan, no amount in a Participant's Deferred Contribution Account may be distributed to a Participant earlier than such Participant's retirement, death, Disability, or severance from employment. The above distribution requirements shall be strictly interpreted by the Plan Administrator to conform with the requirements of Section 401(k) of the Code and future amendments or Internal Revenue Service interpretations thereof. If a Participant is allowed to withdraw from his Participant Deferred Compensation Contribution Account, the provisions of the first paragraph of this Section 6.8 shall apply to such withdrawals. Notwithstanding the foregoing, for purposes of Code §401(k)(2)(B)(i)(I), effective January 1, 2009, an individual is treated as having been severed from employment during any period the individual is performing service in the uniformed services described in Code §3401(h)(2)(A). If an individual elects to receive a distribution by reason of severance from employment, death or disability, the individual may not make an elective deferral or Employee contribution during the 6-month period beginning on the date of the distribution.



(d) **Pick-up Contribution Account:** Notwithstanding any other provision of this Plan, no amount in a Participant's Pick-Up Contribution Account may be distributed to a Participant earlier than such Participant's retirement, death, Disability, or separation from service. If a Participant is allowed to withdraw from his Pick-Up Contribution Account, the provisions of the first paragraph of this Section 6.8 shall apply.

6.9 **Withdrawals from Participant's Mandatory Contribution Account:** A Participant may not withdraw any portion of his Participant Mandatory Contribution Account prior to the termination of his employment. Such account balances will be paid at the same time and in the same manner as such Participant's Municipality Contribution Account.

6.10 **Methods of Distribution:** On and after each Participant's Initial Distribution Date, after all adjustments to his Accounts required as of such date shall have been made, distribution of his share shall be made to or for the benefit of the Participant or, in case of his death, to or for the benefit of his Beneficiary, by one of the following methods, as determined by the Committee:

- (a) a lump sum distribution;
- (b) an installment distribution consisting of approximately equal installments for a term not exceeding ten (10) years;
- (c) an installment distribution consisting of approximately equal installments for a term not extending beyond the joint life expectancy (as calculated in accordance with Income Tax Regulation section 1.72-9) on the Initial Distribution Date of the Participant and his spouse;
- (d) periodic distributions as designated by the Participant or Beneficiary; or
- (e) purchase of an annuity.

Commencement of payments under the method of distribution selected shall be as of the initial Distribution Date of the Participant, provided that for administrative convenience, such commencement may be delayed as reasonably necessary but in no event for more than sixty (60) days after a reasonable time for all administrative calculations, allocations and accounting operations necessary to determine the amount of the distribution. The Committee, in its sole discretion, may accelerate the payment of any unpaid installments. If a former Participant receiving installment payments dies prior to the receipt by him of the full amount to be paid to him from his Participant Accounts, the remaining installments shall be paid to his Beneficiary. Under no circumstance may a method of payment be elected that would be expected to cause more than fifty percent (50%) of the present value of any series of payments to go to a person other than the Participant.

6.11 **Designation of Beneficiary:** Each Participant shall designate his Beneficiary on a form provided by the Committee and such designation may include primary and contingent Beneficiaries. If Participant designates more than one Beneficiary, each shall share equally unless the Participant specifies a different allocation. The designation may be changed at any time by filing a new form with the Committee. In the absence of such written designation, the surviving spouse, if any, of the Participant shall be deemed to be the designated Beneficiary, and otherwise the estate of such Participant. Further, the written designation of the Participant's spouse may be voided upon divorce of the Participant if required by applicable state law. In all events, the date of determination of a Participant's Beneficiary shall be the date of death of a

Participant. Production of a certified copy of the death certificate of any Participant or other persons shall be sufficient evidence of death, and the Committee shall be fully protected in relying thereon.

#### **6.12 Payments Under a Qualified Domestic Relations Order:**

(a) The Municipality shall follow the terms of any “Qualified Domestic Relations Order” as defined in Subsection (b) below issued with respect to a Participant where such Qualified Domestic Relations Order grants to an “Alternate Payee” rights in the benefit of the Participant.

(b) The term “Qualified Domestic Relations Order” means an order issued by the District Court of the State of Oklahoma pursuant to the domestic relations laws of the State of Oklahoma which relates to the provision of marital property rights to a spouse or former spouse of a Participant and which creates or recognizes the existence of an Alternate Payee’s right to, or assigns to an Alternate Payee the right to receive a portion of the benefits payable with respect to a Participant of the Plan.

(c) To qualify as an Alternate Payee, a spouse or former spouse must have been married to the Participant for a period of not less than thirty (30) continuous months immediately preceding the commencement of the proceedings from which the Qualified Domestic Relations Order issues.

(d) A Qualified Domestic Relations Order is valid and binding on the Trustees and the Participant only if it meets the requirements of this Section.

(e) A Qualified Domestic Relations Order shall clearly specify:

- 1) the name, social security number, and last-known mailing address (if any) of the Participant, and the name and mailing address of the alternative payee covered by the order;
- 2) the amount or percentage of the Participant’s benefits to be paid by the Plan to the Alternate Payee;
- 3) the characterization of the benefit as to marital property rights, and whether the benefit ceases upon the death or remarriage of the Alternate Payee; and,
- 4) each plan to which such order applies.

(f) A Qualified Domestic Relations Order meets the requirements of this Section only if such order:

- 1) does not require the Plan to provide any type or form of benefit, or any option not otherwise provided under the Plan;
- 2) does not require the Plan to provide increased benefits; and,



3) does not require the payment of benefits to an Alternate Payee which are required to be paid to another Alternate Payee pursuant to another order previously determined to be a Qualified Domestic Relations Order, or an order recognized by the Plan as a valid order prior to the effective date of the Plan.

(g) A Qualified Domestic Relations Order shall not require payment of benefits to an Alternate Payee prior to the actual retirement date or withdrawal of the related member.

(h) In the event a Qualified Domestic Relations Order requires the benefits payable to an Alternate Payee to terminate upon the remarriage of said Alternate Payee, the Plan shall terminate said benefit only upon the receipt of a certified copy of a marriage license, or a copy of a certified order issued by the Court that originally issued said Qualified Domestic Relations Order declaring the remarriage of said Alternate Payee.

(i) This Section of the Plan shall not be subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C.A. Section 1001, et seq., as amended from time to time, or rules and regulations promulgated thereunder, and court cases interpreting said Act.

(j) Effective on or after April 6, 2007, a domestic relations order that otherwise satisfies the requirements for a QDRO will not fail to be a QDRO: (i) solely because the order is issued after, or revises, another domestic relations order or QDRO; or (ii) solely because of the time at which the order is issued, including issuance after the annuity starting date.

(k) The Board of Trustees of the Oklahoma Municipal Retirement Fund shall promulgate such rules as are necessary to implement the provisions of this Section.

(l) An Alternate Payee who has acquired beneficiary rights pursuant to a valid Qualified Domestic Relations Order must fully comply with all provisions of the rules promulgated by the Trustees pursuant to this Section in order to continue receiving his or her benefits.

(m) Nothing in this Section shall grant a spouse or former spouse of a Participant any property rights in the benefits of any Participant except as specifically authorized for Qualified Domestic Relations Orders, and no spousal consent shall be required for a Participant to elect or change elections pertaining to a benefit payable under this Plan.

#### 6.13 Loans to Participants:

(a) **General:** The Committee, in its sole discretion, may direct Trustees to make loans to Participants upon the written direction and application of the Participant who desires to effect such loan, up to 50% of the vested balance of a Participant's Accounts. All such loans (i) shall not be made available to Highly Compensated Employees (as defined in Section 414(q) of the Code) in an amount greater than the amount made available to other Employees, (ii) shall be available to all Participants on a nondiscriminatory basis, (iii) shall be made available in an amount equal to the lesser of 50% of the borrowing Participant's vested Benefit in his Account or \$50,000, (iv) shall bear a reasonable rate of interest which will be established by the Committee, (v) shall be secured by the borrowing Participant's Benefit account balance attributable to his Account, (vi) shall be amortized and repaid in level payments of principal and

interest made not less frequently than monthly over the term of the loan, (vii) shall be repaid by payroll reduction while the Participant is employed; (viii) shall accelerate and be due in full on the date a Participant terminates employment with the Employer; (ix) shall not be less than \$1,000 in amount each; and (x) shall be made upon such other reasonable terms which the Committee shall designate, such terms being applied in a nondiscriminatory fashion; provided, in no event shall any loan have a term in excess of five years. There shall not be more than one or two loans outstanding (as elected by the Employer) at any time with respect to a Participant. No Participant who has borrowed from the Plan may make another loan until the previous loan has been fully repaid. Outstanding loans are not subject to refinancing by a new loan. Upon direction by the Committee, and subject to Subsection (c) below, the Trustees may foreclose upon such Participant's interest in his Account in the event of default. A loan to a Participant, when added to the outstanding balance of all other loans to the Participant from the Plan and other plans sponsored by the Employer, cannot exceed \$50,000, reduced by the excess of the highest outstanding balance of loans from the Plan (and all other plans sponsored by the Employer) during the one-year period ending on the day before the date the loan is made over the outstanding balance of the loans from the Plan on the date the loan is made. No distribution of a Benefit shall be made to any Participant, Beneficiary or the estate of a Participant unless and until all unpaid loans made by the Plan to such Participant together with accrued interest have been paid in full. In determining if any of the foregoing limitations regarding the making of loans to Participants, loans made under all other plans (i) sponsored by the Employer and (ii) qualified under Sections 401(a) and 501(a) of the Code will be considered. All costs and expenses of any loan will be charged to the applicable Accounts of the Participant.

**(b) Establishment of Loan Account:** At such time as it is determined that a Participant is to receive a loan from the Plan, the loan shall be made from the Participant's applicable Account in the order and precedence indicated hereafter and such amount shall be deemed to be credited to the Participant's Loan Account with a corresponding debit to occur to his Account: (i) first, an Account holding Employer contributions, including "rollover contributions" (other than Deferred Compensation Contributions, if applicable); (ii) second, an Account holding Deferred Compensation Contributions, if applicable; and (iii) third, an Account holding contributions picked up and assumed by the Employer pursuant to Section 4.7 of this Plan. All interest payments to be made pursuant to the terms and provisions of the loan shall be credited to the applicable Account in such a manner so that the Loan Account will reflect unpaid principal and interest from time to time. The earnings attributable to the Loan Account shall be allocable only to the Loan Account of such Participant and shall not be considered as general earnings of the Trust Fund to be allocated to the other Participants therein as provided herein. Other than for the limited purposes of establishing a separate account for the allocation of the interest thereto, a Participant's Loan Account shall, for all other purposes, be considered as part of his applicable Account.

**(c) Foreclosure of Loan Account:** The Trustees may foreclose upon such Participant's interest in his Account in the event of default under the loan made to the Participant under this Section.

**(d) Special Restrictions on Foreclosure:** In the event of default under a loan made under this Section, foreclosure under the promissory note evidencing such loan and attachment of the Participant's interest in his applicable Accounts shall occur within a reasonable time



following the event of default; provided, with respect to any portion of a loan secured by amounts governed under Section 401(k) of the Code, if applicable, foreclosure on such 401(k) amounts shall not occur until the occurrence of an event described under Section 401(k) of the Code which would otherwise permit a distribution to be made from the Plan.

(e) **Establishment of Loan Program:** The Trustees are hereby authorized and directed to establish a "loan program" (the "Loan Program") and the Trustees are further authorized to delegate to the Committee the duties and responsibilities with regard to the implementation of the Loan Program as adopted by the Trustees for and on behalf of the Plan. The Loan Program shall be considered to be a part of this Plan for the purposes stated in the Loan Program.

(f) **Loan Account:** The words "Loan Account" shall mean a Participant's separate Account established in the event he desires to make a loan from his applicable Account as provided in this Section 6.13.

**6.14 Required Minimum Distributions:** The provisions of this Section 6.14 will apply for purposes of determining Required Minimum Distributions for distribution calendar years beginning with the 2003 calendar year, as well as Required Minimum Distributions for the 2002 Distribution Calendar Years that are made on or after August 1, 2002. The requirements of this Section will take precedence over any inconsistent provisions of the Plan. All distributions required under this Section will be determined and made in accordance with the Treasury regulations under Section 401(a)(9) and the minimum distribution incidental benefit requirement of Section 401(a)(9)(G) of the Internal Revenue Code. Notwithstanding the other provisions of this Section, distributions may be made under a designation made before January 1, 1984, in accordance with Section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and the provisions of the Plan that relate to Section 242(b)(2) of TEFRA.

(a) **Limits on Distribution Periods:** As of the first distribution calendar year, distributions, if not made in a single-sum, may only be made over one of the following periods (or a combination thereof): (1) the life of the participant; (2) the life of the participant and a designated beneficiary; (3) a period certain not extending beyond the life expectancy of the participant; or (4) a period certain not extending beyond the joint and last survivor expectancy of the participant and a designated beneficiary.

(b) **Time and Manner of Distribution:**

(i) **Required Beginning Date.** The Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the Participant's Required Beginning Date. For purposes of this Section, the "Required Beginning Date" of a Participant is the April 1 of the calendar year following the later of the calendar year in which the Participant attains age 70½ or the calendar year in which the Participant retires.

(ii) **Death of Participant Before Distributions Begin.** If the Participant dies before distributions begin, the Participant's entire interest will be distributed, or begin to be distributed, no later than as follows:

- (1) If the Participant's surviving spouse is the Participant's sole

designated Beneficiary, then, distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 70½, if later.

(2) If the Participant's surviving spouse is not the Participant's sole designated Beneficiary, then, distributions to the designated Beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died.

(3) If there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, the Participant's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(4) If the Participant's surviving spouse is the Participant's sole designated Beneficiary and the surviving spouse dies after the Participant but before distributions to the surviving spouse begin, this Subsection (ii), other than Subsection (ii)(1), will apply as if the surviving spouse were the Participant.

For purposes of this Subsection (ii) and Subsection (d), unless Subsection (ii)(1) applies, distributions are considered to begin on the Participant's Required Beginning Date. If Subsection (ii)(1) applies, distributions are considered to begin on the date distributions are required to begin to the surviving spouse under Subsection (ii)(4). If distributions under an annuity purchased from an insurance company irrevocably commence to the Participant before the Participant's Required Beginning Date (or to the Participant's surviving spouse before the date distributions are required to begin to the surviving spouse under Subsection (ii)(4)), the date distributions are considered to begin is the date distributions actually commence.

**(iii) Forms of Distribution.** Unless the Participant's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the Required Beginning Date, as of the first distribution calendar year distributions will be made in accordance with Subsections (c) and (d) of this Section. If the Participant's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Section 401(a)(9) of the Code and the Treasury regulations.

**(c) Required Minimum Distributions During Participant's Lifetime:**

**(i) Amount of Required Minimum Distribution For Each Distribution Calendar Year.** During the Participant's lifetime, the minimum amount that will be distributed for each distribution calendar year is the lesser of:

(1) the quotient obtained by dividing the Participant's Account balance by the distribution period in the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9, Q&A-2, of the Treasury regulations, using the Participant's age as of the Participant's birthday in the distribution calendar year; or

(2) if the Participant's sole designated Beneficiary for the distribution calendar year is the Participant's spouse, the quotient obtained by dividing the Participant's Account balance by the number in the Joint and Last Survivor Table set forth in Section



1.401(a)(9)-9, Q&A-3, of the Treasury regulations, using the Participant's and spouse's attained ages as of the Participant's and spouse's birthdays in the distribution calendar year.

**(ii) Lifetime Required Minimum Distributions Continue Through Year of Participant's Death.** Required minimum distributions will be determined under this Subsection (c) beginning with the first distribution calendar year and up to and including the distribution calendar year that includes the Participant's date of death.

**(d) Required Minimum Distributions After Participant's Death:**

**(i) Death On or After Date Distributions Begin.**

**(1) Participant Survived by Designated Beneficiary.** If the Participant dies on or after the date distributions begin and there is a designated Beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the longer of the remaining life expectancy of the Participant or the remaining life expectancy of the Participant's designated Beneficiary, determined as follows:

a. The Participant's remaining life expectancy is calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

b. If the Participant's surviving spouse is the Participant's sole designated Beneficiary, the remaining life expectancy of the surviving spouse is calculated for each distribution calendar year after the year of the Participant's death using the surviving spouse's age as of the spouse's birthday in that year. For distribution calendar years after the year of the surviving spouse's death, the remaining life expectancy of the surviving spouse is calculated using the age of the surviving spouse as of the spouse's birthday in the calendar year of the spouse's death, reduced by one for each subsequent calendar year.

c. If the Participant's surviving spouse is not the Participant's sole designated Beneficiary, the designated Beneficiary's remaining life expectancy is calculated using the age of the Beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.

**(2) No Designated Beneficiary.** If the Participant dies on or after the date distributions begin and there is no designated Beneficiary as of September 30 of the year after the year of the Participant's death, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Account balance by the Participant's remaining life expectancy calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

**(ii) Death Before Date Distributions Begin.**

**(1) Participant Survived by Designated Beneficiary.** If the Participant dies before the date distributions begin and there is a designated Beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the

Participant's death is the quotient obtained by dividing the Participant's Account balance by the remaining life expectancy of the Participant's designated Beneficiary, determined as provided in Subsection (i).

(2) **No Designated Beneficiary.** If the Participant dies before the date distributions begin and there is no designated Beneficiary as of September 30 of the year following the year of the Participant's death, distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(3) **Death of Surviving Spouse Before Distributions to Surviving Spouse Are Required to Begin.** If the Participant dies before the date distributions begin, the Participant's surviving spouse is the Participant's sole designated Beneficiary, and the surviving spouse dies before distributions are required to begin to the surviving spouse under Subsection (b)(ii)(1), this Section 6.14(ii) will apply as if the surviving spouse were the Participant.

(e) **Definitions:**

(i) **Designated Beneficiary.** The individual who is designated as the Beneficiary under Section 6.11 of the Plan and is the designated Beneficiary under Section 401(a)(9) of the Internal Revenue Code and Section 1.401(a)(9)-4 of the Treasury regulations.

(ii) **Distribution Calendar Year.** A Calendar Year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first Distribution Calendar Year is the calendar year immediately preceding the Calendar Year which contains the Participant's Required Beginning Date. For distributions beginning after the Participant's death, the first Distribution Calendar Year is the calendar year in which distributions are required to begin under Subsection (b)(ii). The Required Minimum Distribution for the Participant's first Distribution Calendar Year will be made on or before the Participant's Required Beginning Date. The Required Minimum Distribution for other Distribution Calendar Years, including the Required Minimum Distribution for the Distribution Calendar Year in which the Participant's Required Beginning Date occurs, will be made on or before December 31 of that distribution calendar year.

(iii) **Life Expectancy.** Life Expectancy as computed by use of the Single Life Table in Section 1.401(a)(9)-9, Q&A-1 of the Treasury regulations.

(iv) **Participant's Account Balance.** The Account Balance as of the last valuation date in the calendar year immediately preceding the distribution calendar year (valuation calendar year) increased by the amount of any contributions made and allocated or forfeitures allocated to the Account Balance as of dates in the valuation calendar year after the valuation date and decreased by distributions made in the valuation calendar year after the valuation date. The Account Balance for the valuation calendar year includes any amounts rolled over or transferred to the Plan either in the valuation calendar year or in the distribution calendar year if distributed or transferred in the valuation calendar year.

**6.15 Withdrawals from Participant Rollover Account:** A Participant may request and receive a distribution from his Participant Rollover Account at any time, even if he or she has not terminated employment, unless the rollover was from a defined benefit retirement plan sponsored by the Employer.



## ARTICLE VII.

### Notices

7.1 **Notice to Oklahoma Municipal Retirement Fund:** As soon as practicable after a Participant ceases to be in the employ of the Employer, the Committee shall give written notice to the Oklahoma Municipal Retirement Fund. The notice shall include such of the following information and directions as are necessary or advisable under circumstances:

- (a) name and address of the Participant;
- (b) reason he ceased to be in the Employer's employ;
- (c) name and address of the Beneficiary or Beneficiaries in case of Participant's death;
- (d) percentage or amount to which such Participant is entitled in case of termination of employment;
- (e) time, manner and amount of payments to be made to such Participant; and
- (f) information required to complete the Trustee's Withholding Election Form.

As soon as practicable after the Committee learns of the death of a Participant, it shall give like notice to the Oklahoma Municipal Retirement Fund.

7.2 **Subsequent Notices:** At any time and from time to time after giving the notice as provided for in Section 7.1, the Committee may modify such original notice or any subsequent notice by means of a further written notice or notices to the Oklahoma Municipal Retirement Fund, but any action taken or payments made by the Oklahoma Municipal Retirement Fund pursuant to a prior notice shall not be affected by a subsequent notice.

7.3 **Copy of Notice:** A copy of each notice provided for in Sections 7.1 and 7.2 shall be mailed by the Committee to the Participant or to each Beneficiary involved, as the case may be, but if, for any reason, such copy is not sent or received, that fact shall not affect the validity of any notice to the Oklahoma Municipal Retirement Fund nor the validity of any action taken or payment made pursuant thereto.

7.4 **Reliance Upon Notice:** Upon receipt of any notice as provided in this Article VII, the Oklahoma Municipal Retirement Fund shall promptly take whatever action and make whatever payments are called for therein, it being intended that the Oklahoma Municipal Retirement Fund may rely upon the information and directions in such notice absolutely and without question. However, the Oklahoma Municipal Retirement Fund may call to the attention of the Committee any error or oversight which the Oklahoma Municipal Retirement Fund believes to exist in any notice.

**ARTICLE VIII.**  
**Amendment and Termination**

**8.1 Termination of Plan:** The Employer may at any time, effective as specified, terminate the Plan and may direct and require the Oklahoma Municipal Retirement Fund to liquidate the Fund. In the event the Employer shall for any reason cease to exist, the Plan shall terminate and the Fund shall be liquidated. In the event of the termination, partial termination, or complete discontinuance of contributions hereunder, the Account balances of each Participant will become nonforfeitable.

**8.2 Suspension and Discontinuance of Contributions:** If the governing body of the Employer decides it is impossible or inadvisable to continue to make contributions to the Plan, it shall have the power by appropriate resolution or decision to:

- (a) suspend contributions to the Plan;
- (b) discontinue contributions to the Plan; or
- (c) terminate the Plan.

Suspension shall be a temporary cessation of contributions and shall not constitute or require a termination of the Plan. A discontinuance of contributions shall not constitute a formal termination of the Plan and shall not preclude later contributions but all Municipality Contribution Accounts not theretofore fully vested shall become fully vested in the respective Participants notwithstanding the provisions of Section 6.4. In such event, Employees who become eligible to enter the Plan subsequent to the discontinuance shall receive no benefits. After the date of a discontinuance of contributions, the Trust shall remain in existence as provided in this Section 8.2 and the provisions of the Plan and Trust shall remain in force. A certified copy of such decision or resolution shall be delivered to the Oklahoma Municipal Retirement Fund, and as soon as possible thereafter the Oklahoma Municipal Retirement Fund shall send or deliver to each Participant or Beneficiary concerned a copy thereof.

**8.3 Liquidation of Trust Fund:** Upon a complete termination or upon a partial termination of the Plan, unless the Employer's successor shall elect to continue the Plan, the Accounts of all Participants and Beneficiaries shall thereupon be and become fully vested. Upon a complete termination, the Oklahoma Municipal Retirement Fund shall convert the proportionate interest of such Participants and Beneficiaries in the Trust Fund to cash and, after deducting all charges and expenses, the Oklahoma Municipal Retirement Fund shall adjust the balances of such Accounts as provided in Section 5.5 treating the termination date as the current Valuation Date.

Thereafter, the Oklahoma Municipal Retirement Fund shall distribute as soon as administratively feasible the amount to the credit of each such Participant and Beneficiary as the Committee shall direct.

**8.4 Amendments:** Each Employer agrees to adopt any amendments to this Plan which are necessary for an initial or continued determination that the Plan is a qualified, tax exempt plan under Sections 401(a) and 501(a) of the Code. Any such amendments will be an amendment of the Employer's separate Plan if approved by the Trustee. The Employer may amend its separate

Plan in any respect and at any time, subject to the limitations of the Plan, by amendment of or addition to the Joinder Agreement. However, the Oklahoma Municipal Retirement Fund reserves the right to approve all Employer amendments.

**8.5 Provider's Power to Amend for Adopting Employers:** The Provider, as defined in section 4.08 of Rev. Proc. 2017-41, may amend any part of the Plan. However, for purposes of reliance on an Opinion Letter (as defined in Rev. Proc. 2017-41), the Provider will no longer have the authority to amend the Plan on behalf of the Employer as of the date (1) the Employer amends the Plan to incorporate a type of plan described in section 6.03 of Rev. Proc. 2017-41 that is not permitted under the Pre-Approved Plan program, or (2) the Internal Revenue Service notifies the Employer, in accordance with section 8.06(3) of Rev. Proc. 2017-41, that the Plan is an individually designed plan due to the nature and extent of Employer amendments to the Plan.



**ARTICLE IX.**  
**Employment Transfers**

**9.1 Transfers from This Plan:**

(a) **To Another Category with This Employer:** If a Participant is employed by the Employer and is transferred to employment with this Employer but under another department, classification or category, so that he is no longer eligible to participate in this Plan, such participation shall thereupon cease and his Account balance shall remain in the Fund and will continue to accrue interest but he will not continue to accrue Service for the purpose of additional vesting credit for benefits under this Plan. However, if an Employee participates in any other plan sponsored by the Employer within the Fund, he or she will continue to accrue service under this Plan for vesting purposes only.

(b) **To Another Municipality:** If a Participant's employment by the Employer is terminated by virtue of his transfer to employment with another Municipality, his membership in this Plan shall thereupon cease and he shall be subject to the following rules and requirements relating to this Plan and his right and benefits hereunder, to-wit:

(i) if he is fully vested under this Plan as of the date of such employment transfer, he shall be entitled to take any distribution, full or partial, without any effect on his current vesting status; or

(ii) if he is not fully vested under this Plan as of the date of such employment transfer, and he is, immediately upon such transfer of employment, covered by the retirement system under which such other Municipality participates in the Oklahoma Municipal Retirement Fund, he will continue to accrue Service for the purpose of additional vesting credit for benefits under this Plan. However, upon any distribution (that would not be optional to an active Employee), full or partial, vesting will stop and any unvested balance, if any, will be forfeited.

**9.2 Transfers to This Plan:**

(a) **From Another Category with This Employer:** If a person becomes a Participant immediately upon his transfer from full-time, regular employment with this Employer under another department, classification or category where he is ineligible for membership only because of the type of such employment, his Service accrued by virtue of such prior employment shall not be counted in determining his vesting credit for benefits hereunder.

(b) **From Another Municipality:** If a person becomes a Participant immediately upon his transfer from full-time, regular employment with a Municipality other than this Employer, his Service accrued by virtue of such prior employment shall be counted in determining his vesting credit for benefits hereunder, and he shall also be subject to all the other provisions of this Plan. A Participant's eligibility for membership under this Plan will be determined by applying the eligibility requirements in the Joinder Agreement as though the date which his credited Service from the other Municipality began was his date of employment with this Employer. Service from such prior employment will however be ignored in its entirety upon any distribution from that Municipality, full or partial, if taken prior to its full vesting.

(c) **Previously Fully Vested With Another Municipality:** With respect to a Participant who was previously 100% vested in any other Municipality's qualified retirement plan prior to becoming a Participant in this Plan, such Participant's "Service" for purposes of determining years of service for vesting under this Plan shall include the Participant's last continuous period during which the Participant was an Employee of the other Municipality.

9.3 **Notice of Transfers:** Immediately after any transfer of employment referred to in Sections 9.1 or 9.2, the transferred Participant shall give written notice of such transfer to the Authorized Agent on a form furnished by the Authorized Agent. Such Participant shall not be penalized, however, for failure to give such notice. The Authorized Agent shall give immediate notice in writing of such transfers to the Trust Service Provider and the Committee.

9.4 **Transfer from Other Qualified Plans:** The Employer may cause to be transferred to the Oklahoma Municipal Retirement Fund all or any of the assets held in respect to any plan or trust which satisfied the applicable requirements of the Code relating to qualified plans and trusts, which is maintained by the Employer for the benefit of its Employees. Any such assets so transferred shall be accompanied by written instructions from the Employer, or the trustee or custodian or the individual holding such assets, setting forth the Participants for whose benefit such assets have been transferred and showing separately the respective contributions by the Employer and by the Participants and the current value of the assets attributable thereto. Upon receipt of such assets and instructions the Oklahoma Municipal Retirement Fund shall thereafter proceed in accordance with the provisions of the Fund.

9.5 **Rollover Contributions:** A Participant who is or was entitled to receive an eligible rollover distribution, as defined in Code Section 402(c)(4) and Treasury Regulations issued thereunder, from a qualified plan described in Section 401(a) or 403(a) of the Code (including after-tax employee contributions), an annuity contract described in Section 403(b) of the Code (including after-tax employee contributions), or an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state, or an individual retirement account may elect to contribute all or any portion of such distribution to the Trust directly from such qualified plan, annuity contract or eligible plan, or within 60 days of receipt of such distribution to the Participant. Rollover Contributions shall only be made in the form of cash, or, if and to the extent permitted by the Employer with the consent of the Trustee, promissory notes evidencing a plan loan to the Participant; provided, however, that Rollover Contributions shall only be permitted in the form of promissory notes if the Plan otherwise provides for loans.

The Committee shall develop such procedures and require such information from Participants as it deems necessary to ensure that amounts contributed under this Section 9.5 meet the requirements for tax-deferred rollovers established by this Section 9.5 and by Code Section 402(c). No Rollover Contributions may be made to the Plan until approved by the Committee.

If a Rollover Contribution made under this Section 9.5 is later determined by the Administrator not to have met the requirements of this Section 9.5 or of the Code or Treasury regulations, then, within a reasonable time after such determination is made, the amounts then held in the Trust attributable to such Rollover Contribution shall be distributed to the Employee.



A Participant's Rollover Contributions Account shall be subject to the terms of the Plan except as otherwise provided in this Section 9.5.

Notwithstanding any other provision of this Section 9.5, the Employer may direct the Trustee not to accept Rollover contributions.

**9.6 Transfer to Other Qualified Plans:** The Employer, by written direction to the Oklahoma Municipal Retirement Fund, may transfer some or all of the assets held under the Fund to another plan or trust meeting the requirements of the Code relating to qualified plans and trusts. In the case of any merger or consolidation with, or transfer of assets and liabilities to, any other plan, provisions shall be made so that each Participant in the Plan on the date thereof (if the Plan then terminated) would receive a benefit immediately after the merger, consolidation or transfer which is equal to or greater than the benefit he would have been entitled to receive immediately prior to the merger, consolidation or transfer (if the Plan had then terminated).

**9.7 Rollover to Another Plan or IRA:**

**(a) General:** Notwithstanding any provision of the Plan to the contrary that would otherwise limit a Distributee's election under this Section, a Distributee may elect, at the time and in the manner prescribed by the Committee, to have any portion of an Eligible Rollover Distribution paid directly to an Eligible Retirement Plan specified by the Distributee in a Direct Rollover. The Committee shall establish procedures for implementing such Direct Rollover distribution.

**(b) Definitions:** For purposes of this Section 9.7, the following definitions shall apply:

**(i) "Eligible Rollover Distribution":** An "Eligible Rollover Distribution" is any distribution of all or any portion of the balance to the credit of the Distributee, except that an Eligible Rollover Distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the Distributee or the joint lives (or joint life expectancies) of the Distributee and the Distributee's designated Beneficiary, or for a specified period of 10 years or more; any distribution to the extent such distribution is required under Section 401(a)(9) of the Code; the portion of any distribution that is not includable in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to Employer Stock); and any distributions attributable to a hardship. With respect to distributions made after December 31, 2001, for purposes of the direct rollover provisions in Section 9.7 of the Plan, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includible in gross income. However, such portion may be transferred only to (i) an individual retirement account or annuity described in Section 408(a) or (b) of the Code or, effective for distributions on or after January 1, 2008, a Roth individual retirement account or annuity described in Section 408A of the Code, or (ii) a qualified defined contribution plan described in Section 401(a) or 403(a) of the Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(ii) **“Eligible Retirement Plan”:** An “Eligible Retirement Plan” is an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, an annuity plan described in Section 403(a) of the Code, or a qualified plan described in Section 401(a) of the Code, an annuity contract described in Section 403(b) of the Code and an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from this Plan; or, effective January 1, 2008, a Roth IRA described in Code Section 408A(b), that accepts the Distributee’s Eligible Rollover Distribution. However, in the case of an Eligible Rollover Distribution to the surviving spouse or a Participant’s surviving Beneficiary, an Eligible Retirement Plan is an individual retirement account or individual retirement annuity. The definition of Eligible Retirement Plan shall also apply in the case of a distribution to a surviving spouse, or to a spouse or former spouse who is the alternate payee under a qualified domestic relation order, as defined in Section 414(p) of the Code. If any portion of an Eligible Rollover Distribution is attributable to payments or distributions from a designated Roth account, an Eligible Retirement Plan with respect to such portion shall include only another designated Roth account of the individual from whose account the payments or distributions were made, or a Roth IRA of such individual. In the case of a nonspouse beneficiary, the direct rollover may be made only to an individual retirement account or annuity described in Code Section 408(a) or 408(b) (“IRA”) that is established on behalf of the designated Beneficiary and that will be treated as an inherited IRA pursuant to the provisions of Code Section 402(c)(ii). Further, the determination of any required minimum distribution under Code Section 401(a)(9) that is ineligible for rollover shall be made in accordance with IRS Notice 2007-7, Q&A 17 and 18, 2007-5 I.R.B. 395.

(iii) **“Distributee”:** A “Distributee” includes a Participant or former Participant. In addition, the Participant’s spouse or former Participant’s surviving spouse or surviving Beneficiary (effective January 1, 2007) and the Participant’s or former Participant’s spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Code, are distributees with regard to the interest of the spouse or former spouse.

(iv) **“Direct Rollover”:** A “Direct Rollover” is a payment by the Plan directly to the Eligible Retirement Plan specified by the Distributee.

**9.8 Requirements for Rollover by Individuals:** An Employee (whether or not a Participant under this Plan), who, as a result of a termination of another plan qualified under Section 401(a) of the Code, a termination of employment, disability or attainment of age 59½ years, has had distributed to him his entire interest in a plan which meets the requirements of Section 401(a) of the Code (hereinafter referred to as the “Other Plan”) may, in accordance with procedures approved by the Committee, transfer all or any part of the distribution received from the Other Plan to the Trustees under this Plan, provided the following conditions are met:

(a) the transfer occurs on or before the 60th day following his receipt of the distribution from the Other Plan, or, if such distribution had previously been deposited in an individual retirement account (as defined in Section 408 of the Code), the transfer occurs on or



before the 60th day following his receipt of such distribution, plus earnings thereon from such individual retirement account;

(b) the distribution from the Other Plan qualifies as a lump sum distribution within the meaning of Subsection 402(e)(4)(A) of the Code or is a result of a termination of another plan qualified under Section 401(a) of the Code; and

(c) the amount transferred shall not exceed the distribution he received from the Other Plan, less the amount, if any, considered contributed by him in accordance with Subsection 402(e)(4)(D)(i) of the Code, plus earnings thereon during the period, if any, in which the amount was held in an individual retirement account.

#### **9.9 Transfers From Another Qualified Plan:**

(a) With respect to an Employee (whether or not a Participant under this Plan), who has an undistributed account balance in another plan which meets the requirements of Section 401(a) of the Code (hereinafter referred to as the "Other Plan"), the Committee may, in its sole discretion, approve a direct transfer of such account balance from the Other Plan to the Trustees under this Plan.

(b) If the Plan receives a direct transfer (by merger or otherwise) of elective contributions (or amounts treated as elective contributions) under a plan with a Section 401(k) arrangement, the distribution restrictions of Sections 401(k)(2) and (10) of the Code continue to apply to those transferred elective contributions.

**9.10 Procedures:** With respect to transfers under either Section 9.8 or 9.9 herein, the Committee shall develop such procedures, and may require such information from an Employee or the fiduciaries of the Other Plan desiring to make such a transfer, as it deems necessary or desirable to determine that the proposed transfer will meet requirements of this Article and the law. Upon approval by the Committee, the amount transferred shall be deposited in the Trust Fund and shall be credited to a Rollover Account established in the Employee's name. Such Account shall be 100% vested in and nonforfeitable by the Employee, shall share in increases and decreases thereon determined in accordance with the Plan, but shall not share in Employer Contributions or Forfeitures. Upon termination of employment, the total amount of Employee's Participant Rollover Account shall be distributed as part of his Benefit.

**ARTICLE X.**  
**Administration**

10.1 **Administration:** The Plan shall be administered by the Committee which is hereby created and established and which shall be composed of the members of the City Council of the Employer. The duties of the Committee shall be performed without compensation other than the compensation, if any, which they receive as officers of the Employer unless additional compensation is specifically provided for by action of the City Council. Any usual and reasonable expenses incurred by the Committee in the administration of this Fund and Plan shall be paid by the Employer.

(a) **Committee:** The Committee shall have such powers as may be necessary to discharge its duties hereunder and under the document creating the Oklahoma Municipal Retirement Fund, and under the contract for the pooling of the Fund with similar funds of other Municipalities. Such powers shall include but not be limited to the following powers and duties:

(1) to delegate to, specify, direct, and supervise the performance of duties of the Authorized Agent, as the agent of the Employer and Committee in matters relating to the Plan, the Fund, and the Oklahoma Municipal Retirement Fund, including but not limited to, the duties set forth below in Subsection 10.1(b) and including any duties of the Employer under the Plan, or as set forth in this Subsection 10.1(a);

(2) acting by direction to the Authorized Agent to file a petition for nomination, or otherwise nominate, and cause the ballot for the election of Trustees of the Oklahoma Municipal Retirement Fund;

(3) to construe and interpret the Plan and resolve any ambiguities with respect to any of the terms and provisions thereof as written and as applied to the operation of the Plan;

(4) to decide all questions of eligibility and determine the amount, manner and time of payment of any benefits hereunder;

(5) to prescribe procedures to be followed by Participants in filing applications for benefits;

(6) to make a determination as to the right of any person to a benefit and to afford any person dissatisfied with such determination the right to a hearing thereon;

(7) to receive from the Employer, the Trustees, the Trust Service Provider and the Authorized Agent, such information as shall be necessary for the proper administration of the Plan;

(8) to prepare and distribute, in such manner as it determines to be appropriate, information explaining the Plan;

(9) to furnish the Employer, upon request, such annual reports with respect to the administration of the Plan as are reasonable and appropriate;



(10) to receive and review reports from the auditor appointed by the Trustees, the City Treasurer and City Auditors, of the financial condition of the Fund;

(11) to have full power, to manage and control, the Plan and Fund and to authorize in writing, all payments from the Fund by written direction of the Authorized Agent, or otherwise;

(12) to sue in any court of competent jurisdiction for the enforcement of any contract, claim or other right, and to defend against or to compromise, settle or otherwise dispose of any claim or suit against the Employer, the Plan, or the City Treasurer, as Treasurer of the Plan; and

(13) to appoint such person or persons as necessary to perform the following:

a. to receive and separately account for, payments, appropriations, apportionments, allocations, payroll deductions, and any other assets, which are for, or consist of contributions or assets under the Plan for the Fund, which are made by the Employer, the Participants, or from any other source;

b. to transfer, remit, pay over and deliver, upon the written direction of the Authorized Agent, as soon as practicable after his receipt thereof, all such contributions and assets, to the Oklahoma Municipal Retirement Fund for management and investment;

c. to keep as evidence and permanent records, all such written directions of the Authorized Agent for such transfers and disbursements, maintain accurate accounts and records of such receipts, transfers and disbursements, and keep such other records and furnish such information and advice to the Employer, the City Council, the Committee and the Authorized Agent as may be necessary and proper for the performance of such duties in coordinating the administration and operation of the Plan;

d. maintain such records including vital statistics on health, age, sex, birth, death, Compensation and length of Service of all the Participants of the Employer or their beneficiaries who are included in the Plan or who are, or may become eligible for such inclusion, as are necessary for the proper administration of the Plan, and furnish such information as is requested by the Authorized Agent, or is requested by the Administrator;

e. notify the Authorized Agent when any Participant is eligible for Retirement under the Plan; and

f. attend meetings of the Committee while matters pertaining to the Plan, the Employees or their beneficiaries are under consideration.

The Committee shall have no power to waive or fail to apply any requirements of eligibility for a Benefit under the Plan. The Committee may adopt such rules, regulations and actuarial tables as it deems necessary or desirable to administer the Plan. All such rules,



regulations and decisions shall be uniformly and consistently applied to all Employees in similar circumstances.

Any such rule or decision which is not inconsistent with the provisions of the Plan shall be conclusive and binding upon all persons affected by it and there shall be no appeal from any ruling by the Committee which is within its authority.

When making a determination or calculation, the Committee shall be entitled to rely upon information furnished by the Trustees, the Trust Service Provider, the Employer, the Authorized Agent, the legal counsel of the Employer, or the actuary for the Plan.

**(b) Authorized Agent:** An Authorized Agent shall be designated in writing by the Committee and shall act as the agent of the Employer (but not the agent of the Trustees or the Trust Service Provider of the Oklahoma Municipal Retirement Fund) in matters pertaining to the Plan, the Fund and the Oklahoma Municipal Retirement Fund, to centralize in one person the local administration and coordination thereof, and to file payroll and contribution information, to file claims, forms and applications for Participants, and to advise Participants, the Employer and the Committee. The Authorized Agent, under the control and direction of the Committee, shall have such general duties as the Employer and the Committee may deem necessary and proper for such purposes, which duties shall include but not be limited to, the following:

(1) to coordinate the deduction of Participant contributions and to see that Employer and Participant contributions are properly received and forwarded promptly to the Oklahoma Municipal Retirement Fund for management and investment;

(2) to forward any communications directed to Participants and beneficiaries by the Trustees, the Trust Service Provider or the Oklahoma Municipal Retirement Fund;

(3) to lend assistance to Participants and beneficiaries in filing applications for benefits, and in communicating with the Employer, the Committee and the Trustees or the Trust Service Provider of the Oklahoma Municipal Retirement Fund and to forward such communications to the addressees;

(4) to assist the Committee in determining whether or not Employees are eligible for participation in the Plan;

(5) to certify at the direction of the Committee that a Participant is on an authorized leave of absence, paid or unpaid; and

(6) to file at the direction of the Committee a petition or nomination, and cast a ballot for election of Trustees of the Oklahoma Municipal Retirement Fund.

**(c) Plan Counselor:** The Committee of the Employer shall appoint the legal advisor of the Employer and the Committee, and such legal advisor shall represent them in any legal matters, proceedings, or litigation.

**10.2 Bonds:** No bond to secure the performance of administrative duties in the operation of the Plan and Fund, shall be required of any persons or organizations unless required by law, or unless required by the Trust Indenture establishing The Oklahoma Municipal Retirement Fund, or unless required by the Employer for any persons or organizations engaged in the

administration of the Plan. If such a bond is required by law, the Trustees or the Employer, the premiums therefor shall be paid as expenses of the Oklahoma Municipal Retirement Fund as to its members, agents, employees, Municipal Retirement Fund, or as expenses of the Employer as to the administration of the Plan. Any agents, officials or Employees of the Employer engaged in the administration of the Plan shall be covered as to the performance of such administrative duties, by any official or other bond covering their regular duties otherwise.

**10.3 Benefit Payments:** All benefits are to be paid pursuant to the provisions of the Plan out of the applicable portion of the Oklahoma Municipal Retirement Fund.

**10.4 Abandonment of Benefits:**

(a) If, anytime following the date either of a Participant or Beneficiary of a deceased Participant becomes entitled to receive any non-deferred benefits under the Plan, then, if the whereabouts of such Participant or Beneficiary is unknown, the benefits may be forfeited in certain limited circumstances as provided hereafter. If the Committee has mailed to the Participant or Beneficiary notice of the present right to receive benefits, and the Committee mails such notice again after one year, then, if no claim has been received by the second anniversary of the first mailing of the notice, the Accounts representing unclaimed Benefits (including those holding Employee contributions) can be forfeited pursuant to Section 5.4 herein.

(b) Each Participant and Beneficiary shall file with the Committee, from time to time in writing, their post office address and each change of post office address, if any, and the Committee shall not be obliged to search for or ascertain the whereabouts of any Participant or Beneficiary. Any communication addressed to a Participant or Beneficiary at their last post office address filed with the Committee, or if no such address was filed, then at their last post office address as shown on the Employer's records, shall be binding on the Participant and the Beneficiary for all purposes of the Plan and Trust.

(c) In the event that the whereabouts of a lost Participant, or lost Beneficiary of a deceased Participant, ever becomes known to the Committee, and either of such parties makes a claim for benefits, the Committee shall, if the Plan is in existence, reinstate any Benefits which have been previously forfeited to satisfy such claim; provided, the amount reinstated shall, in any event, be equal to the amount of the forfeited benefit unadjusted by any increases or decreases under Section 5.6 herein occurring after such forfeitures were allocated. Reinstated Forfeitures shall be satisfied from the following sources in the priority indicated: (i) unallocated Forfeitures, (ii) unallocated Fund increases, or (iii) Employer contributions which the Employer shall make if necessary to satisfy such reinstatement. For purposes of this Subsection (c), the limitations under Section 415 of the Code shall not apply.

**10.5 Benefits Payable to Incompetents:** Any payments due hereunder to a minor or other person under legal disability may be made, at the discretion of the Committee, to a valid power of attorney, a court appointed guardian, or any other person authorized under state law to receive the benefit. The Committee shall not be required to see to the application of any such payment, and the payee's receipt shall be a full and final discharge of all responsibility hereunder of the Employer, the Committee and the Trustees.



## ARTICLE XI.

### General

11.1 **USERRA:** Notwithstanding any provision of this Plan to the contrary, effective December 12, 1994, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with Section 414(u) of the Code. A Participant returning from military service shall not be entitled to catch-up on Pick-Up Contributions missed during such military service.

11.2 **Not Contract Between Employer and Participant:** Neither the creation of this Plan, nor any amendment to it, nor the creation of any fund, nor the payment of benefits hereunder shall be construed as giving any legal or equitable right to any Participant against the Employer or against the Oklahoma Municipal Retirement Fund, except as provided herein, and all liabilities under this Plan shall be satisfied, if at all, only out of the Fund held by the Oklahoma Municipal Retirement Fund. Participation in the Plan shall not give any Participant any right to be retained in the employ of the Employer, and the Employer hereby expressly retains the right to hire and discharge any Participant at any time with or without cause, as if this Plan had not been adopted, and any such discharged Participant shall have only such rights or interests in the Fund as may be specified herein.

11.3 **Payment of Fees:** The Employer shall pay a fee in an amount determined and revised from time to time by the Oklahoma Municipal Retirement Fund.

11.4 **Governing Law:** The validity, construction and administration of this Plan shall be determined under the laws of the State of Oklahoma.

11.5 **Counterpart Execution:** This Plan may be executed in two or more counterparts, as may be all amendments thereto be executed, and any one of the executed copies shall be deemed an original.

11.6 **Severability:** Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Plan.

11.7 **Spendthrift Provisions:** Benefits payable under this Plan shall not be subject in any manner to anticipation, alienation, sale, transfer, assignment, pledge, encumbrance, charge, garnishment, execution or levy of any kind, either voluntary or involuntary, including any such liability which is for alimony or other payments for the support of a spouse or former spouse, or for any other support of a spouse or former spouse, or for any other relative of the Employee, prior to actually being received by the person entitled to the benefit under the terms of the Plan; and any attempt to anticipate, alienate, sell, transfer, assign, pledge, encumber, charge or otherwise dispose of any right to benefits payable hereunder, shall be void. The Fund shall not in any manner be liable for, or subject to, the debts, contracts, liabilities, engagements or torts of any person entitled to benefits hereunder. The preceding provisions shall not apply to the creation, assignment or recognition of a right to any benefit payable with respect to a Participant pursuant to a domestic relations order, and does not preclude the Oklahoma Municipal

Retirement Fund from complying with a court order requiring deduction from the benefits of a Participant in pay status for alimony and support payments.

**11.8 Maximum Duration:** Nothing herein shall be construed to suspend the power of alienation or prevent the vesting of the interest of any person in the Plan for a longer period than the duration of the lives of the designated Beneficiaries of a particular interest therein in being at the time such designation becomes irrevocable, plus twenty-one (21) years; if any provisions shall be held to violate a rule or law against restraints on alienation or remote vesting, the Plan shall not be vitiated thereby, but the Plan, or the portion of the Plan thus affected, shall immediately be distributed to those entitled as their interest shall then appear.

**11.9 Number and Gender:** Pronouns and other similar words used herein in the masculine gender shall be read as the feminine gender where appropriate; pronouns and other similar words used herein in the neuter gender shall be read as the masculine or feminine gender where appropriate; and the singular form of words shall be read as the plural where appropriate.

**11.10 Compensation and Expenses of Administration:** If a Trustee, a member of Oklahoma Municipal Retirement Fund, or a member of the Committee is an Employee of the Employer, he shall serve without any additional compensation. The Employer may pay all or part of the expenses of administration of the Plan, including the compensation and expenses of the Trustee, and any other expenses incurred at the direction of the Oklahoma Municipal Retirement Fund, including, without limitation, fees of actuaries, accountants, attorneys, investment managers, investment advisors and other specialists, and any other costs of administering the Plan. To the extent that any of such expenses are not paid by the Employer, such expenses shall be paid by the Oklahoma Municipal Retirement Fund out of the Fund. In addition, the Plan or Trustees shall be authorized to charge to a Participant's Account any direct expenses it incurs in connection with such Account, which shall include by example, and not by limitation, expenses resulting from a Participant's QDRO, bankruptcy or default on a Plan loan, and expenses incurred in attempting to locate a Participant. Trustees shall have the power under this Section in their sole discretion to determine the items and amounts thereof which should equitably and reasonably be charged to a particular Account. If such charges exceed the balance in a Participant's Accounts, the excess shall be charged to the general Trust Fund.

**11.11 Supercession of Inconsistent Provisions:** The provisions of the Plan override any conflicting provision contained in the Trust or custodial account documents used with the Plan.

**11.12 Mistake of Fact:** All contributions to the Plan are made subject to the correctness of the amount. In the event a contribution is made to the Plan and Trust by the Employer under a mistake of fact concerning the correctness of such contribution, then the Oklahoma Municipal Retirement Fund shall return such portion of such contribution which is in excess of the amount that would have been contributed had there not occurred a mistake of fact within one year after the payment of the contribution to the Oklahoma Municipal Retirement Fund.

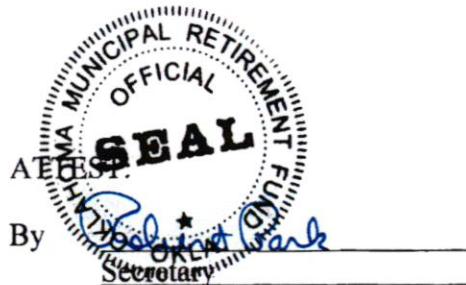
In the case of amounts returned pursuant to this Section 11.12, no earnings attributable to such amounts may be returned to the Employer, but losses attributable thereto shall reduce the amount returned, and no such return shall reduce the balance of any Participant's Municipality

Contribution Accounts to less than the balance which would have been credited thereto had such amount not been contributed.

**11.13 Written Notices:** Any reference herein to written notices or documents or notices or elections in writing shall be deemed to include any method of communication acceptable to the Oklahoma Municipal Retirement Fund, and subject to applicable requirements of Treas. Reg. Section 1.401(a)-21.



IN WITNESS WHEREOF, and as conclusive evidence of the adoption of the foregoing instrument comprising the Plan, the Oklahoma Municipal Retirement Fund, has caused its corporate seal to be affixed hereto and these presents to be duly executed in its name and behalf by its proper officers thereunto authorized this 17th day of December, 2021.



OKLAHOMA MUNICIPAL RETIREMENT  
FUND

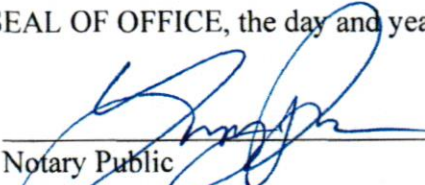
By 

STATE OF OKLAHOMA                    )  
                                                          ) ss.  
COUNTY OF OKLAHOMA                )

BEFORE ME, the undersigned a Notary Public in and for said County and State, on this 17 day of December, 2021, personally appeared Donna Doden, to me known to be the identical person who subscribed the name of the Oklahoma Municipal Retirement Fund, a municipal corporation, to the foregoing instrument as its Chairperson and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, the day and year last above written.

My Commission Expires:  
09/27/2025

  
Notary Public  
My Commission No.: 21012746

(NOTARY SEAL)





# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Phillip Hightower, Public Works Director  
**Re:** Discussion, Consideration and Possible Action on Award of Bid for 2022 Street Improvement Project - Commercial Lane

---

This bid was advertised on the City of Durant website continuously from March 5, 2022 through April 5, 2022. Four companies were sent courtesy bid packets. One bid was received. The bid tab sheet is attached. Staff recommends the bid for Peppernut Lane not be awarded and put back out for bid with revised specifications. Staff recommends the bid for Commercial Lane be awarded to J & L Paving LLC in the amount of \$460,247.50.

### **Council Information / Action Requested**

Award of bid for Commercial Lane to J & L Paving LLC in the amount of \$460,247.50.

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. Bid Tab Sheet

**City of Durant  
Bid Tabulation Sheet**

**2022 STREET IMPROVEMENT PROJECT**

**Bid Deadline: April 5, 2022 @ 10:00am**

| <b>BIDDER</b>                                                                   | <b>Peppernut Lane</b> | <b>Commercial Lane</b> |
|---------------------------------------------------------------------------------|-----------------------|------------------------|
| <b>J &amp; L Paving LLC<br/>3737 Lamar Avenue, Ste. 700<br/>Paris, TX 75460</b> | <b>\$45,257.50</b>    | <b>\$460,247.50</b>    |
|                                                                                 |                       |                        |
|                                                                                 |                       |                        |
|                                                                                 |                       |                        |

**IN ATTENDANCE:**

**Carl Meade, Street Department Manager  
John Dean, City Manager  
Cynthia J. Price, City Clerk**

**STAFF RECOMMENDATION:**

**Peppernut Lane – DO NOT AWARD, RE-BID**

**Commercial Lane – J & L Paving**



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Phillip Hightower, Public Works Director  
**Re:** Discussion, Consideration and Possible Action on Street Striping by Action Safety Supply Company, LLC for the Estimated Amount of \$215, 443.64.

---

On March 8, 2022, council approved the list of proposed city streets to be striped. Staff solicited a quote at the state contract price in the amount of \$215,443.64.

### **Council Information / Action Requested**

Approve striping of approved city streets by Action Safety Supply Company, LLC for the estimated amount of \$215, 443.64.

### **City Staff Information / Action Follow-up, if Council authorizes this action:**

### **ATTACHMENTS:**

1. City of Durant Street Striping Schedule 2022

ACTION SAFETY SUPPLY CO., L.L.C.  
6804 MELROSE LANE  
P.O. BOX 270238  
OKLAHOMA CITY, OK. 73137-0238  
(405) 787-2244

BRANCH OFFICE  
TULSA (918) 234-8222  
FAX (405) 789-1474  
sales@actionsafetysupply.com

TRAFFIC CONTROL PROPOSAL  
PROJECT #: City of Durant Stripe Schedule 2022

**Prices based on Statewide Stripe Contract SW776**

| ITEM  | DESCRIPTION                                                  | UNIT | QUANTITY    | PRICE      | TOTAL        |
|-------|--------------------------------------------------------------|------|-------------|------------|--------------|
| 31    | Traffic Stripe (Multi-Polymer) (4" Wide) (White)             | LF   | 78,000.000  | \$0.48     | \$37,440.00  |
| 32    | Traffic Stripe (Multi-Polymer) (4" Wide) (Yellow)            | LF   | 172,300.000 | \$0.51     | \$87,873.00  |
| 34    | Traffic Stripe (Multi-Polymer) (6" Wide) (White)             | LF   | 8,000.000   | \$0.73     | \$5,840.00   |
| 35    | Traffic Stripe (Multi-Polymer) (6" Wide) (Yellow)            | LF   | 11,850.000  | \$0.79     | \$9,361.50   |
| 37    | Traffic Stripe (Multi-Polymer) (8" Wide) (White)             | LF   | 2,090.000   | \$1.46     | \$3,051.40   |
| 38    | Traffic Stripe (Multi-Polymer) (8" Wide) (Yellow)            | LF   | 990.000     | \$1.10     | \$1,089.00   |
| 41    | Traffic Stripe (Multi-Polymer) (24" Wide) (White) (Stop Bar) | LF   | 1,642.000   | \$11.55    | \$18,965.10  |
| 43    | Traffic Stripe (Multi-Polymer) (Arrows) (Single)             | EA   | 147.000     | \$64.90    | \$9,540.30   |
| 44    | Traffic Stripe (Multi-Polymer) (Arrows) (Double)             | EA   | 10.000      | \$64.90    | \$649.00     |
| 45    | Traffic Stripe (Multi-Polymer) (Word)                        | EA   | 36.000      | \$42.90    | \$1,544.40   |
| 46    | Traffic Stripe (Multi-Polymer) (R x R Symbol)                | EA   | 3.000       | \$1,000.00 | \$3,000.00   |
|       | Traffic Stripe (Preform Thermoplastic) (Bicycle Symbol)      | EA   | 13.000      | \$250.00   | \$3,250.00   |
| 124   | Pavement Marking Removal (4" Wide)                           | LF   | 228,500.000 | \$0.10     | \$22,850.00  |
| 125   | Pavement Marking Removal (6" Wide)                           | LF   | 19,850.000  | \$0.10     | \$1,985.00   |
| 126   | Pavement Marking Removal (Arrows, Words, Symbols)            | EA   | 196.000     | \$8.50     | \$1,666.00   |
| 128   | Pavement Marking Removal (8" Wide)                           | LF   | 2,840.000   | \$1.30     | \$3,692.00   |
| 130   | Pavement Marking Removal (24" Wide)                          | LF   | 1,507.000   | \$2.42     | \$3,646.94   |
| Total |                                                              |      |             |            | \$215,443.64 |

Quote is based on the street locations provided and estimated take off quantities.

Actual quantities installed and removed will be invoiced and due for payment, even if the quantity exceeds the estimated above quantities.

If you have any questions, please give us a call.

Thank you,

---

By: Courtlan T. Harris, Customer Care Manager





# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Danielle O'Neal  
**Re:** Discussion, Consideration and Possible Action on a Preliminary Plat Request for Property Located Near Cale Switch Road and Orchard Road (PC 2022-03)

**Request:** Consider a request from Texoma Park Victory Investment, LLC, for a Preliminary Plat Request for Durant Fortune Villas, property located near Cale Switch Road and Orchard Road.

**Current Zoning:** R-3, General Residential

### Surrounding Properties:

| Direction | Zoning | Use                     |
|-----------|--------|-------------------------|
| North     | A-1    | Vacant                  |
| East      | A-1    | Vacant                  |
| South     | A-1    | Choctaw Cultural Center |

### Lot Characteristics: (Current Lot)

|            |                                |
|------------|--------------------------------|
| Width      | ~ 440 ft.                      |
| Depth      | ~ 1,300 ft.                    |
| Total Area | ~ 13 acres (~ 572,000 sq. ft.) |

**Applicant:** Texoma Park Victory Investment, LLC

**Background:** Applicants approached staff regarding filing for a preliminary plat request for Durant Fortune Villas Subdivision. This preliminary plat has twenty-eight (28) half-acre lots, in which the applicant stated the lots would contain one triplex per lot.

Notifications have been made to the surrounding property owners and at the time of this report, there had not been any letters or emails received by staff.

**Analysis:** The subject property is approximately a total of 13 acres. The applicant is planning to have 28 total lots with a triplex on each lot. Each lot will be about a half-acre in size; therefore, each one will meet or exceed the lot size requirements for this zoning district. Each of the triplexes will be required to meet the setback requirements for this particular zoning district. The property is served by Rural Water District #5 and city sewer does not exist in this area. The owners are expected to have aerobic or septic systems for sewer needs. Further engineering plans that will include drainage is expected to be completed should the preliminary plat be approved. The City Engineer will then examine these plans. The applicants will also be responsible for placing sidewalks and streetlights as required by ordinance, should the preliminary plat be approved.

The current Land Use Map appears to have this area as mixed residential; therefore, this request is generally in line with the Comprehensive Plan.

**Staff Recommendation:** Staff has signed off supporting the approval of the preliminary plat; however, there are a few stipulations noted. One of those was the requirement of a stormwater permit and SW3P plans submitted prior to any issuance of a building permit. Another was that there would need to be a firewall in between the units and each unit must be sprinkled. No further comments have been received as of the creation of this report. Staff further recommends that once plans are prepared for the sidewalks and streetlights, they are submitted for City Staff to review.

**Planning Commission Recommendation:** Planning Commission recommended approval of the Preliminary Plat request.

**Required Action:** Hear the item and approve or deny the Preliminary Plat request for Durant Fortune Villas Subdivision, property located near Cale Switch Road and Orchard Road. Any specific conditions imposed by the Council should be read into any approval motion.

#### **Council Information / Action Requested**

Planning Commission and City Staff recommend approval of this item with recommended stipulations.

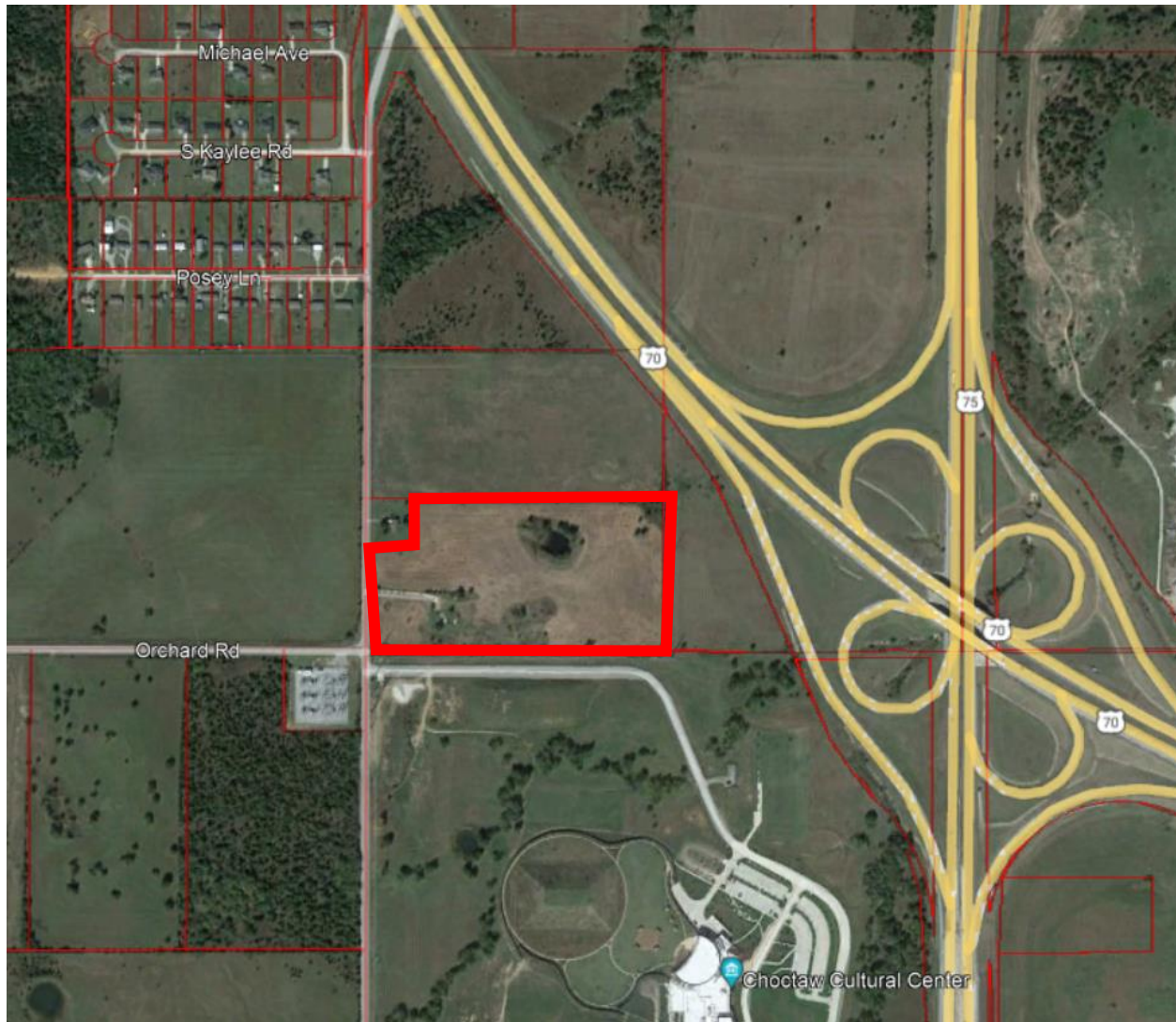
#### **City Staff Information / Action Follow-up, if Council authorizes this action:**

City Clerk  
Community Development  
GIS

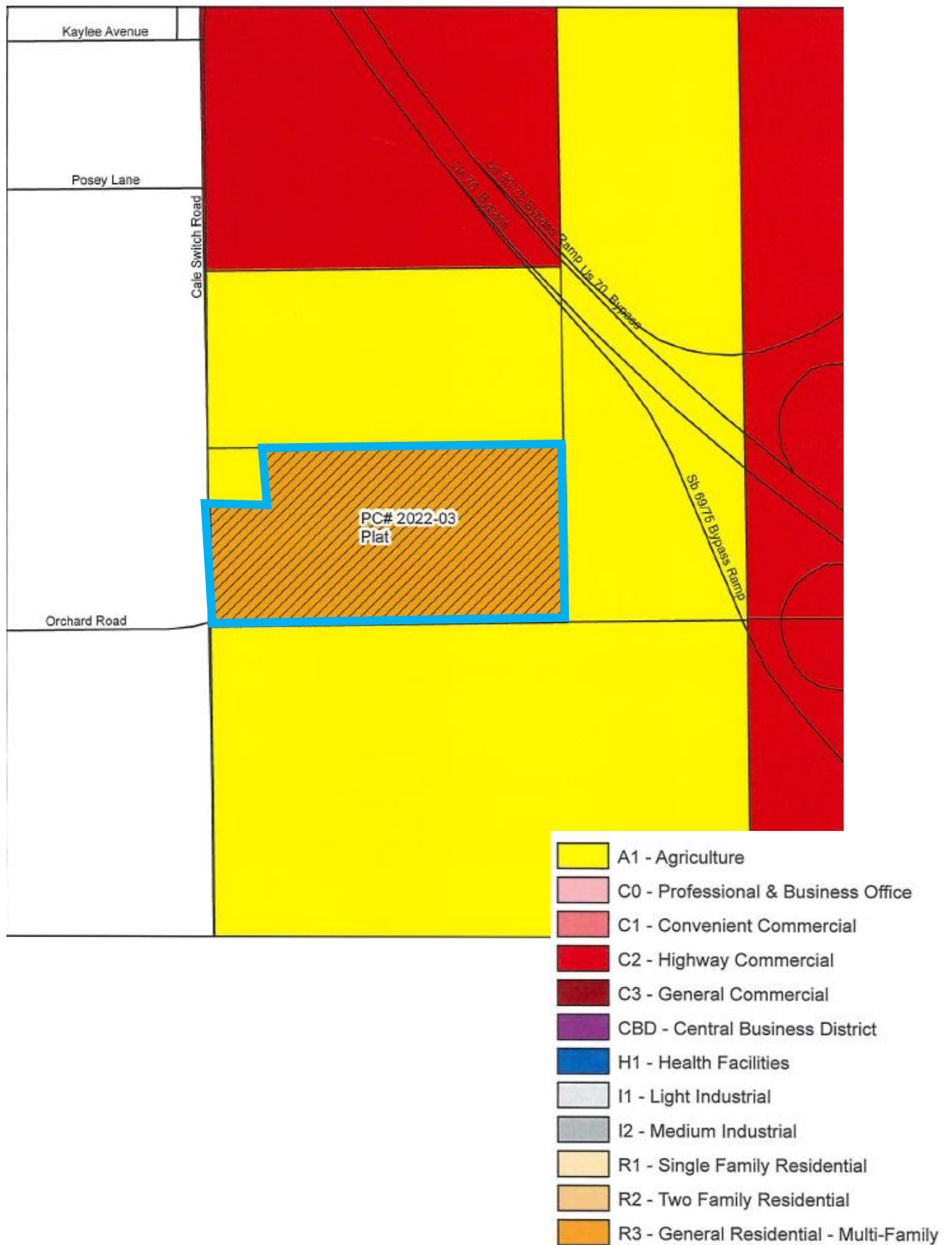
#### **ATTACHMENTS:**

1. PC 2022 03 Maps
2. PC 2022-03 Signatures
3. Subdivision\_Plat Application v2
4. Warranty Deed
5. 2022-02-21 Preliminary Plat Signed
6. TriPlex Floor Plan
7. Ordinance O-2021-20 Subdivision Ordinance Update

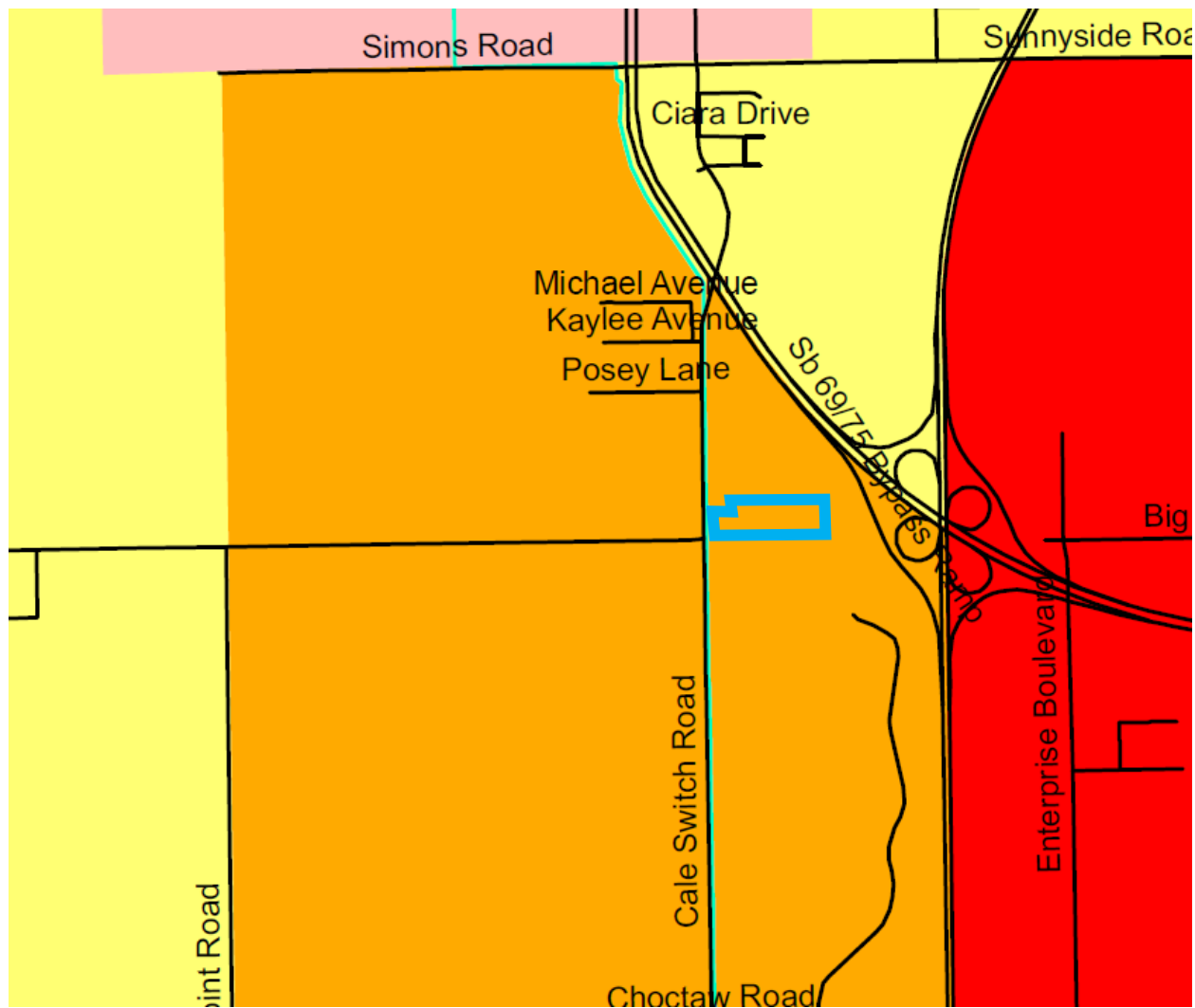
## Aerial Map



## Zoning Map



## Future Land Use Map



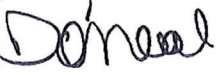
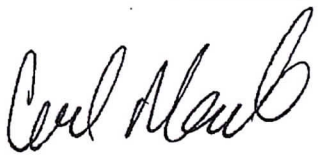
\*Location is approximate\*

### **Future Land Use**





**COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET**  
**Durant Fortune Villas (Orchard & Cale Switch)**

| Department                                 | Signature                                                                           | Date     | Notes                                                                             |
|--------------------------------------------|-------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------|
| Com Dev<br>Director<br><br>Danielle O'Neal |    | 2-23-22  | will need stormwater<br>permit & SW3P plans<br>prior to BP<br>will need sidewalks |
| Public Works<br><br>Phillip<br>Hightower   |    | 2-14-22  | street<br>light<br>plans                                                          |
| M&O<br><br>Randy Cantrell                  |    | 02-14-22 | City has no<br>utilities in this<br>area                                          |
| Streets<br><br>Carl Meade                  |  | 2-14-22  |                                                                                   |
| Fire Marshall<br><br>Wade Boyd             | See<br>att                                                                          |          |                                                                                   |
| Building Official<br><br>Mark Pierce       |  |          |                                                                                   |
| Engineer<br><br>Brandon Wall               | See<br>att                                                                          |          |                                                                                   |

**COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET**  
**Durant Fortune Villas (Orchard & Cale Switch) PC2022-03**

| Department                                 | Signature          | Date           | Notes                                                |
|--------------------------------------------|--------------------|----------------|------------------------------------------------------|
| Com Dev<br>Director<br><br>Danielle O'Neal |                    |                |                                                      |
| Public Works<br><br>Phillip<br>Hightower   |                    |                |                                                      |
| M&O<br><br>Randy Cantrell                  |                    |                |                                                      |
| Streets<br><br>Carl Meade                  |                    |                |                                                      |
| Fire Marshall<br><br>Wade Boyd             | <i>W Boyd</i>      | <i>2-10-22</i> | <i>Firewall between units<br/>Must be sprinkled.</i> |
| Building Official<br><br>Mark Pierce       |                    |                |                                                      |
| Engineer<br><br>Brandon Wall               | <i>[Signature]</i> | 02/09/22       | No Comments                                          |

# Subdivision/Plat Application

Sketch Plat: ☐  
 Preliminary Plat: ☒  
 Final Plat: ☐  
 Re-Plat: ☐

Petition # \_\_\_\_\_  
 Fee \$ \_\_\_\_\_  
 Expedited Fee \$ \_\_\_\_\_

## APPLICANT INFORMATION

|                                    |                            |                      |
|------------------------------------|----------------------------|----------------------|
| Name: Hengrui Qu                   | Email: Hengruiqu@gmail.com | Phone #1: 9726556876 |
| Mailing Address: 412 Woodland Cir. |                            | Phone #2:            |
| City: Durant                       | State: OK                  | Zip: 74701           |
| Applicant's Interest in Property:  |                            |                      |

## SURVEYOR INFORMATION

|                                        |                                |                        |
|----------------------------------------|--------------------------------|------------------------|
| Name: B.J. McIninch                    | Email: bj.msurveying@yahoo.com | Phone #1: 580-279-9544 |
| Mailing Address: 2836 W. TWIN OAKS RD  |                                | Phone #2:              |
| City: CANEY                            | State: OK                      | Zip: 74533             |
| Surveyor Oklahoma License Number: 1819 |                                |                        |

## ENGINEER INFORMATION

|                                            |                                    |                      |
|--------------------------------------------|------------------------------------|----------------------|
| Name: H. Wayne Barker                      | Email: wbarker@barkerengineers.com | Phone #1: 5809319045 |
| Mailing Address: 3902 University Boulevard |                                    | Phone #2:            |
| City: Durant                               | State: OK                          | Zip: 74701           |
| Engineer Oklahoma License Number:          |                                    |                      |

## LAND INFORMATION

|                                                                                                                                              |                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Legal Description: The S/2 SW/4 OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 8 EAST OF THE INDIAN BASE AND MERIDIAN, BRYAN COUNTY STATE OF OKLAHOMA | Parcel Number: 00001207S08E200100 |
| Proposed Subdivision Name: Durant Fortune Villas                                                                                             | Current Zone: R3                  |
| Proposed Use: Residential Triplex                                                                                                            | Proposed Zone:                    |
| Current Property Owner's Name: TEXOMA PARK VICTORY INVESTMENT LLC                                                                            |                                   |

The applicant has prepared this application and supporting documentation and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Applicant: Hengrui Qu Date: 1/3/2022

## Office Use Only

|                               |                           |                                    |          |
|-------------------------------|---------------------------|------------------------------------|----------|
| Date Filed                    | Date Payment Received     | Notification Mailed                | Comments |
| Initial                       | Initial                   | Date Initial                       |          |
| Proof of Publication Received | Property Posting Verified | Comprehensive Plan Recommendations |          |
| Date Initial                  | Date Initial              |                                    |          |



|                                                                                           |                                                                                        |                                                                                          |             |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------|
| Staff Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | PC Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | City Council Action<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | Ordinance # |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------|

APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT THE FOLLOWING INFORMATION ADDRESSED:

Please describe the nature and operating characteristics of the proposed use:

We will build triplex community for residential  
purpose.

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

We will be in compliance with city codes to build  
enough parking lots.

2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.).

Our professional engineers will design it to meet  
all of requirements.

3. Traffic Impacts:

There is no major traffic impacts.

4. Protection of Neighborhoods:

We will build decent and nice community to  
support our neighborhoods like church, choctaw cultural  
center and schools etc.

What licenses and permits (if any) are required for this proposed use?

N/A

Please list or describe any other reasons to support this application.

Our triplex community location will support both durant  
and calera residential demand.

2

Bryan County Abstract Company  
Serving Bryan County Since 1903

I-2021-730472 Book 1551 Pg: 203  
02/12/2021 11:16 am Pg 0203-0203  
Fee: \$ 18.00 Doc: \$ 450.00  
Tammy Reynolds - Bryan County Clerk  
State of Oklahoma

After recording return to:

Texoma Park Victory Investment LLC

1904 Seguin Ct. (1904 Seguin Ct.)  
Allen, TX 75013



**WARRANTY DEED  
STATUTORY INDIVIDUAL**

Doc Stamps: \$450.00

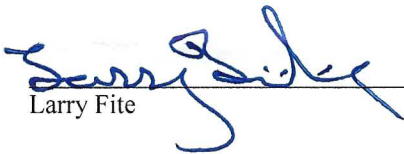
That Larry Fite, a single person and Judy K. Oliger and Mark Oliger, wife and husband, (the "Grantor"), in consideration of the sum of TEN & NO/100 Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do (es) hereby, grant, bargain, sell and convey unto **Texoma Park Victory Investment LLC, (the "Grantee")**, the following described real property and premises situate in **Bryan County, State of Oklahoma**, to wit:

**The S/2 SW/4 SW/4, LESS and EXCEPT the North 208.71 feet of the West 208.71 feet thereof, in Section 1, Township 7 South Range 8 East of the Indian Base and Meridian, in Bryan County, Oklahoma, according to the Government Survey thereof.**

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto said Grantee, and to the heirs, successors and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this date this **10th** day of **February, 2021**.

  
Larry Fite

  
Judy K. Oliger

  
Mark Oliger

STATE OF OKLAHOMA  
Bryan County  
Documentary Stamps \$ 450.00



ACKNOWLEDGMENT - OKLAHOMA FORM

State of: Oklahoma )  
 )SS.  
County Of: Bryan )

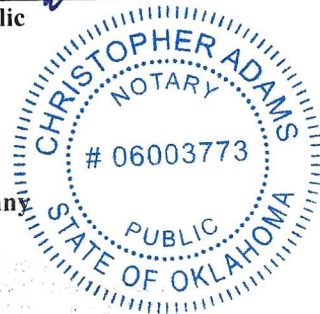
Before me, the undersigned, a Notary Public, in and for said County and State, on this 10th day of February, 2021 personally appeared **Larry Fite, a single person and Judy K. Oliger and Mark Oliger, wife and husband** to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth

Given under my hand and seal the day and year last above written.

  
Notary Public

My Commission Expires: 4/2/22

File No.: 2020100146  
Name of Title Insurer: American Eagle Title Insurance Company



Streamline - Warranty Deed - Statutory Individual Rev 02/03/21

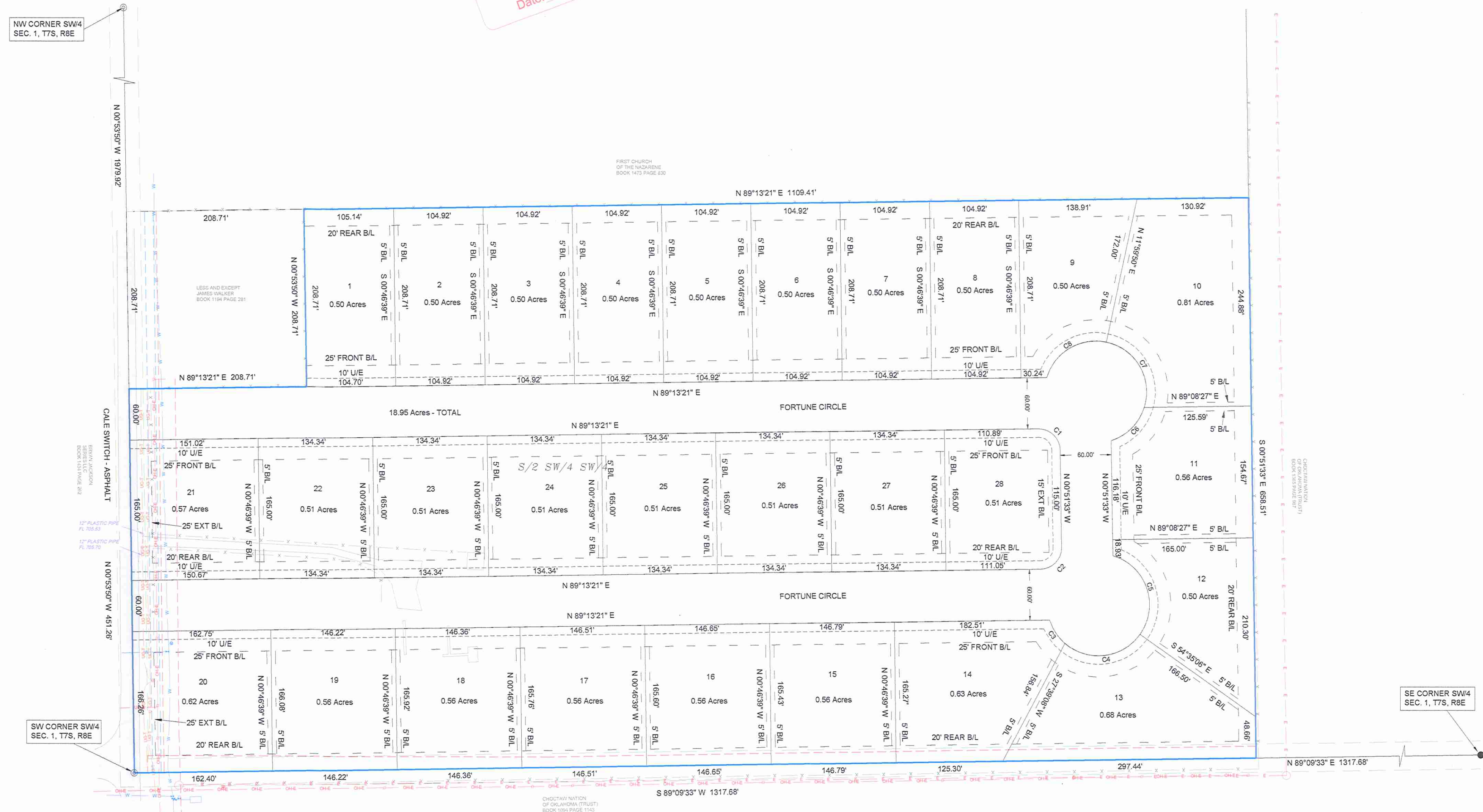


FLOOD ZONE INFORMATION:  
SUBJECT PROPERTY IS LOCATED IN OTHER AREAS ZONE X  
(AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL  
CHANCE FLOOD PLAIN) ACCORDING TO FIRM PANEL NO.  
40013C0310E AND 40013C0170E. MAPS EFFECTIVE DATE OF  
JUNE 2, 2011.

## DURANT FORTUNE VILLAS

A PART OF THE S/2 OF THE SW/4 OF THE SW/4 OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 8 EAST, BRYAN COUNTY, STATE OF OKLAHOMA.

This document is preliminary in  
nature and is not a final signed  
and sealed document.  
Date: 2/21/22



BUILDING SETBACK NOTE:  
ALL INTERIOR LOT LINES ARE SUBJECT TO A 5.00 FOOT  
BUILDING SET BACK ON EACH SIDE OF SAID LOT  
INTERIOR LOT LINES.

### DURANT CITY COUNCIL - APPROVAL AND ACCEPTANCE

I, \_\_\_\_\_, City Manager for the City of Durant, State of Oklahoma,  
administrative leader as appointed by the City Council, hereby certify that the said  
commission duly approved the annexed plat of DURANT FORTUNE VILLAS, on  
this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

City Manager

### DURANT CITY PLANNING COMMISSION - APPROVAL AND ACCEPTANCE

I, \_\_\_\_\_, Chairman of the Durant Planning Commission for the City of  
Durant, State of Oklahoma, hereby certify that the said commission duly approved the  
annexed plat of DURANT FORTUNE VILLAS, on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Chairman

Secretary

### LEGEND

These standard symbols may  
be found in the drawing.

- FOUND 1/2" STEEL PIN
- SET CONTROL POINT
- FOUND MAG NAIL
- SET 1/2" STEEL PIN (PLS 1819)
- FOUND 3/8" STEEL PIN
- FOUND 1/2" STEEL PIN (PLS 1198)
- FOUND 3/4" PIPE
- FOUND MAG NAIL REPLACED W/  
3/8" SPIKE W/ WASHER (PLS 1819)
- POWER POLE
- COMMUNICATION VAULT
- TELEPHONE PEDESTAL
- WATER METER
- WATER VALVE
- FIRE HYDRANT

- 16.5' STATUTORY RIGHT-OF-WAY
- BOUNDARY LINES
- UNDERGROUND TELEPHONE
- OVERHEAD ELECTRIC
- OVERHEAD TRANSMISSION
- UNDERGROUND ELECTRIC
- UNDERGROUND WATER
- EXISTING FENCE
- PLASTIC DRAIN PIPE
- BUILDING LINE
- UTILITY EASEMENT

Texoma Park Victory Investment LLC.  
Owners

### OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That Texoma Park Victory Investment LLC., being the sole owner(s) in fee simple of the following described real property respectively, to wit:

LEGAL DESCRIPTION:  
I, B.J. MCININCH, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT THIS  
BOUNDARY SURVEY PLAT, PREPARED UNDER MY DIRECT SUPERVISION, ACCURATELY REPRESENTS THE FOLLOWING  
DESCRIBED TRACTS OF LAND TO WIT:

LEGAL DESCRIPTION:  
The S/2 SW/4 SW/4, LESS AND EXCEPT the North 208.71 feet of the West 208.71 feet thereof, in Section 1, Township 7 South, Range 8 East  
of the Indian Meridian, in Bryan County, Oklahoma, according to the Government Survey thereof.

Texoma Park Victory Investment LLC. offers for dedication to the public use of all streets, avenues, parks, public facilities and easements  
as shown on the annexed plat of DURANT FORTUNE VILLAS, to the City of Durant, Bryan County, State of Oklahoma. The transaction of this  
irrevocable offer of dedication shall be consummated upon the execution of the Certificate for Acceptance of Dedication, for the purpose of  
providing an orderly development of DURANT FORTUNE VILLAS, to Bryan County, State of Oklahoma, we do hereby provide restrictive  
covenants. Filed in Book \_\_\_\_\_ Page \_\_\_\_\_ of the records in the office of the County Clerk, Bryan County, Oklahoma.

Texoma Victory Real Property Investment, LLC. - (OWNERS)

4/14/2022  
Date

### STATE OF OKLAHOMA COUNTY OF BRYAN

Before me, the undersigned, a Notary Public in and for said County and State on this 4 day of April, 2022, personally  
appeared \_\_\_\_\_ to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that  
he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.  
Given under my hand and seal of office the day and year last above written.

Deanna W. Deal  
Notary Public  
Commission Expiration 07/20/2024



### LICENSED LAND SURVEYORS CERTIFICATE

I, B.J. Moynich, a Licensed Land Surveyor in the State of Oklahoma, do hereby  
state that this plat of survey for DURANT FORTUNE VILLAS, an addition to the  
City of Durant, is based on an actual field survey, by myself, or under my direction,  
in accordance with the Oklahoma Minimum Standards for the Practice of Land  
Surveying. All lot and block corners of aforementioned plat will be 3" steel pins set  
with PLS 1819 ID cap unless otherwise shown on plat. This plat of DURANT  
FORTUNE VILLAS is subject to easements and/or rights-of-way, covenants, and  
other restriction, either recorded, or implied, thereof.

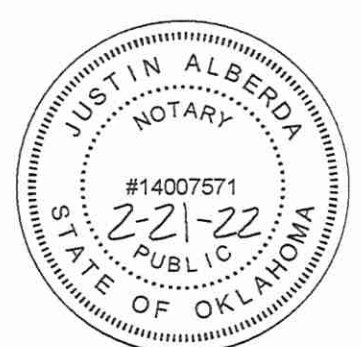
B.J. Moynich  
B.J. Moynich P.L.S. 1819  
2-21-22  
Date



### STATE OF OKLAHOMA COUNTY OF BRYAN

Before me, the undersigned, a Notary Public in and for said County and  
State on this 21st day of February, 2022, personally appeared B.J. Moynich to me  
known to be the identical person who executed the within and foregoing instrument  
and acknowledged to me that he executed the same as his free and voluntary act  
and deed for the uses and purposes therein set forth.  
Given under my hand and seal of office the day and year last above written.

Justi Albert  
Notary Public  
August 26, 2022  
Commission Expiration



### COUNTY TREASURERS CERTIFICATE

I, \_\_\_\_\_, The duly elected and qualified County Treasurer of Bryan  
County, Oklahoma, do hereby certify that there are no unpaid taxes up to and  
including the year 2021 on the described real property known as DURANT  
FORTUNE VILLAS being a part of Bryan County, State of Oklahoma, and the  
required security has been deposited in the office of the County Treasurer  
guaranteeing payment of the current years taxes.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

County Treasurer

### DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL

The Oklahoma State Department of Environmental Quality, certifies that this plat is  
approved for the construction of a \_\_\_\_\_ sewage disposal system and a \_\_\_\_\_  
water system this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Environmental Specialist

### COUNTY CLERK CERTIFICATE STATE OF OKLAHOMA COUNTY OF BRYAN

This instrument, \_\_\_\_\_, was filed on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, at  
\_\_\_\_\_, and duly recorded in book \_\_\_\_\_, page \_\_\_\_\_.

County Clerk

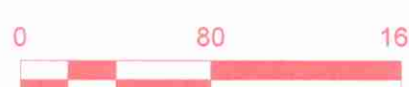
## BM SURVEYING, INC

2836 W. TWIN OAKS RD  
CANEY, OKLAHOMA 74533  
(580) 279-9544  
BM.SURVEYING@YAHOO.COM

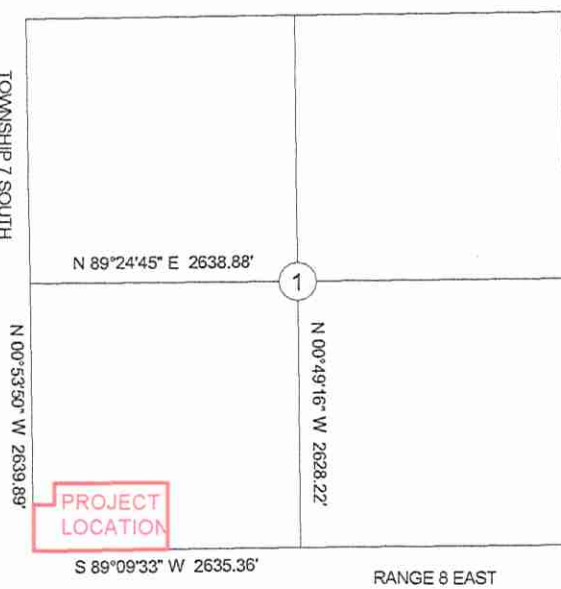
B.J. MCININCH - COPYRIGHT 2022  
PROFESSIONAL LAND SURVEYOR - #1819  
CERTIFICATE OF AUTHORIZATION - #7076

## DURANT FORTUNE VILLAS

A PART OF THE S/2 OF THE SW/4 OF  
THE SW/4 OF SECTION 1, TOWNSHIP 7  
SOUTH, RANGE 8 EAST, BRYAN  
COUNTY, STATE OF OKLAHOMA.



### VICINITY MAP



### -BASIS OF BEARINGS- OKLAHOMA STATE PLANE BEARINGS

(NAD 83)  
DETERMINED FROM G.P.S. OBSERVATIONS  
CONTROLING CORNERS ARE EXISTING MONUMENTS  
FOUND AT THE SECTION AND QUARTER SECTION  
CORNERS OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE  
8 EAST, BRYAN COUNTY, OKLAHOMA.

### GENERAL NOTES

IS SUBJECT TO EASEMENTS AND/OR RIGHTS-OF-WAY, EITHER  
RECORDED, OR IMPLIED, THEREOF.  
NO UTILITIES OF ANY KIND HAVE BEEN LOCATED EXCEPT THOSE  
SHOWN ON THE ABOVE PLAT.  
CONTROLLING CORNERS FOR THIS SURVEY ARE AS SHOWN ON THE  
LOCATION MAP.  
THIS IS NOT A VALID SURVEY WITHOUT THE SURVEYORS ORIGINAL  
SIGNATURE AND ORIGINAL SEAL.  
PORTIONS OF THIS PLAT ARE IN COLOR, PHOTO AND ELECTRONIC  
COPIES OF THIS PLAT MAKE IT INVALID AND MAY ALTER ITS  
MEANING.  
THIS PLAT AND SURVEY MEETS THE OKLAHOMA MINIMUM  
STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED  
BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS.



| NO. | REVISION/ISSUE | DATE |
|-----|----------------|------|
|     |                |      |
|     |                |      |
|     |                |      |
|     |                |      |
|     |                |      |

SURVEY INFORMATION  
FIELD WORK PERFORMED: 12-15-21 TO 1-27-22  
DATE OF LAST SITE VISIT: 1-27-22  
PLAT COMPLETED: 2-21-22

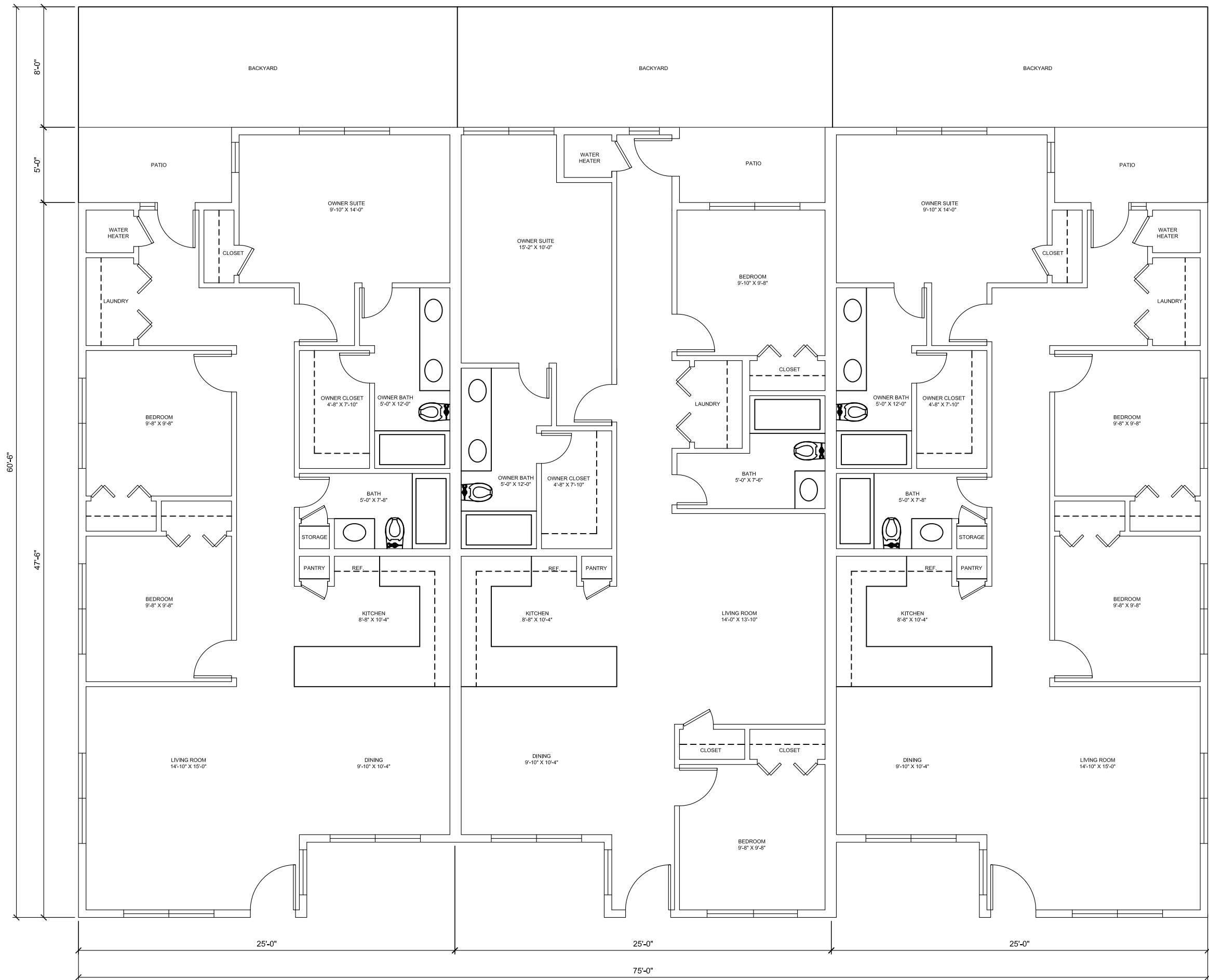
Project:  
**TEXOMA PARK VICTORY  
INVESTMENT LLC**

DATE  
2-21-22

SCALE  
1" = 80'

SHEET NO.  
1 OF 1





**SUBDIVISION RULES**

**FOR THE**

**CITY OF DURANT**

Ordinance **O-2021-20**

**Approved by City Council**  
**on: August 10, 2021**





## **GENERAL PROVISIONS**

### **§ 156.001 PURPOSE AND INTENT.**

(A) These regulations are designed to promote the health, safety, morals and general welfare of the community by establishing standards for the subdivision of land within the city's jurisdiction.

(B) The provisions of this chapter are specifically designed to lessen the congestion on streets; promote the orderly layout and use of land; secure safety from fire and other dangers; provide adequate light and air; facilitate adequate provisions for transportation, water, sewage, schools, parks, playgrounds and other public requirements; and protect neighborhood areas from the hazard of through traffic.

(C) These regulations are designed, intended and should be administered according to the purposes so to achieve the following:

- (1) Implement the Comprehensive Plan;
- (2) Provide for conservation of existing standard residential areas and prevent the development of slums and blight;
- (3) Harmoniously relate the development of the various tracts of land to the existing community and facilitate the future development of adjoining tracts;
- (4) Provide that cost of improvements which primarily benefit the tract of land being developed be borne by the owners or developers of the tract and that the cost of improvements which primarily benefit the whole community be borne by the whole community;
- (5) Provide the best possible design for the tract;
- (6) Reconcile any difference of interest; and
- (7) Establish adequate and accurate records of land subdivision.

### **§ 156.002 POLICY.**

It is the policy of the Planning Commission and the city that these regulations are adopted for the purpose of establishing standards for reviewing of plans, plats and replats as provided for in 11 O.S. § 45-104.

### **§ 156.003 AUTHORITY.**

(A) These subdivision regulations and minimum standards for land development are adopted by resolution of the Planning Commission and ratified by ordinance of the city in accordance with the provisions in 11 O.S. §§ 45-101 through 45-104.

(B) In all cases where these regulations provide for matters to be submitted to the Secretary of the Planning Commission those matters may be submitted to the Community Development Director or alternatively to the City Manager, and in all cases where these regulations provide for approvals by or actions to be taken by the Secretary of the Planning Commission those approvals or actions may be taken by the Community Development Director or alternatively the City Manager.

#### **§ 156.004 VALIDITY.**

If any section, clause, division, provision or portion of these regulations shall be held invalid, or unconstitutional, by any court of competent jurisdiction, such holding shall not affect any other section, clause, division, provision or portion of these regulations.

#### **§ 156.005 ADMINISTRATION AND AMENDMENTS.**

The Planning Commission and City Council may, from time to time, adopt, amend and make public rules and regulations for the administration of these regulations to the end that the public be informed and that approval of plats be expedited. These regulations may be enlarged or amended by the City Council after public hearing, due notice of which shall be given as required by law.

#### **§ 156.006 JURISDICTIONS.**

These regulations and development standards shall apply to the following forms of land subdivision:

- (A) The division or addition of land into two or more tracts, lots, sites or parcels, any part of which, when subdivided, shall contain less than ten acres in area;
- (B) The division or addition of land, previously subdivided or platted, into tracts, lots, sites or parcels;
- (C) The dedication, vacation or reservation of any public or private easement through any tract of land regardless of the area involved, including those for use by public and private utility companies; or
- (D) The dedication or vacation of any street or alley through any tract of land regardless of the area involved.

#### **§ 156.007 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ADDITION.** One lot, tract or parcel of land lying within the corporate boundaries of the city which is intended for the purpose of development.

**ALLEY.** A minor right-of-way dedicated to the public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street and may be used for public utility purposes.

**AMENDED PLAT.** A revised plat correcting errors or making minor changes to the original recorded final plat.

**AMENITY.** An improvement to be dedicated to the public or the common ownership of the lot owners of the subdivision and providing an aesthetic, recreational or other benefit, other than those prescribed by this ordinance.

**BLOCK.** A parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks or greenstrips, rural land or drainage channels or a combination thereof.

**BOND.** Any form of a surety bond in an amount and form satisfactory to the city.

**BUILDING LINE** or **SETBACK LINE.** A line or lines designating the area outside of which buildings may not be erected.

**CAPITAL IMPROVEMENTS PROGRAM.** The official proposed schedule of all future public projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project, as adopted by City Council.

**CITY ENGINEER.** The official with responsibility to review and release plans for construction projects, or his designee.

**CITY.** The City of Durant, Oklahoma.

**COMMISSION.** The Planning Commission for the City of Durant.

**COMPREHENSIVE or GENERAL PLAN.** A plan for development of the city prepared and adopted by the City Council, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.

**CONSTRUCTION PLAN.** The maps or drawings accompanying a plat and showing the specific location and design of public improvements to be installed in the subdivision or addition in accordance with the requirements of the Planning Commission as a condition of the approval of the plat.

**CONTIGUOUS.** Lots are contiguous when at least one boundary line of one lot touches a boundary line or lines of another lot.

**COUNCIL.** The City Council of the City of Durant, Oklahoma.

**COUNTY.** Bryan County, Oklahoma.

**DEDICATION PLAT.** A plat prepared for the purpose of dedicating land or easements for rights-of-way to the city.

**DEVELOPER.** The person, business, corporation or association responsible for the development of the subdivision or addition. In most contexts the terms Developer and Property Owner are used interchangeably in these regulations.

**DEVELOPMENT EXACTION.** Any dedication of land or easements for, construction of, or contribution toward construction of a public improvement required as a condition of plat approval by the city under these regulations.

**DEVELOPMENT.** Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, paving, drainage or utilities, but not agricultural activities.

**DIRECTOR.** The Director of the Community Development Department of the City of Durant, or his/her designee.

**DRAINAGE WAY.** All land areas needed to allow passage of the Base Flood, including sufficient access above the Base Flood elevation along each side of and parallel to the natural or excavated channel.

**EASEMENT.** A grant by the property owner to the public, a corporation or persons of the use of a strip of land for specific purposes.

**ESCROW.** A deposit of cash with the city in accordance with city policies.

**FINAL PLAT.** The map of a subdivision or addition to be recorded after recommendation of the Planning Commission and approval of the City Council. Including any accompanying material and additional requirements as described in these regulations.

**FLOODPLAIN.** Any land area susceptible to being inundated by water from the base flood.

**IMPROVEMENT AGREEMENT.** A contract entered into by the developer and the city by which the developer promises to complete the required public improvements within the subdivision or addition within a specified time period following final plat approval.

**LOT OF RECORD.** A lot created prior to January 1, 2008, which is the date of enactment of these subdivision regulations for the City of Durant through Ordinance. No. 1573.

**LOT, CORNER.** A lot which has at least two adjacent sides abutting for the full lengths on a street, provided that the interior angle at the intersection of such two sides is less than 135 degrees.

**LOT, DOUBLE FRONTAGE.** A lot which runs through a block from street to street and which has two nonintersecting sides abutting on two or more streets.

**LOT.** A subdivision of a block or other parcel intended as a unit for the transfer of ownership or for development.

**MAJOR PLAT.** All plats not classified as minor plats, including but not limited to subdivisions of more than four (4) lots, or any plat requiring creation of any new street or extension of the city's facilities.

**MINOR PLAT.** A subdivision resulting in four or fewer lots and not requiring the creation of any new street or the extension of municipal facilities.

**MUNICIPAL FACILITY.** An improvement owned and maintained by the city.

**OFF-SITE IMPROVEMENT.** Any public improvement located outside the physical boundaries of the subdivision or addition to be platted.

**PERIMETER STREET.** Any existing or planned street which abuts the subdivision or addition to be platted.

**PRELIMINARY PLAT.** A map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land that has a recommendation of the Planning Commission and is approved by the City Council.

**PLAT.** The plan or map for the subdivision or addition to be filed for record in the County where such subdivision or addition is located.

**PLATTING.** The act of preparing for approval and processing, pursuant to these regulations, the plan or map for the subdivision or addition to be filed for record in the County where such subdivision or addition is located.

**PRIVATE STREETS & ALLEYS.** A private vehicular access way shared by and serving two or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of these regulations. The term private street shall be inclusive of alleys.

**PROPERTY OWNER.** Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land comprising the subdivision or addition, or any representative or agent thereto, who has express written authority to act on behalf of such owner.

**PUBLIC IMPROVEMENT.** Any drainage way, roadway, parkway, sidewalk, utility, pedestrian way, off-street parking area, lot improvement, open space, or other facility for which the city or other governmental entity will ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

**REMAINDER.** The residual land left after platting of a portion of a tract. Platting of a residual may in some instances be required under the provisions of this ordinance.

**REPLATTING.** Any change in a map of an approved or recorded plat, except as permitted as an amended plat, that affects any street layout on the map or area reserved or dedicated thereon for public use or any lot line, or that affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions or additions. Replatting includes the combination of lots into a single lot for purposes of development. Replatting does require a recommendation from the Planning Commission and approval of the City Council.

**RESUBDIVISION.** The replatting of a subdivision plat.

**RIGHT-OF-WAY.** A parcel of land occupied or intended to be occupied by a street or alley. Where appropriate right-of-way may include other facilities and utilities, such as sidewalks, railroad crossings, electrical, communication, oil or gas, water or sanitary or storm sewer facilities, or for any other special use. The use of right-of-way shall also include parkways and medians outside of pavement. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

**ROADWAY.** That portion of any street so designated for vehicular traffic and where curbs are normally placed, means that portion of the street between the curbs.

**SECURITY.** The letter of credit or cash escrow provided by the applicant to secure its promises in the improvement agreement.

**SKETCH PLAT.** A sketch preparatory to the preliminary plat or final plat, to enable the property owner to save time and expense in reaching general agreement with the Planning Commission and City Council as to the form of the plat and the objectives of these regulations.



**STREET, COLLECTOR.** A minor street as designated on the major street plan which collects traffic from other minor streets and serves as the most direct route to a major street or a community facility.

**STREET, CUL-DE-SAC.** A minor street having one end open to vehicular traffic and having one closed end terminated by a turnaround.

**STREET, FRONTAGE OR SERVICE.** A minor street auxiliary to and located on the side of a major street for service to abutting properties and adjacent areas and for control of access.

**STREET, MAJOR.** An arterial street which is designated on the major street plan or comprehensive plan.

**STREET, MINOR.** Any street not classified as a major street on the major street plan whose primary purpose is to provide access to adjacent properties.

**SUBDIVIDER.** Any person, firm, partnership, corporation or other entity, acting as a unit, subdividing or proposing to subdivide land as herein defined.

**SUBDIVISION.** A division of any tract of land situated within the corporate limits, or within the extraterritorial jurisdiction or regional planning district of the city, into two or more parts for the purpose of laying out any subdivision of any tracts of land or any addition to the city or for laying out suburban lots or building lots, or any lots, and streets, alleys or parts or other portions intended for public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto for the purpose, whether immediate or future, of creating building sites.

**SUBSTANDARD STREET.** An existing street, or highway that does not meet the minimum specifications in the Thoroughfare Standards Ordinance and city Construction Standards and Specifications, or if a State Highway does not meet the minimum Standard Specifications of the Oklahoma Department of Transportation and is not constructed to the ultimate extent for the type of roadway it is designated for in the major thoroughfare plan. A standard street is a street or highway that meets or exceeds said standard specifications and major thoroughfare plan.

**TEMPORARY IMPROVEMENT.** Improvements built and maintained by an owner during construction of the development of the subdivision or addition and prior to release of the performance bond or improvements required for the short term use of the property.

## **GENERAL PROCEDURE**

### **§ 156.020 PLAT APPROVAL.**

For all cases of subdividing within the scope of these regulations, a plat of the land in question or an easement with a description in writing when appropriate shall be drawn and submitted to the Planning Commission and City Council for their approval or disapproval, as provided hereafter in these regulations.

### **§ 156.021 TIME LIMITATIONS.**

(A) *Sketch Plats.* The applicant shall submit to the Community Development Department two copies including a digital copy of the proposed sketch plat. A notice of public hearing shall

be published in an official paper or a newspaper of general circulation in the city at least 15 days prior to the date of the public meeting. Notice shall be mailed to all owners of property located within 300 feet of the subject property as provided by a certified abstractor's list as the applicant's cost at least 20 days prior to the hearing. The sketch plat must receive a recommendation by the Planning Commission and be approved by the City Council. The approval of a sketch plat shall be valid for a period of two years. If a preliminary plat covering all or part of the land shown in a sketch plat has not been filed with the Secretary of the Planning Commission within two years of the date of approval of the sketch plat, then all approvals shall be void and the land owner shall have no rights or privileges based upon the former approval.

(B) *Preliminary Plats.* The applicant shall submit to the Community Development Department four copies including a digital copy of the preliminary plat and one copy of the preliminary plat check list. A notice of public hearing shall be published in an official paper or a newspaper of general circulation in the city at least 15 days prior to the date of the public meeting. Notice shall be mailed to all owners of property located within 300 feet of the subject property as provided by a certified abstractor's list at the applicant's cost at least 20 days prior to the hearing. At the option of the applicant a preliminary plat may be submitted without the necessary improvement plans with a request for conditional approval from the City Council after receiving a recommendation from the Planning Commission. After the granting of a conditional approval of such a partial submission of a preliminary plat, the applicant shall submit the necessary improvement plans within six months. If the improvement plans are not submitted within six months all conditional approvals shall be void. The Planning Commission and the City Council shall act upon all submissions related to the preliminary plats within 75 days of the receipt of materials or the plat shall be considered to have been approved. If a final plat covering all or part of the land shown in a preliminary plat has not been filed with the Community Development Department within two years after the approval of the preliminary plat, then all approvals shall be void.

(C) *Final Plats.* The applicant shall submit to the Community Development Department four copies including a digital copy of the final plat and two copies of the as-built plans for all improvements installed. A notice of public hearing shall be published in an official paper or a newspaper of general circulation in the city at least 15 days prior to the date of the public meeting. Notice shall be mailed to all owners of property located within 300 feet of the subject property as provided by a certified abstractor's list at the applicant's cost at least 20 days prior to the hearing. The Planning Commission and City Council shall act upon all submissions related to final plats within 75 days of the date of receipt of materials or the plat shall be considered to have been approved. If a final plat is not filed of record with the County Clerk within six months after the approval of the Planning Commission and City Council, then all approvals shall be void.

(D) *Certified Abstractor's List.* The certified abstractor's list will expire after 60 days of issuance. It will remain at the owner's cost to provide an updated list to Community Development.

#### **§ 156.022 OFFICIAL RECORDING.**

Except as provided and lots of record established prior to the effective date of these regulations (January 1, 2008), no plat or other land subdivision instrument shall be filed in the office of the County Clerk until it shall have been approved by the Planning Commission and by the City

Council as hereinafter set forth. All final plats shall be filed within two years of date of approval by the Planning Commission and City Council, and no lots shall be sold from any plat until recorded. Time extensions of the two-year filing requirement may be granted by the City Council after recommendation of the Planning Commission upon review of the final plat and a finding that circumstances prevail substantially as of the time of original approval.

#### **§ 156.023 AGENDA.**

Each plat submitted for preliminary or final approval shall be placed on the agenda of the Planning Commission only after fulfilling the appropriate requirements of these regulations. However, a plat not meeting all of the requirements may be submitted providing the subdivider presents with the plat a written request for specific exceptions and explains the reasons therefore.

#### **§ 156.024 FILING FEE.**

(A) Fees, as set by the City Council by resolution or motion, shall be paid to the city at the time of submitting each of the respective plats and applications for a hearing before the Planning Commission or Board of Adjustments.

(B) No part of the subdivision plat or hearing fees shall be refundable.

#### **§ 156.025 VARIATIONS AND EXCEPTIONS.**

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in substantial hardship or inequity, the City Council may vary or modify, except as otherwise indicated, such requirements of design, but not of procedure or improvements, so that the subdivider may develop his or her property in a reasonable manner, but so, at the same time, that the public welfare and interests of the city are protected and that the general intent and spirit of these regulations be preserved. Such modification may be granted upon written request of the subdivider stating the reasons for each modification and such action shall be taken by the affirmative vote of three-fourths of the regular membership of the Planning Commission and confirmed by a simple majority vote of the City Council.

#### **§ 156.026 SURETY BOND.**

In lieu of filing a surety bond the subdivider or developer may secure and place on deposit with the city an irrevocable letter of credit or comparable instrument from a title company, banking institution or similar financial institution, stating that money will be held in escrow until all offsite improvements have been completed to the city's satisfaction. Such letter of credit or financial instrument shall be drawn in favor of the city for the entire cost of improvements for water mains, paving, sanitary sewers, storm sewers and other drainage facilities as estimated by the subdivider's registered professional engineer and approved by the City Engineer. The Building Official / Inspector or his or her designee, shall issue no building permit until the contractor submits offsite improvement plans for the project, conforming to the city standards, specifications and requirements. Upon completion of the public improvements the "as built" drawings shall be supplied by the developer's design engineer to the city.

#### **§ 156.027 EXTENSION AND REINSTATEMENT PROCEDURE**

(A) Sixty days prior to or following the lapse of approval for a sketch plat, preliminary plat, or final plat as provided in these regulations, the property owner may petition the Planning Commission and the City Council to extend or reinstate the approval. Such petition shall be considered for recommendation at a public meeting of the Planning Commission and shall be considered at the City Council.

(B) In determining whether to grant such requests, the Planning Commission and the City Council shall take into account the reasons for the lapse, the ability of the property owner to comply with any conditions attached to the original approval and the extent to which newly adopted subdivision regulations shall apply to the plat. The Planning Commission and the City Council shall extend or reinstate the plat, or deny the request, in which instance the property owner must submit a new application for approval.

(C) The Planning Commission and the City Council may extend or reinstate the approval subject to additional conditions based upon newly enacted regulations or such as are necessary to assure compliance with the original conditions of approval. The Planning Commission and the City Council may also specify a shorter time for lapse of the extended or reinstated plat than is applicable to original approvals.

(D) The approval of a preliminary plat for a portion or phase of a sketch plat, or the approval of a final plat for a portion or phase of a preliminary plat, shall not automatically affect the expiration of approval of the sketch plat or preliminary plat as it pertains to the balance of the property. Extensions and reinstatement of a sketch plat, preliminary plat, or final plat may be approved under the provisions of this section.

#### **§ 156.028 AMENDMENTS TO SKETCH PLAT OR PRELIMINARY PLAT**

(A) At any time following the approval of a sketch plat or preliminary plat, and before the lapse of such approval, a property owner may request an amendment. The rerouting of streets, addition or deletion of alleys, or addition or deletion of more than 10% of the approved number of lots shall be considered a major amendment. The adjustment of street and alley alignments, lengths, and paving details; the addition or deletion of lots within 10% of the approved number and the adjustment of lot lines shall be considered minor amendments.

(B) *Approval.* The City Council shall approve, conditionally approve or disapprove after recommendation from the Planning Commission any proposed amendment and may make any modifications in the terms and conditions of preliminary plat approval reasonably related to the proposed amendment. This shall occur at a public meeting in accordance with the same requirements for the approval of a sketch plat or preliminary plat.

(C) *Retaining Previous Approval.* If the applicant is unwilling to accept the proposed amendment under the terms and conditions required by the Planning Commission and the City Council, the applicant may withdraw the proposed amendment.

## **PLATTING PROCEDURES**

### **§ 156.040 GENERAL.**

(A) Whenever any subdivision of land is proposed, before any contract is made for the sale of any part of the land, before any permit for the erection of a structure in such proposed subdivision shall be granted, the owner of the land shall apply for and secure a recommendation the Planning Commission and approval of the City Council of such proposed subdivision. The proposed subdivision may be processed a standard subdivision as follows:

- (1) Standard subdivision:
  - (a) Sketch plat;
  - (b) Preliminary plat (and construction plans for improvements);
  - (c) Final plat;
  - (d) Building permit; and
  - (e) Occupancy permit;
- (2) Re-Plat.

(B) Upon initial receipt of a subdivision proposal, the Community Development Director shall determine if the proposal shall be classified as a minor or major subdivision or a re-plat. The Community Development Director shall determine what information, drawings and procedure will be necessary for the submission of the subdivision to the Planning Commission as well as to the City Council in accordance with these regulations and the policies of the Planning Commission and of the City Council. The Community Development Director, shall consider in each case the nature of a proposed subdivision and the relationship of the proposal to surrounding land uses, topography, property shape, property size, adjacent ownership, public access and public facilities in order to determine the extent to which the platting process must be followed. The above determinations of the Community Development Director may be reviewed and revised by the Planning Commission, and then the City Council upon request of the subdivider.

### **§ 156.041 CLASSIFICATION OF SUBDIVISIONS AND ADDITION AS MINOR OR MAJOR.**

(A) Before any land is platted, the property owner shall apply for and secure approval of the proposed subdivision plat or addition plat in accordance with the following procedures, unless otherwise provided by these regulations. Subdivisions are classified as major or minor depending on the number of lots proposed and the extent of public improvements required.

(1) Minor subdivisions shall create no more than four lots and do not require the creation of a new street or the extension of municipal facilities. Minor subdivisions may be approved for residential and non-residential properties. Conveyance plats may be approved under the procedure for minor subdivisions provided that they establish no more than four lots and do not create a new street or extend municipal facilities. Minor plat approval requires the submission of



a final plat as described under these regulations, or the submission of a conveyance plat as described under these regulations.

(2) Major subdivisions involve the creation of new streets, the extension of municipal facilities or the creation of more than four lots. Major subdivisions may be approved for residential and non-residential properties. Conveyance plats are considered major subdivisions if they create more than four lots or involve the creation of new streets or the extension of municipal facilities. The procedure for approving a major plat typically requires three steps: sketch plat, preliminary plat, and final plat. Sketch plats require recommendation of the Planning Commission and approval of the City Council. The sketch plat requirement may be omitted if the subdivision creates no more than one new street and the Community Development Director determines that sufficient information exist to begin preparation of a preliminary plat. A concept plan or preliminary site plan that contains sufficient information to provide for the proper coordination of the development may be required for non-residential property

Except as otherwise permitted, the preliminary plat shall have a recommendation from the Planning Commission and approval by City Council and the approval of a preliminary plat is required prior to the construction of public improvements to the property. The preliminary plat and the associated engineering plans for the property may be amended during construction, with only major changes requiring reapproval by the City Council after recommendation of the Planning Commission. Major changes shall include amendments to any infrastructure that is expected to be adopted by the City of Durant or will impact infrastructure that is already adopted by the City of Durant.

Upon completion of the required public improvements, or the provision of a subdivision improvement agreement described in these regulations, the owner may submit a corrected final plat for the subdivision. Lots may be sold and building permits obtained after recommendation of the Planning Commission and approval of the plat by the City Council, and filing of the signed plat.

#### **§ 156.042 SKETCH PLAT.**

(A) *Purpose.* The purpose of the sketch plat is to provide the subdivider, the Planning Commission and the governing bodies an opportunity to identify any problems concerning the land use, general design and overall approaches to installation of improvements before the expenditure of large amounts of money and manpower in the preparation of more detailed platting documents. This step in the overall subdivision process is very important because it is at the initial part of the process when decisions are to be made that can have great value from the fulfillment of the comprehensive plan; or, conversely decisions wrongly made at this point can be very damaging to the fulfillment of the comprehensive plan. It is important that all of the land to be included in the proposed subdivision shall be included in the sketch plat so that an overview of an entire area can be accomplished.

(B) Before preparing the sketch plat the subdivider should review these regulations and discuss with the Community Development Director the procedures for the adoption of a subdivision plat and the general requirements as to the layout of streets and for any reservations of land, street improvements, drainage, sewerage, water supply, fire protection, the availability of services and similar matters.

(C) *Applicability.* A sketch plat shall be required as a condition precedent to approval of any application for a major plat, except where the Community Development Director determines:

(1) The subdivision will result in no more than one new street and sufficient information exists to begin preparation of a preliminary plat, or

(2) A concept plan, preliminary site plan or final site plan for the property provides sufficient information for the preparation of a preliminary plat.

(D) *Phasing of Development.* The City Council after recommendation of the Planning Commission may permit a sketch plat for a major plat to be divided into two or more phases, as indicated on the sketch plat, provided each phase satisfies the requirements of this ordinance. In considering phasing of a sketch plat, the City Council may approve certain conditions as it deems necessary to assure the orderly development of the platted land. Such conditions may include but are not limited to temporary street and alley extensions, temporary cul-de-sacs, and off-site utility extensions.

(E) *Application Procedure and Requirements:*

(1) *Pre-application Conference.* Before preparing the sketch plat, the applicant is strongly encouraged to schedule an appointment and meet with the Community Development Director to discuss the procedures for approval of the plat and the requirements as to general layout of streets and or reservations of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services.

(2) *General Application Requirements.* Prior to platting of the land, the property owner shall file an application for approval of a sketch plat with the Community Development Department. The application and sketch plat shall meet the following minimum requirements:

(a) The application shall include all contiguous holdings of the property owner with an indication of the portion which is proposed to be developed or offered, sold or leased, accompanied by an affidavit of ownership, which includes an address and telephone number of an agent who shall be authorized to receive all notices required by these regulations.

(b) The study shall be drawn to scale of 1" = 200' or larger.

(c) The lower right hand corner of the sketch plat shall contain a title block clearly showing the proposed name of the subdivision or addition, the name and address of the Owner and the Engineer or Surveyor responsible for the designer survey, the scale of the drawing, the date the drawing was prepared, and the legal description of the tract.

(d) The sketch plat shall clearly show the limits of the tract and scale distances. True north shall be clearly indicated and shall be to the top or left of the study.

(e) The sketch plat shall show the names of adjacent subdivisions or additions or the name of record owners of adjoining parcels of unplatted land.

(f) The study shall contain the existing zoning on adjoining land, the location, width, and names of all existing or platted streets or other public ways within or adjacent to the tract, existing permanent buildings, railroad rights-of-way, utility and drainage easements, and topography with existing drainage channels or creeks, and other important features such as tree groupings, vegetation, political subdivisions or corporate limits and school district boundaries.

(g) The study shall show the layout, names and width of proposed thoroughfares, collector streets, and intersections, and shall show a general configuration of proposed streets and alleys.

(h) The study shall show a general arrangement of land uses, including but not limited to park and school sites, municipal facilities, private open space, floodplains and drainage ways, phasing plan, and proposed non-residential and residential uses and densities.

(i) The study shall show the location and style of streetlights within the subdivision.

(j) The study shall show the location and dimension of sidewalks throughout the subdivision.

(3) *Additional Requirements Prerequisite to Preliminary Plat Approval.* Except as permitted, prior to the submittal of a preliminary plat, the applicant shall submit for approval a sketch plat, at a scale of 1" = 100' or larger, depicting all information required and the following additional items:

(a) The layout, names, and width of proposed streets, alleys, and easements.

(b) Layout, numbers, and approximate dimensions of proposed lots and all building lines.

(c) The location of proposed screening walls and/or other forms of screening shall be clearly indicated.

(d) Existing contours of the tract in intervals of two feet or less, referred to sea level datum.

(e) Existing sewers, water mains, culverts, or other underground structures within the tract and immediately adjacent thereto with pipe sizes and locations included.

(f) Proposed water, sanitary sewer and storm sewer pipe lines with culverts, bridges, and other appurtenances or structures shown.

(g) Storm water retention or detention basins as required.

(h) Erosion mitigation of lots or roads next to creeks and drainage ways.

(i) General landscape information.

(4) *Standards for Approval.* No sketch plat shall be approved by the City Council for a plat which is intended for development unless it conforms to the Comprehensive Plan and the development ordinances of the city.

(5) *Approval Procedure.* After review of the sketch plat, the report and pertinent information as it relates to the plat and the exhibits submitted at a scheduled meeting, the Planning Commission shall recommend approval, conditional approval or disapproval the sketch plat. The sketch plat with the recommendation of the Planning Commission and the Community Development Director will be heard at a scheduled meeting of the City Council, who shall approve, conditionally approve or disapprove the sketch plat. One (1) copy of the proposed sketch plat shall be returned to the owner with the date of approval or disapproval and the reasons therefore accompanying the copy.

(6) *Effect of Approval.* Approval of the sketch plat in conformance to these procedures by the City Council constitutes authorization by the city for the property owner to submit application for approval of a preliminary plat subject to compliance with any conditions attached to approval of the sketch plat. The approval of any study or plat other than a preliminary plat does not certify the availability or capacity of infrastructure or that the property is suitable for development. The determination of infrastructure needs and capacity and the delineation of floodplain or other limitations on development will be done only during the review and approval of either a preliminary or final plat complete with required engineering plans and studies.

#### **§ 156.043 PRELIMINARY PLAT.**

(A) *Purpose.* The purpose of the preliminary plat is to provide an interim step in the procedure at which point the subdivider shall present drawings of the detail features of the subdivision. It is at this point that the items discussed at the sketch plat stage and as set down herein are prepared in a form from which determinations can be made as to the technical workability of the development proposal. If the subdivider is not required to go through the sketch plat process, the subdivider will be required to have a pre-application conference with city staff.

(B) After the City Council has approved the sketch plat, the subdivider may proceed with the preparation of the preliminary plat. After the subdivider has prepared the preliminary plat he or she may take either of the following actions:

(1) He or she may present the preliminary plat and preliminary plat checklist to the Planning Commission and the City Council and obtain approval thereof before proceeding with preparation of the improvement plans; or

(2) He or she may present the improvement plans and improvement plans checklist to the Planning Commission and the City Council at the time the preliminary plat and preliminary plat checklist are presented.

(C) Whenever the subdivider presents to the Planning Commission and City Council a preliminary plat and preliminary plat checklist, without improvement plans, the City Council may conditionally approve the preliminary plat, subject to City Council approval of the improvement plans within six months following the preliminary plat conditional approval.

(D) After review of the preliminary plat, the Planning Commission shall give a recommendation and the City Council shall, within 60 days of its submission, approve, conditionally approve or reject the plat. The subdivider shall be notified in writing of this action, together with any conditions of approval or the reasons for rejection.

(E) Whenever the subdivider presents to the Planning Commission and the City Council the preliminary plat, preliminary plat checklist, improvement plans and improvement plans checklist and the Planning Commission and the City Council finds that the plat and improvement plans meet all the requirements of these regulations, it shall approve the preliminary plat and improvement plans by placing a certificate of approval upon each copy of the plat and plans. Such certificate of approval shall bear the signature of the Chairperson and Secretary of the Planning Commission and Mayor of the City Council and shall provide that the approval given thereby does not constitute approval for purposes of recording.

(F) Approval of the preliminary plat shall not in all cases entitle the subdivider to approval of the final plat. Upon preliminary approval, if any conditions arise which would cause the preliminary plat to become unsatisfactory due to health, safety or welfare of the community, the Planning Commission shall recommend that the final plat be rejected.

(G) *Application Procedure and Requirements.* On forms approved by the city, the applicant shall file for approval of a preliminary plat, which conforms substantially with the sketch plat (if required) or alternate plan submitted by the applicant. The plat shall be prepared by or under the supervision of a registered public surveyor in the State of Oklahoma and shall bear his seal, signature and date on each sheet. The payment of all applicable fees shall be required at the time of submission.

- (1) *General Application Requirement.* Copies of the proposed preliminary plat shall be at a scale of 1" = 100' or larger and in a form substantially as follows:
- (a) The boundary lines with accurate distances and bearings and the exact location and width of all existing or recorded streets intersecting or abutting the boundary of the tract.
  - (b) True bearings and distances to the nearest established street lines and monuments, which shall be accurately described on the plat.
  - (c) Specific landscape plan.
  - (d) The exact layout including:
    - (i) *Proposed street names* - Street names must be submitted to the Community Development Department for approval in accordance with the city's guidelines for the naming of streets. The Community Development Department will maintain an index of street names which will contain these guidelines. Street names and subdivision names are fixed at the time of approval of the preliminary plat. A fee, as set by the City Council by motion or resolution, will be charged to change street names and subdivision names after approval of the preliminary plat.
    - (ii) The length of all arcs, radii, internal angles, points of curvature, length, and bearings of the tangents.
    - (iii) All easements for rights-of-way provided for public services or utilities and any limitations of the easements.
    - (iv) All lot numbers and lines with accurate dimensions in feet and hundredths of feet and with bearings and angles to street and alley lines.
    - (v) The location of the centerline of creeks or drainage ways should be tied with accurate dimensions in feet and hundredths of feet with bearings and angles. No unplatted remainder will be allowed between property boundaries and centerlines of creeks.
  - (e) The accurate location, material, and size of all monuments approved by the City Engineer. Horizontal and vertical control data shall be established for a minimum of two (2) corners of the subdivision or addition. One-inch iron rods shall be set at all block corners, angle points, points of corners, and points of tangents. One-half inch iron rods shall be set at all other lot corners.
  - (f) The accurate outline of all property which is offered for dedication for public use with the purpose indicated thereon, and of all property that may be reserved by deed covenant for the common use of the property owners in the subdivision or addition.
  - (g) Building setback lines.
  - (h) Location of streetlights
  - (i) Location, dimension and construction drawings for sidewalks throughout the subdivision
  - (j) Special restrictions including, but not limited to, drainage and floodway, fire lanes, and screening.
  - (k) Proposed name of the subdivision or addition. The name shall not duplicate, be the same in spelling or alike in pronunciation with any other recorded subdivision.



- (l) Names of adjacent subdivisions or additions or the name of record owners of adjoining parcels of unplatted land.
  - (m) Name and address of the property owner, the owner's Surveyor, and the owner's Engineer.
  - (n) North point, scale, and date.
  - (o) Legal description according to the real estate records maintained by the County Clerk's office and area calculations.
  - (p) Location by section, town, range, township, county and state.
  - (q) Additional documents necessary for dedication or conveyance of easements or rights-of-way, as required by the city. The city may, in some instances, require the conveyance of fee simple title for certain rights-of-way.
  - (r) Entry easements to allow city inspectors to enter the property being platted for the purpose of inspecting the construction of the public improvements.
  - (s) Important features such as existing permanent buildings;
    - (1) Large trees and water courses;
    - (2) Parks and other public lands;
    - (3) railway lines *or easements*;
    - (4) Existing public easements;
    - (5) Oil and gas lines or wells as shown on the records of the Oklahoma Corporation Commission (including abandoned or gas or oil wells and dry holes which remain unplugged),
    - (6) Existing utilities including sewer, water mains, culverts and other underground structures within the tract or immediately adjacent thereto, showing pipe sizes and grades indicates;
    - (7) Contours at intervals of 2 feet which are referenced to USGS data; and
    - (8) Any other relevant feature necessary for a full and complete understanding of the proposed subdivision.
  - (t) Title of document and a vicinity sketch drawn to a scale of a maximum of 2,000 feet to the inch.
  - (u) Copies of any private restrictions to be included in the deeds shall be attached to the preliminary plat.
  - (v) Regulatory flood boundaries, and the ten (10) year flood boundaries.
- 
- (2) Other Required Documents and Information to Be Filed With Preliminary Plat.
    - (a) Proposed covenants and deed restrictions, if any.
    - (b) Source of water supply.
    - (c) Provisions for sewage disposal.
    - (d) Construction Plans

(3) *Standards for Approval.* No preliminary plat shall be approved by the City Council unless the following standards have been met:

(a) The plat substantially conforms with the approved sketch plat or other study as provided in these regulations.

(b) The construction plans have been reviewed by the City Engineer.

(c) Provision for installation and dedication of public improvements has been made.

(d) The plat conforms to applicable zoning and other regulations.

(e) The plat meets all other requirements of these regulations.

(4) *Timing of Public Improvements:*

(a) The City Council may require that all public improvements be installed, offered for dedication, and ready for acceptance by the city prior to the signing of the final plat.

The City Council may permit or require the deferral of the construction of public improvements if in its judgment, deferring the construction would not result in any harm to the public, or offer significant advantage in coordinating the site's development with adjacent properties and off-site public improvements. Any required public improvement(s) approved for deferred construction must be provided for as required prior to the approval of the final plat.

(b) If the City Council does not require that all public improvements be installed, offered for dedication and accepted by the city prior to signing of the final plat, it shall require that the applicant execute an improvement agreement and provide security for the agreement as provided in these regulations.

(c) This procedure shall also apply to the approval of a final plat if the preliminary plat is omitted.

(5) *Approval Procedure.* After review of the preliminary plat, the report and pertinent information for the Community Development Director concerning the land study and the application, the report and recommendation of the City Engineer on the construction plans, and any exhibits submitted at a public meeting, the applicant shall be advised of any required changes and/or additions. The Planning Commission shall make a recommendation and the City Council shall approve or disapprove the preliminary plat. One (1) copy of the proposed preliminary plat shall be returned to the owner with the date of approval, conditional approval or disapproval and the reasons therefore accompanying the plat.

(6) *Effect of Approval* - Approval of a preliminary plat by the City Council constitutes authorization for the City Engineer to release construction plans subject to his final approval and for the City Engineer to authorize for the property owner to commence grading of the site and construction of such public improvements as are required by the Planning Commission and the City Council. Approval of a preliminary plat also authorizes the property owner, upon fulfillment of all requirements and conditions of approval, to submit for approval an application for final plat approval. Upon release of the construction plans, the City Engineer may, upon request of the applicant, issue a certificate indicating the construction plans have been released and construction of the improvement is thereafter authorized. Additional certificates may be issued by the City Engineer authorizing the construction of private utilities on a phased schedule. The certificate shall read as follows:

"The preliminary plat for (insert name of the subdivision or addition) as approved by the City of Durant City Council on (insert date of approval) is authorized for use with engineering plans for the construction of public improvements as approved by the City Engineer. A final plat shall be approved by the City Council and have a recommendation from the Planning Commission upon the completion of all public improvements or the provision of a subdivision improvement agreement under the terms of the Subdivision Ordinance and submission of a final plat in compliance with the Subdivision Ordinance of the City of Durant.

Zoning regulations that affect exterior appearance of a single-family house or the landscaping of a single-family lot and that are adopted after approval of a preliminary plat for a single-family residential development, shall not apply for a period of two years from the latter of the date of plat approval or the date of the acceptance of public improvements related to the plat."

(7) *Lapse of Preliminary Plat Approval.* The approval of a preliminary plat shall be effective for a period of two (2) years from the date that the preliminary plat is approved by the City Council, at the end of which time the applicant must have submitted and received approval for a final plat. If a final plat is not submitted and approved within two (2) years, or an extension is not granted in accordance with these regulations, the preliminary plat approval shall be null and void, and the applicant shall be required to submit a sketch plat for review subject to the then existing zoning restrictions and subdivision regulations.

(H) Construction Plan Procedure and Requirements:

(1) *General Application Requirement.* Construction plans shall be prepared by or under the supervision of a professional engineer or architect registered in the State of Oklahoma as required by state law governing such professions. Plans submitted for review by the city shall be dated and bear the responsible engineer's or architect's name, serial number and the designation of "engineer," "professional engineer," or "P.E." or "architect" and an appropriate stamp or statement near the engineer's or architect's identification, stating that the documents are for preliminary review and are not intended for construction. Final plans acceptable to the city shall bear the seal and signature of the engineer or architect and the date signed on all sheets of the plans. Public works construction in streets, alleys or easements which will be maintained by the city shall be designed by a professional engineer registered in the State of Oklahoma.

(2) *Construction Plan Review Procedure.* Copies of the construction plans, and the required number of copies of the plat shall be submitted to the City Engineer for final approval. The plans shall contain all necessary information for construction of the project, including screening walls and other special features. All materials specified shall conform to the design standards of the city. Each sheet of the plans shall contain a title block including space for the notation of revisions. This space is to be completed with each revision to the plan sheet and shall clearly note the nature of the revision and the date the revision was made. The City Engineer will release the plans for construction, after recommendation of the preliminary plat by the Planning Commission and approval by the City Council and payment of all inspection fees. Upon such release, each Contractor shall maintain one set of plans, stamped with city release, on the project at all times during construction. This procedure shall also apply to approval of a final plat, if a preliminary plat is omitted.

(3) *Failure to Commence Construction.* If construction has not commenced within one (1) year after approval of the plans, resubmittal of plans may be required by the City Engineer for

meeting current standards and engineering requirements. "Construction" shall mean installation of city maintained public improvements.

#### **§ 156.044 FINAL PLAT.**

(A) *Purpose.* The purpose of the final plat is to create a record document which accurately describes the subdivided land, both as to accurate dimensions, and as to legal provisions which are pertinent to the subdivision. Much of the reason for this step is to make the transfer of the land simpler and certain. Land sales by reference to a legally filed plat are generally less complicated and more likely to provide the precise legal situation sought. The certainty of such sales derives from the assurance of an accurate survey and processes designed to assure the provision of facilities necessary to service the land.

(B) At the time the final plat and final plat checklist are submitted to the Community Development Department, the subdivider shall take one of the following courses of action:

(1) If the subdivider elects to, deposit the surety bond as specified in § 156.026, he or she shall submit plans for all improvements required under this chapter, such plans to bear the recommendation of the Planning Commission and approval of the City Council. Upon completion of a portion of the construction of the required improvements, the City Council may release a portion of the surety bond in the amount of the costs of the constructed improvements, as estimated by the City Council, Planning Commission, Secretary or municipal staff. Before any portion of the surety bond may be released, the City Engineer, City Building Inspector or City Manager shall approve the as-built plans and specifications for that portion of the improvements for which the subdivider has requested release of the surety bond;

(2) If the subdivider elects to complete all improvements as specified in the preliminary plat, he or she shall submit the as-built specifications and as-built original tracings of all improvements. If the Community Development Director or his or her designee finds that the as-built plan and specifications comply with requirements, and that the actual construction is as shown in the plans and specifications, he or she shall endorse his or her approval thereon.

(C) All actions of the Planning Commission, whether recommending approval of final plats for all or part of an area shown in a preliminary plat shall, in so far as the plat involves dedications to the public, constitute only an authorization for the subdivider to submit the plat to the City Council to which the dedications are proposed. Such Planning Commission actions shall not constitute an acceptance of dedication or a commitment to accept dedication.

(C) *Applicability.* A final plat shall be required for subdivisions of property and the recording of single lots in accordance with these regulations.

(D) *Application Procedure and Requirements.* A final plat for a subdivision shall require recommendation by the Planning Commission and approval of the City Council. Final plats shall comply to the preliminary plat where applicable. The application shall be accompanied by the following:

(1) Four (4) paper copies and a digital copy of the proposed final plat bearing all information specified in these regulations and the following:

(a) The final plat shall be clearly and legibly prepared by a Surveyor or Engineer. The size of the map shall not be less than 22 inches by 34 inches and shall be drawn to the scale of one inch

equals 100 feet, unless the Community Development Director authorizes a different scale in writing.

(b) *Notice Statement.* "Notice: Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits."

(c) Name of subdivision and the name and number of any larger subdivision of which this tract now subdivided was once a part.

(d) Number of lots and the acreage platted

(e) *Boundary Lines.* The boundary lines with accurate distances and bearings and the exact location and width of all existing or recorded streets intersecting the boundary of the tract.

(f) *Bearing Distances.* True bearings and distances to the nearest established street lines and monuments, which shall be accurately described on the plat

(g) *Property Offered For Dedication.* The accurate outline of all property which is offered for dedication for public use, and of all property that may be reserved by covenant in the deeds for the common use for the common use of the property owners in the subdivisions, with the purpose indicated thereon.

(h) The exact layout including:

(i) Street and alley lines, including their names, bearings, angles of intersection and widths (including widths along the line of any intersecting street):

(ii) The length of all arcs, radii, internal angles, points of curvature, length, and bearings of the tangents.

(iii) All easements for rights-of-way provided for public services or utilities and any limitations of the easements.

(iv) All lot numbers and lines with accurate dimensions in feet and hundredths of feet and with bearings and angles to street and alley lines.

(v) The location of the centerline of creeks or drainage ways with accurate dimensions in feet and hundredths of feet with bearings and angles.

(i) The accurate location, material, and size of all monuments approved by the City Engineer.

(k) Building setback lines for all properties within the platted area.

(k) Special restrictions including, but not limited to, drainage and floodway, fire lanes, and screening.

(l) In case the subdivision is traversed by water course, channel, stream, or creek, the prior or present location of such water course, channel, stream, or creek shall be shown on the plat and the boundary of the regulatory flood and the ten (10) year flood. It will be assumed that there is no significant difference between the two (2) and the regulatory flood will be used, unless the owner shows the ten (10) year flood on the map.

(m) North point, scale, and date.



- (n) Legal description according to the real estate records maintained by the County Clerk's office and area calculations.
- (o) Names of adjacent subdivisions or additions or the name of record owners of adjoining parcels of unplatted land.
- (p) Location by section, town, range, township, county and state.
- (q) Title of document and a vicinity sketch drawn to a scale of a maximum of 2,000 feet to the inch.
- (2) Formal irrevocable offers of dedication to the public of all streets, local government uses, utilities, parks, and easements, in a form approved by the City Attorney. The plat shall be marked with a notation indicating the formal offers of dedication.
- (3) The improvement agreement and security, if required, in a form satisfactory to the City Attorney and in an amount established by the City Council upon recommendation of the City Engineer and shall include a provision that the property owner shall comply with all the terms of the final plat approval as determined by the City Council.
- (4) As-built construction plans, where applicable.
- (5) Covenants and deed restrictions, if any.
- (5) Accurate legal description.
- (6) Certification by a Registered Public Surveyor to the effect that the plat represents a survey made by him and that all the monuments shown thereon actually exist, and that their location, size, and material description are correctly shown, and that the survey correctly shows the location of all visible easements and rights-of-way and all rights-of-way, easements and other matters of record affecting the property being platted.
- (7) The County Clerk's Office and applicable state statutes may require additional information to be submitted or included on the final plat
- (E) *Standards for Approval.* No final plat shall be approved by the Planning Commission or the City Council unless the following standards have been met:
  - (1) The plat substantially conforms to the preliminary plat.
  - (2) Required public improvements have been constructed and are ready to be accepted, and/or an improvement agreement has been accepted by the city providing for the subsequent completion of improvements.
  - (3) The plat conforms to applicable zoning and other regulations.
  - (4) Provision has been made for adequate public facilities under the terms of this ordinance.
  - (5) The plat meets all other requirements of this ordinance.
- (F) *Approval Procedure.* After review of the final plat, the Community Development Director shall place the final plat for consideration on the agenda of a public meeting of the Planning Commission and City Council. One copy of the final subdivision plat shall be returned to the applicant with the date of approval, conditional approval or disapproval noted on the final plat, and, if the final plat is disapproved, the reasons for disapproval accompanying the final plat.

(G) *Certificate of Compliance.* Upon final approval of a final plat required by these regulations, the Planning Commission and the City Council shall issue to the person applying for approval a certificate stating that the final plat has been recommended for approval by the Planning Commission and approved by the City Council. For purposes of this section, final approval shall not occur until all conditions of approval have been met.

(I) *Signing and Recording of Final Plat.*

(1) When an improvement agreement and security are required, the Chairman of the Planning Commission and the Mayor shall endorse approval on the final plat after the agreement and security have been recommended for approval by the Planning Commission and approved by the City Council and all the conditions pertaining to the final plat have been satisfied.

(2) When installation of public improvements is required prior to recordation of the final plat, the Chairman of the Planning Commission and the Mayor shall endorse approval on the final plat after all conditions of approval have been satisfied and all public improvements satisfactorily completed. There shall be written evidence that the required public improvements have been installed in a manner satisfactory to the city as shown by a certificate signed by the City Engineer stating that the necessary dedication of public lands and installation of public improvements has been accomplished.

(3) It shall be the responsibility of the applicant to file the final plat with the County Clerk. Simultaneously with the filing of the final plat, the applicant shall record such other agreements of dedication and legal documents as shall be required to be recorded by the City Attorney. The final plat, bearing all required signatures, shall be recorded after final approval and within ten working days of its receipt. One (1) copy of the recorded final plat shall be returned to the City prior to the issuance of any building permits.

(J) *Effect of Approval.* Approval of a final plat shall certify compliance with the regulations of the City of Durant pertaining to the subdivision of land. An approved and signed final plat may be filed with the County as a record of the subdivision of land and may be used to reference lots and interests in property thereon defined for the purpose of conveyance and development as allowed by these regulations.

(K) *Lapse of Final Plat Approval.* The approval of a final plat shall be effective for a period of six (6) months from the date that the final plat is recommended for approval by the Planning Commission and approved by the City Council, at the end of which time the applicant must have met the requirements for recording of the final plat with the County Clerk. If the applicant has not met the requirements for recording of the final plat with the County Clerk within six (6) months, or an extension is not granted in accordance with these regulations, the final plat approval shall be null and void, and the applicant shall be required to submit a new plat for review subject to the then existing zoning restrictions and subdivision regulations. No Certificate of Occupancy or Change of Occupancy permit will be allowed for the property until the applicant has met the requirements for filing of the final plat with the County Clerk.

#### **§ 156.046 DEVELOPMENT PLAT**

(A) This section applies to the platting and development of any single parcel greater than five acres or the subdivision and development of any property into parts, each part being greater than five acres. The term "development" means the new construction or the enlargement of any

exterior dimension of any building, structure, or improvement. The term "improvement" shall include the construction of a utility, road, parking, or drainage system. The term shall also apply to the grading of land or clearance of trees, except as may be permitted for valid agricultural use of the property.

(B) A development plat must be prepared by a registered professional land surveyor as a boundary survey showing:

(1) Each existing or proposed building, structure or improvement or proposed modification of the external configuration of the building, structure or improvement;

(2) Each easement and right-of-way within or abutting the boundary of the surveyed property; and

(3) The dimensions of each street, sidewalk, alley, square, park, or other part of property intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, sidewalk, alley, square, park, or other part; and

(4) Any additional information as required by this ordinance to apply for the approval of a plat

(C) The requirements and standards for design, reservation, construction, completion, maintenance, cost participation and escrow for public improvements applying to the approval of a plat shall also apply to a development plat.

(D) Development plats shall be processed under the same procedures and are subject to the same fees as apply to a plat. The procedures for a minor subdivision may be used when applicable.

(E) A development plat shall be approved if it conforms to the following standards:

(1) The general plans, rules, and ordinances of the city concerning its current and future streets, sidewalks, alleys, parks, playgrounds, and public utility facilities; and

(2) The general plans, rules, and ordinances for the extension of the city or the extension, improvement, or widening of its roads, streets, and public highways within the municipality.

(F) New development may not begin on the property until the development plat is filed with and approved by the city. Approved development plats and other agreements of dedication and legal documents as required shall be recorded with the County Clerk by the applicant.

#### **§ 156.048 REPLATTING OF LAND**

(A) *Replat Required.* Unless otherwise expressly provided for herein, a property owner who proposes to replat any portion of an already approved final plat, other than to amend or vacate the plat, must first obtain approval for the replat under the same standards and by the same procedures prescribed for the platting of land by these regulations. The Community Development Director may waive or modify requirements for a sketch plat under circumstances where the previously approved sketch plat is sufficient to achieve the purposes set forth in these regulations. Replats shall include all of the same information as previously described platting procedures.

(B) *Replatting Without Vacating Preceding Plat.* A replat of a final plat or portion of a final plat may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:

- (1) Is signed and acknowledged by only the owners of the property being replatted;
- (2) Is approved, after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard, by the Planning Commission and City Council; and
- (3) Does not attempt to amend or remove any covenants or restrictions previously incorporated in the final plat.

(C) Additional Requirements for Certain Replats.

(1) A notice of the public hearing shall be published in an official paper or a newspaper of general circulation in the city at least 15 days prior to the date of the public hearing. Notice shall be mailed to all owners of property located within 300 feet of the subject property as provided by a certified abstractor's list at the applicant's cost at least 20 days prior to the hearing;

(2) If the proposed replat requires a variance, and the owners of 20 percent or more of the area of lots to whom notice is required to be given under Subsection (b) file with the Planning Commission and City Council a written protest of the replatting before or at the hearing, approval of the replat will require the affirmative vote of four of the City Council members. In computing percentages of ownership, each lot is considered equal to all other lots regardless of size or number of owners, and the owners of each lot are entitled to cast only one vote per lot. The area of streets and alleys shall be included in computing the percentage of land area.

(3) Any replat which adds or deletes lots must include the original lot boundaries.

#### **§ 156.999 PENALTY.**

(A) Except as provided in these regulations and lots of record established prior to the effective date of this ordinance, no building permit shall be issued for any new structure or change, improvement or alteration of any existing structure on any tract of land which does not comply with all of the provisions of this chapter.

(B) Except as provided in these regulations and lots of record established prior to the effective date of this ordinance, the city shall withhold all public improvements and utilities, including the maintenance of streets and the provision of sewage facilities and water service, from all tracts, lots or additions, the platting of which has not been officially approved by the City Council and for which a certificate of compliance has not been issued pursuant to these regulations.

(B) A violation of this chapter shall be deemed an offense and shall be punishable as provided in § 10.99 and in accordance with applicable state law. Any person, partnership or corporation violating any of the provisions of this chapter upon conviction thereof shall be punished as provided in § 10.99.

(C) The city may issue citations to suspected violators of this chapter, which citations shall state the violation that is alleged, the time of the observation of the offense, any correction of the violation which is sought, the time allowable for the accomplishment of the correction and the further action which will be taken to seek remedy should correction not be accomplished. The issuance of such citations does not preclude the filing of charges in district court, nor shall the

issuance of such citations be a mandatory process precedent to the filing of charges in district court.

## **DESIGN STANDARDS NEIGHBORHOOD FEATURES**

### **§ 156.060 COMMUNITY GENERAL.**

(A) The quality of the design of the community, both in the urban area and on the fringes of the urban development, is dependent on the quality of design of the individual subdivisions in the area. Good community design can be accomplished by following a few principles. These better approaches to the layout of new areas. The violation of some of the basic rules concerning design of streets, ditches and other features can lead to such unpleasant situations as: streets that deteriorate and are expensive to maintain, street intersections that are dangerous, drainage ditches that clog up and cause flooding, building lots that are difficult or expensive to construct upon or difficulties with erosion during the time of development and even throughout the life of the homes.

(B) The figures which follow show some of the better ways of creating a subdivision. The use of good design and holding to these methods of development can provide for the least expense in the building of a subdivision. This is especially true considering the costs that come to the purchasers of property that has been improperly developed and the fact that there is no cheaper time to solve development problems than before houses are built and lots are sold.

(C) Figure 1 shows some of the patterns of streets and lots that might be possible in the development of areas in large, rural estates type lots. In the shaded area is shown an all too frequent approach to the creating of lots in rural settings. There are a number of problems from the arrangement of lots in a road frontage strip as in the shaded area, such as:

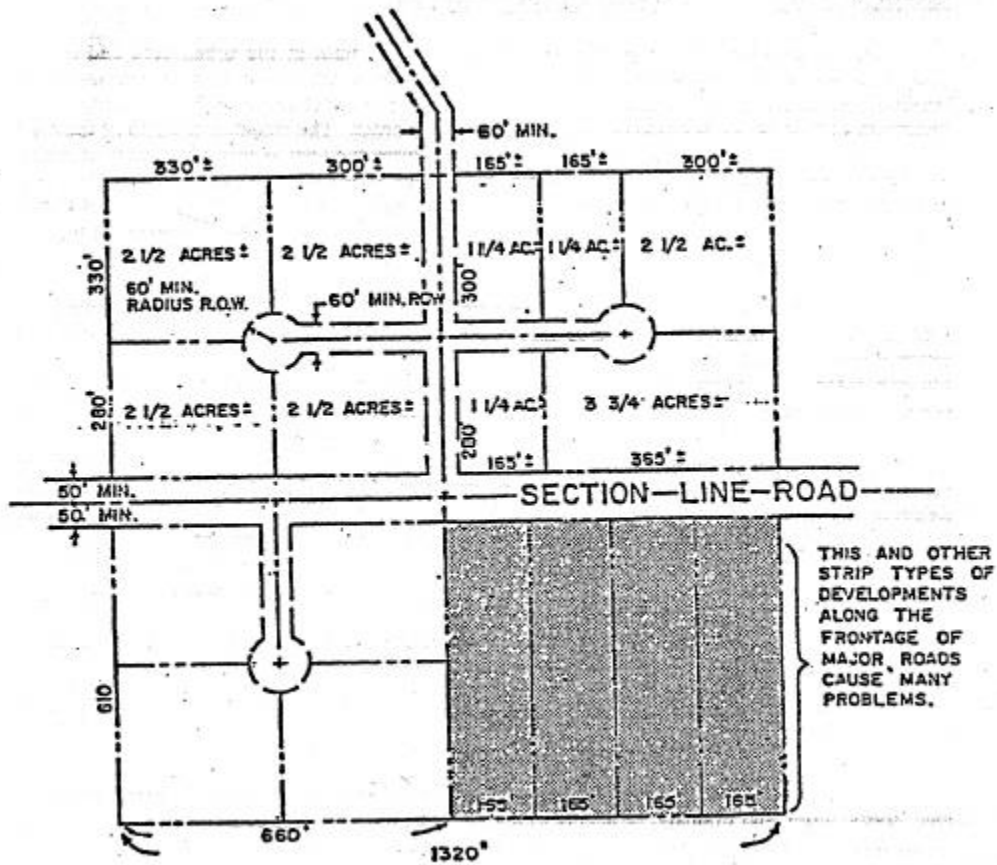
- (1) Long narrow parcels which are of reduced usefulness to the buyer;
- (2) Increased numbers of driveways intersecting the section line road (this is a major problem to the county as it tries to keep ditches and culverts clean and working);
- (3) The narrower lots result in closer spacing of houses with less privacy and greater possibility of failure in the operation of individual sewer systems; and
- (4) (a) The frontage of each house upon a section line road means greater exposure to the dust, traffic, litter and drainage problems which occur along the major roads (also there is a loss of privacy and the danger that the road may have to be widened at some time in the future taking part of the front lawn).
- (b) On the other hand, some of the other styles of lot arrangements shown can provide lots of much more usable shape, more privacy, safer traffic, more workable utility layout, better spacing of buildings and the like.

(D) The majority of land developed in the manner shown in Figure 1 is expected to be in the jurisdiction of the regional planning commission outside the incorporated area of the city.

(E) These are not all of the possibilities for laying out a large lot development. In fact, a development usually turns out better if it is worked out to fit the shape of the particular piece of land considering the streams, hills and the like. However, from this figure it can be seen that almost any other arrangement is better than a strip of long, narrow lots along the frontage of a major road.

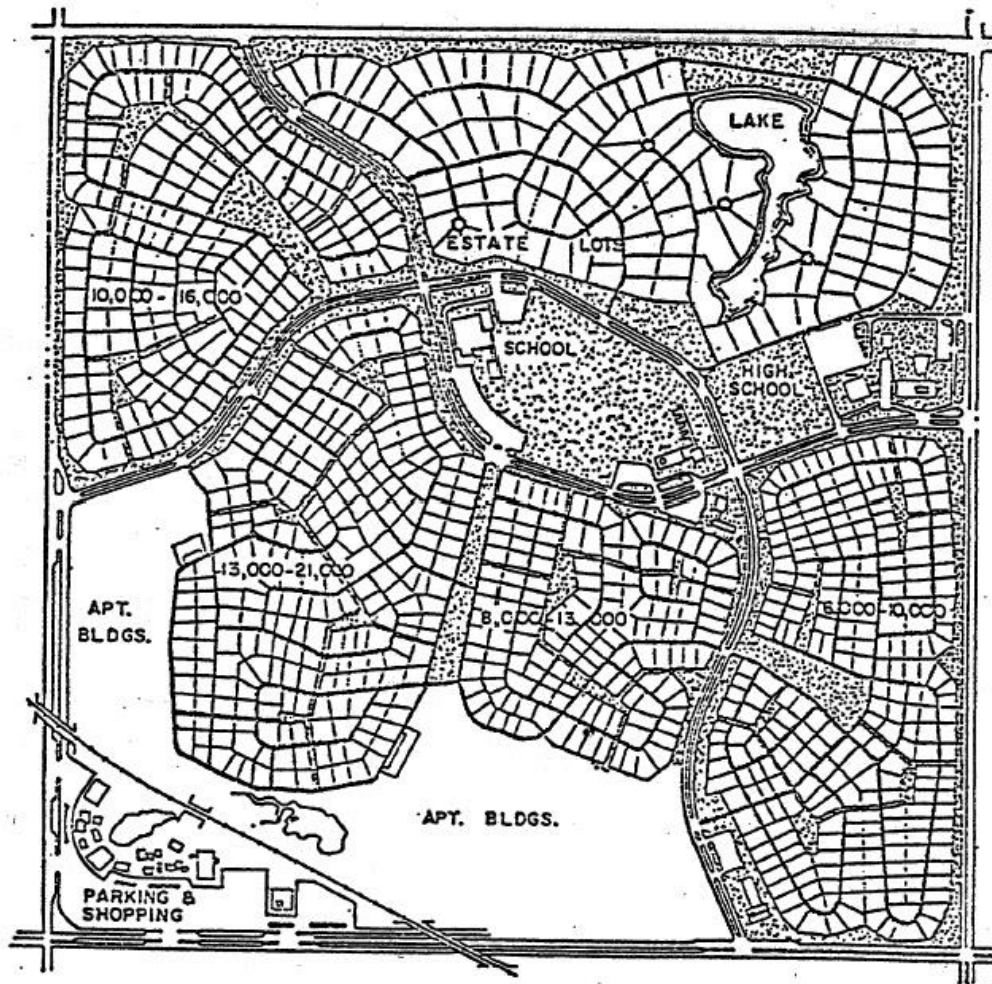


FIGURE 1  
RURAL PLATTING PATTERNS



- Notes:
1. Property dimensions in many cases are shown as less the right-of-way dimension. This reflects the improvement of the street or road and dedication of it to the public.
  2. Covenants should provide for access to lots to be only from side roads.

FIGURE 2  
AN EXAMPLE OF GOOD SUBDIVISION DESIGN



Notes: 1. Minor streets should be designed to provide access in a manner to discourage use by through traffic.

2. Collector streets should be designed to provide a direct route from minor streets to major streets.

3. Ingress and egress to residential properties should be provided only on minor streets.

4. Pedestrian ways should be separated from roadways.

5. The urban area shall be designed as a group of integrated residential neighborhoods with appropriate industrial, commercial and public facilities.

6. Lots, blocks and street systems should be designed for the most advantageous use of topography and natural physical features.

('93 Code, § 12-431) (Ord. 1041, passed 4-12-83)

#### **§ 156.061 SIDEWALKS.**

- (A) For purposes of this section, the terms “arterial streets”, “secondary thoroughfares”, “commercial streets”, “collector streets”, residential streets” shall be defined as indicated in the streets master plan.
- (B) Sidewalks no less than four feet in width shall be constructed along properties abutting residential streets, and no less than five feet in width along properties abutting collector streets, commercial streets, secondary thoroughfares, and arterial streets.
- (C) Sidewalks shall be constructed within dedicated streets rights-of-way along streets improved to city standards. On unimproved streets, covenants deferring sidewalk construction until street is improved according to city standards shall be required.
- (D) Within residential developments, required sidewalks shall be located adjacent to or within one foot of the property line. Within non-residential developments, the placement of required sidewalks shall be at the discretion of the City Council.
- (E) Sidewalks shall be laid out, graded and otherwise improved as specified in standards and specifications adopted by the City Council.
- (F) All sidewalks shall be incorporated into the street improvements construction plans required to be submitted by the developer for plat approval.
- (G) Sidewalks and walkways shall be completed at the time the streets are installed.
- (H) In order to facilitate access from streets to schools, parks, playgrounds, shopping centers, transportation facilities or other community facilities, the City Council may require pedestrian access ways or crosswalks not less than five feet wide to be located within perpetual unobstructed easements at least 20 feet in width. The easements shall be indicated on the plat.
- (I) No dwelling unit or business establishment that is required to install sidewalks shall be occupied until the required sidewalk construction is completed, inspected and accepted by the city.

#### **§ 156.062 STREET LIGHTS.**

- (A) Required new street lighting shall be installed by a franchised vendor, electric utility or the developer. The street lighting should be shown on preliminary and final plats. The primary objective for street lighting is for security and intersection identification.
- (B) Street lighting shall be chronologically integrated with a development and shall be installed prior to acceptance of public infrastructure by the City of Durant.
- (C) Should an easement be required to access power facilities, the easement should not be less than five (5) feet
- (D) The location of the street light shall be as follows and shall serve as the minimum lighting schedule:
  - a. One street light at each street or alley intersection
  - b. One street light at each end of each cul-de-sac or other permanently dead ended street
  - c. One street light at the approximate midpoint of curvilinear streets that prohibit visual contact between intersections

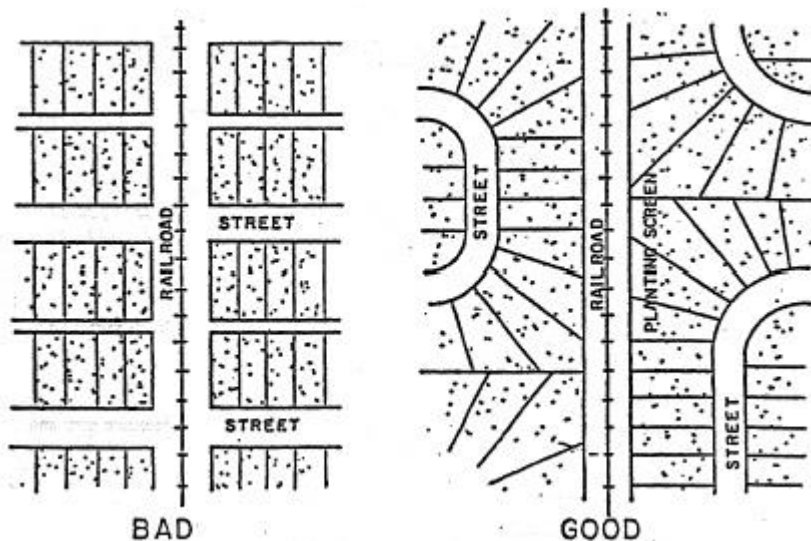
- d. One street light located midway between intersections that are spaced over 600' or more apart
- (E) The developer may choose to install lighting in addition to the minimum schedule set forth herein. If lighting is installed in addition to that maintained by the franchised vendor or electric utility, the developer shall ensure that a legal entity such as a homeowners association or equivalent is established and that the entity is assigned the obligation of maintaining the additional lighting in perpetuity.

#### § 156.063 STREETS.

The arrangement, character, extent, width, grade and location of all streets shall conform to all of the elements of the general plan and shall be designed in accordance with the following provisions:

- (A) Major streets shall be planned to conform with the major streets shown in the comprehensive plan;
- (B) Whenever a subdivision abuts or contains an existing or proposed major street, the City Council may require service streets, reverse frontage with screen planting contained in a no access reservation along the rear property line, deep lots or such other treatment as may be necessary for adequate protection of residential properties and to afford separation from traffic;
- (C) Where a subdivision borders on or contains a railroad right-of-way of limited access highway right-of-way, the City Council may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land. The following sketch illustrates both suitable and unsuitable ways of laying out developments bordering major right-of-way.

#### STREET LAYOUT ADJOINING LIMITED ACCESS RIGHT-OF-WAY FACILITIES



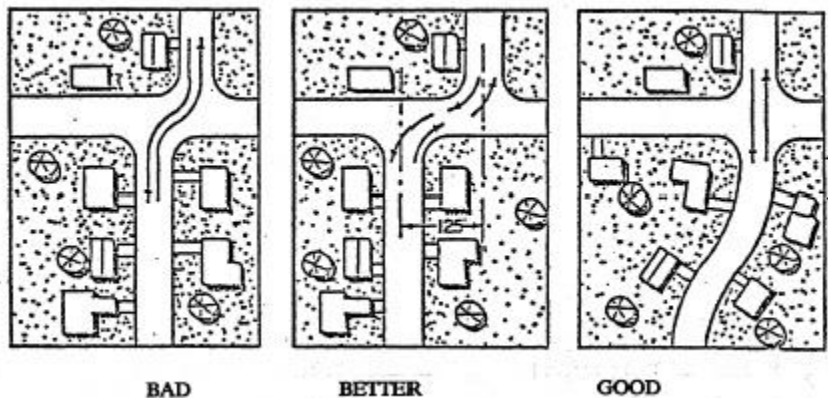
- (D) Reserve strips controlling access to streets shall be prohibited except where their control is placed in the city under conditions approved by the City Council and acceptable to the subdivider;

(E) Where the plat to be submitted includes the only part of the tract owned or intended for development by the subdivider, a tentative plan of a proposed future street system for the unsubdivided portion may be required by the City Council;

(F) Where a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be arranged to permit the logical location and opening of future streets and appropriate resubdivision with provision for adequate utility easements; and

(G) Street jogs with centerline offsets of less than 125 feet shall be avoided.

#### STREET JOGS LESS THAN 125 FEET SHALL BE AVOIDED



(H) Street right-of-way widths shall be in accordance with the Comprehensive Plan and, where not designated therein, shall be not less than the following:

| Street Type             | R.O.W. Width |
|-------------------------|--------------|
| Arterial streets        | 85 feet      |
| Secondary thoroughfares | 80 feet      |
| Commercial streets      | 80 feet      |
| Collector streets       | 60 feet      |
| Residential streets     | 60 feet      |

(I) The paved width of all streets shall be adequate to serve the existing and future estimated traffic load for the facility. Lane width for all streets shall be as follows:

(1) All major streets shall have lanes for traffic movement of not less than 11 feet or more than 12 feet in width, and lanes for parallel parking or emergency stopping of not less than 10 feet in width; and

(2) All minor streets shall have lanes for traffic movement of not less than 9 feet or more than 12 feet in width and lanes for parallel parking of not less than 8 feet in width. Streets should be developed in accordance with the general standards given in the code of the city.

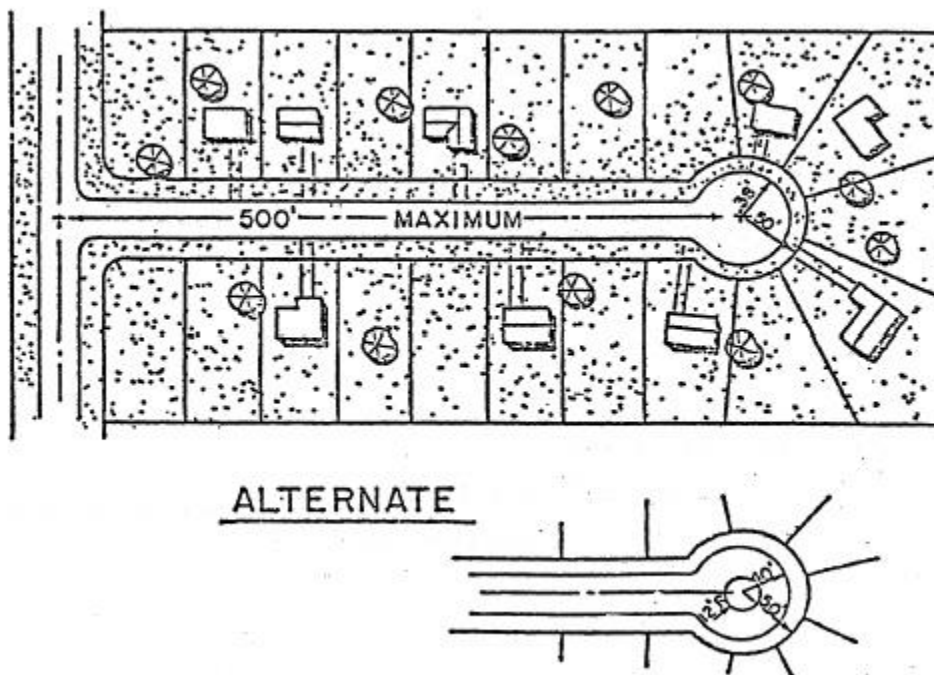
(J) (1) A cul-de-sac should not exceed 500 feet in length, measured from the entrance to the center of the turnaround unless a dedicated secondary emergency sealed-surface accessible ingress and egress is provided to the primary roadway to a point within 500 feet of the center of



the turnaround radius. The ingress and egress shall be, at a minimum, in the form of a 20- foot wide dedicated public easement that is graded, compacted, sealed-surface, and otherwise constructed to the city's specifications.

(2) If the cul-de-sac is longer than 150 feet then a turnaround radius of not less than 65 feet at the property line and 50 feet at the curb line shall be provided. If there is provided in the center of the turnaround an unpaved island, it shall be improved with landscaping that will not interfere with sight distance. The unpaved island shall have a radius of not less than 6 feet and the radius from the curb line of the island to the turnaround outside curb shall be 30 feet with the easement extending an additional 15 feet beyond the outer curb line.

#### CUL-DE-SAC

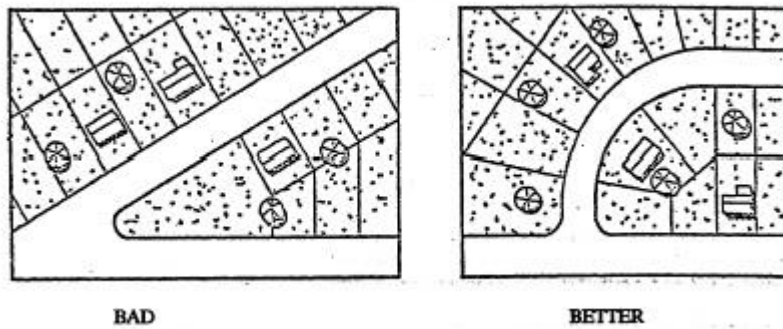


(K) Half streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, provided that the City Council finds it will be practical to obtain the dedication of the other half of the street easement when the adjoining property is subdivided. Wherever a half street is adjacent to the tract to be subdivided, the other half of the street shall be platted within the tract being subdivided;

(L) The arrangement of streets shall be such as to cause no hardship in the subdividing of adjacent properties. The City Council may require the dedication of street rights-of-way to facilitate the development of adjoining properties;

(M) No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the City Council;

(O) Minor streets shall be laid out so that their use by arterial traffic will be discouraged;



- (P) Streets shall intersect at approximately right angles;
- (Q) Street grades shall be as follows:
- (1) The minimum grade of all streets shall be 0.4%;
  - (2) Except where unusual topo-graphic conditions justify it, the maximum grade of all streets shall not be greater than the following:

| Street Type         | Grade |
|---------------------|-------|
| Major               | 5%    |
| Collector           | 7%    |
| Residential streets | 10%   |

- (R) Street corners shall be as follows:
- (1) Street corners on local residential streets shall have a minimum radius of 20 feet at curb line or its equivalent;
  - (2) Street corners on collector streets shall have a minimum radius of 25 feet at the curb line or its equivalent;
  - (3) Street intersections involving major thoroughfares shall have a minimum street corner radius of 30 feet at the curb line or its equivalent;
  - (4) In order to provide for traffic safety, there shall be on each corner of each intersection of two streets a clear sight triangle. A clear sight triangle means a triangle formed by the curb lines of two intersecting rights of way and a third line connecting a full view zone of 25 feet from intersecting corners of the street. On streets with no curb and gutter, the same triangle will be used and measurements made twelve (12) feet from the center of the street if the street is two lanes in width and six (6) additional feet for each lane width as existing at the intersecting corner. The plat or the covenants of the addition shall clearly prohibit any construction or planting of landscaping materials in this area.
- ( '93 Code, §12-441) (Ord. 1041, passed 4- 12-83; Am. Ord. 1859, passed 7-10-18)

#### **§ 156.064 ALLEYS.**

Alleys shall be as follows:

- (A) Alleys shall be provided in commercial and industrial districts, except that the City Council may waive this requirement where other definite and assured provision is made for

service access, such as off-street loading, unloading and parking consistent with and adequate for the uses proposed;

(B) Alleys serving commercial and industrial areas shall be not less than 30 feet in width;

(C) Alleys are not required for residential areas, but when provided shall be not less than 20 feet in width;

(D) Alley intersections and sharp changes in alignment should be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement;

(E) Dead-end alleys should be avoided, but if necessary, shall be provided with adequate turn around facilities at the dead end, as determined by the City Council; and

(F) Alleys shall be finished with a sealed surface and otherwise constructed to the city's specifications.

( '93 Code, §12-442) (Ord. 1041, passed 4-12- 83; Am. Ord. 1859, passed 7-10-18)

### § 156.065 EASEMENTS.

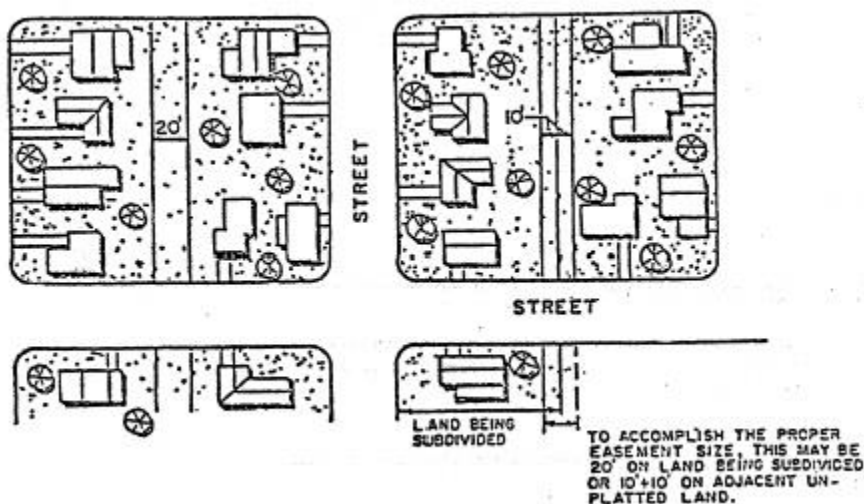
(A) Where alleys are not provided, easements not less than ten feet wide shall be provided along each rear lot line. A five-foot easement alongside lot lines of individual plots may be required where necessary for use by public and private utilities. The City Council may require air rights and easements of greater width for the extension of main storm and sanitary sewers and other utilities where it is deemed necessary.

(B) When a subdivision is adjacent to unplatted land, the easements for public and private utilities shall be:

(1) Provided as 20 feet wide on the land being subdivided; or

(2) Provided as ten feet wide on the land being subdivided with an easement ten feet wide being presented adjacent and simultaneous to the presentation of the final plat.

### EASEMENTS



( '93 Code, § 12-443) (Ord. 1041, passed 4-12-83)

**§ 156.066 BLOCKS.**

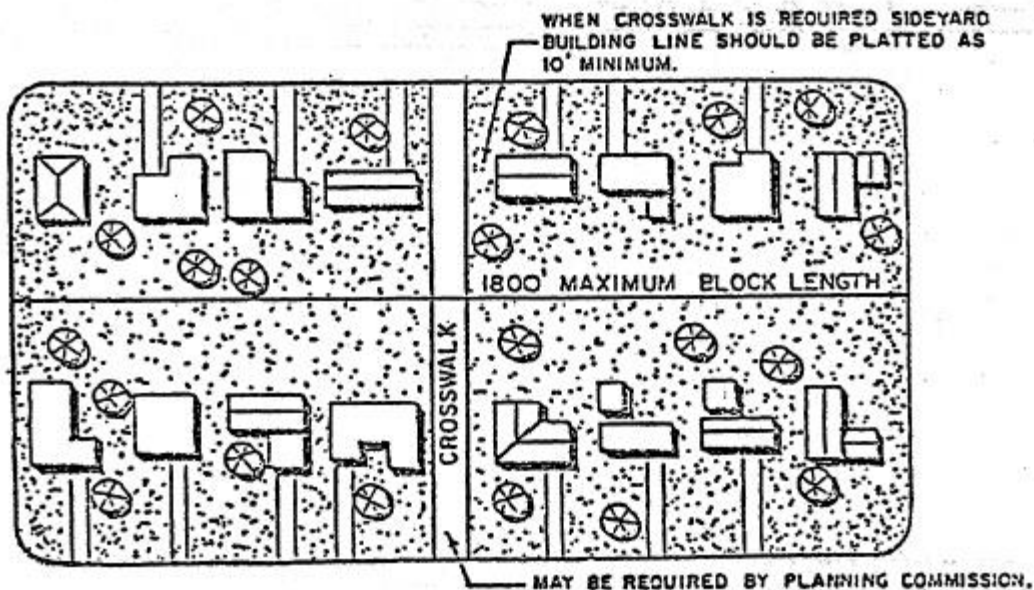
(A) The lengths, widths and shapes of blocks shall be determined with due regard for the following:

- (1) Provision of adequate building sites suitable to the special needs of the type of use contemplated;
- (2) Zoning requirements as to lot sizes and dimensions;
- (3) Needs for convenient access, circulation, control and safety of street traffic; and
- (4) Limitations and opportunities of topography.

(B) Blocks for residential use shall not be longer than 1,800 feet, measured along the center line of the block. When a block exceeds 600 feet in length, the City Council may require a dedicated easement not less than 5 feet in width and a paved crosswalk not less than 5 feet in width to provide pedestrian access across the block.

(C) Blocks used for residential purposes should be of sufficient width to allow for two tiers of lots of appropriate depth, but should be not less than 200 feet in width. Blocks intended for business and industrial use should be of a width suitable for the intended use, with due allowance for off-street parking and loading facilities.

**BLOCKS**



(`93 Code, § 12-444) (Ord. 1041, passed 4-12-83)

### § 156.067 LOTS.

(A) Residential lots shall be not less than 60 feet in width at the front building line and shall abut a street a distance of not less than 35 feet.

(B) The area of residential lots shall be not less than 6,000 square feet.

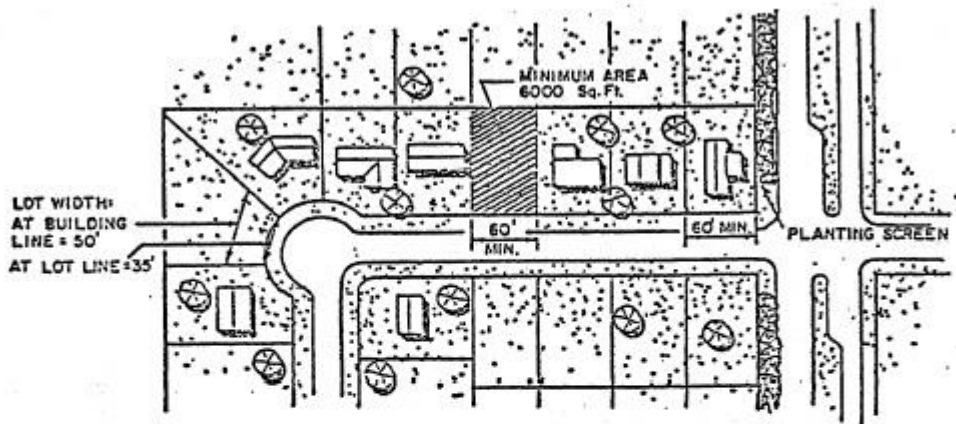
(C) In residential subdivisions where septic tank or individual sewage disposal devices are to be installed, the area of the lot shall be not less than 22,500 square feet.

(D) Lots are not required for subdivisions for commercial and industrial use, but when provided should be of appropriate size and arrangement to provide for adequate off-street parking and loading facilities based on the intended use.

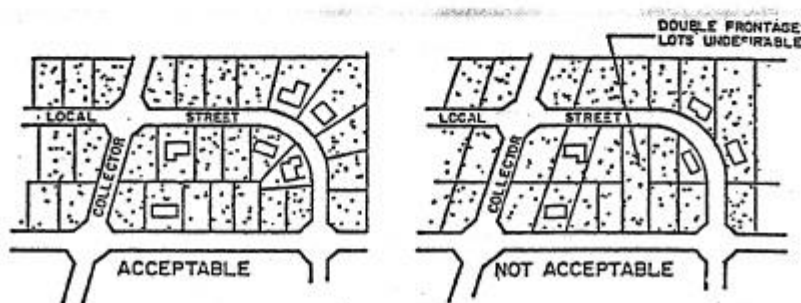
(E) Side lot lines should be approximately at right angles or radial to street lines.

(F) Double frontage and reverse frontage lots should be avoided except where they are needed to provide for the separation of development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least 20 feet shall be provided along the portion of the lots abutting such a traffic artery or other use where screening is required. There shall be no right-of-access across a planting screen easement.

#### LOTS



#### LOT PATTERN



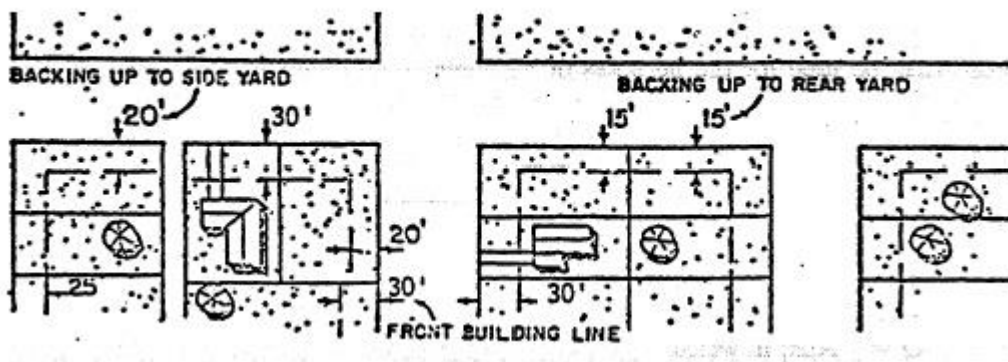
('93 Code, § 12-445) (Ord. 1041, passed 4-12-83)



#### § 156.068 BUILDING LINES.

Building lines shall be provided for all residential subdivisions as follows:

- (A) A front building line shall be located 30 feet back of the street right-of-way line;
- (B) A side yard building line on the side of a corner lot abutting the street shall be located not less than 15 feet back of the street right-of-way when such lot is back to back with another corner lot and not less than 20 feet back of the street right-of-way line in every other case;
- (C) A side yard building line shall be provided not less than ten feet back of a crosswalk right-of-way line on the side of a lot abutting a midblock crosswalk; and
- (D) Restrictions requiring buildings to be located within the building lines shown on the plat shall be set forth on the plat or on a separate recorded instrument.



(`93 Code, § 12-446) (Ord. 1041, passed 4-12-83)

#### § 156.069 DRAINAGE.

(A) These regulations and standards are designed, intended and should be administered in a manner to protect the various drainage areas in the city from flooding; to provide clean and sanitary channels for runoff; to prevent pollution of watersheds, streams and natural drainage channels; to prevent the encroachment of buildings and improvements on natural drainage channels; to equitably apportion the cost of improvements; to protect natural scenic areas; and to provide for the conservation of the natural resources of the area and to fulfill the requirements of the flood insurance administration. The regulations and standards herein contained shall apply to the incorporated area of the city. All subdivisions of land and all improvements of any character which affect drainage in any portion of the city shall be subject to the provisions of these regulations and be subject to approval by the City Public Works Director or his or her designee. Development within the limits of the 100-year flood shall be designed in such a manner that all finished floor elevations shall be at least one foot above the 100-year floor level; provided, however, that all earth fills within the 100-year flood level shall be approved by the City Engineer; and provided, further, that development within the 100-year flood shall not in any case plan for structures in the floodway as shown on the official flood maps.

- (B) (1) The two classes of drainage channels shall be:
  - (a) Primary drainage channels; and
  - (b) Secondary drainage channels.

(2) In general, it is intended that channels which are designated as primary channels serve a drainage area of 1,000 acres or more. It is intended by these regulations that the improvement of primary drainage channels shall be primarily the responsibility of the community as a whole, since the whole community is materially benefitted. However, the developer of the land containing a primary channel is expected to layout, design and otherwise plan and carry out his or her improvements in a manner that will not interfere with or restrict the natural flow of water or materially change the condition of runoff. Increased runoff and changes in primary channels which are created by improvements of an individual subdivision shall be the responsibility of the developer of the subdivision and shall be made in accordance with the provisions of these regulations. It is intended by these regulations that the improvement of a secondary channel shall be the responsibility of the developer of the area served by the channel, since the primary benefit is to the area served by the secondary channel and not to the community as a whole.

(C) The maximum condition of rainfall for a 100-year interval plus one-foot of freeboard shall be used for the purposes of determining all runoff for the sizing of drainage channels and structures for the city, unless otherwise specified herein. Values used in formulas for runoff and size of drainage structures shall reflect the degree of urbanization set forth in the projected land use pattern contained in the comprehensive plan for the city. The following formulas and values shall be used for calculating all stream flow and runoff for the policies and regulations established herein:

(1) Runoff from all drainage areas shall be determined by Rational Formula:

$Q = AIR$ , in which

$Q$  = Cubic feet per second

$A$  = Area to be drained in acres, determined by field surveys for areas less than 1,000 acres and by latest government quadrangle maps for larger areas

$I$  = Percent of imperviousness of the area may vary between 40% and 95%

$R$  = Rate of rainfall over entire drainage area in inches per hour, based on time of concentration and latest government records for area (using 100-year storm plus one foot for primary and secondary channels).

(2) The size of closed storm sewers, open channels, culverts and bridges shall be determined using the Manning Formula:

$Q = \frac{1.486A r^{2/3} s^{1/2}}{n}$

$Q$  = Discharge in cubic feet per second

$A$  = Cross-sectional area of water in conduit in square feet

$r$  = Hydraulic radius of water in conduit

$s$  = Mean slope of hydraulic gradient, in feet of vertical rise per foot of horizontal distance

$n$  = Roughness coefficient, based on condition and type of material of conduit lining, but not less than 0.013.

(D) All primary drainage channels which are located within, or immediately adjacent to an improvement or a subdivision shall be protected and improved by the developer as follows:

(1) All land having an elevation below the 50-year maximum flood elevation and not protected by levies or dikes shall be dedicated to the city for the purpose of providing drainage and for public park and utility easement use. The developer may retain unto himself or herself an

easement for landscaping, for installation and maintenance of ornamental elements and for fencing. Access for proper maintenance to the area of the 100-year flood shall not be obstructed;

(2) The existing channel laying within or immediately adjacent to the subdivision shall be cleaned to provide for the free flow of water, and the channel shall be straightened, widened and improved to the extent required to prevent overflow beyond the limits of the dedicated drainage area;

(3) Site improvement shall provide for the grading of all building sites and streets to an elevation where all lots, building areas and streets will not be subject to overflow and in a manner that will provide for the rapid runoff of all rainfall;

(4) Whenever channel improvement is carried out, sodding, back-sloping, cribbing and other bank protection shall be designed and constructed to control erosion for all the anticipated conditions of flow for the segment of channel involved. Planting of appropriate species for landscape beauty is encouraged;

(5) A drainage channel shall not be located in a street easement unless it is placed in an enclosed storm sewer; and

(6) Culverts, bridges and other drainage structures shall be constructed in accordance with the specifications of the city at all locations where drainage channels intersect with continuous streets or alleys.

(E) Surface drainage and all secondary channels within or adjacent to the addition shall meet the following conditions:

(1) When a subdivision is traversed by a secondary drainage channel, watercourse or stream which drains 160 acres or more of land, there shall be provided a right-of-way for drainage and public parks and public utility purposes adequate to contain all of the floodway of a 100-year maximum flood. The right-of-way shall include all of the land within the subdivision that is within the floodway as established by the official flood maps;

(2) Secondary drainage channels which have a primary function of collecting surface water from adjacent properties or intercepting and diverting side hill drainage shall be provided with an improved open channel;

(3) Secondary drainage channels which have a primary function of transporting water through the block or collecting water from cross channels and which have a drainage area of less than 40 acres shall be improved with closed storm sewers or an improved open channel when approved by the City Engineer of the city. Where the secondary drainage channel has a drainage area of greater than 40 acres, an improved open channel or closed storm sewer shall be provided;

(4) A drainage channel shall not be located in a street easement unless it is placed in a closed storm sewer;

(5) Site grading shall be carried out in such a manner that surface water from each lot will flow directly to a storm sewer, improved channel or paved street without crossing more than two adjacent lots;

(6) Surface water collected on streets shall be diverted to storm drains at satisfactory intervals to prevent overflow of six-inch high curbs during a ten- year frequency rain for the area and grades involved.

However, the minimum finished grade at the building line shall be such that it will not be affected by storms equivalent to a 100-year frequency plus one foot of freeboard;

(7) Drainage area allowed for surface flow on streets at a point of diversion shall not exceed 20 acres, regardless of flow;

(8) Drainage easements of satisfactory width to provide working room for construction and maintenance shall be provided for all storm sewers;

(9) Channel improvements shall be as follows:

(a) Open channels shall be improved by providing a paved section that will carry the runoff from a rain of 5-year frequency and a sodded section to carry the runoff from a rain of 10-year frequency. However, the minimum finished grade at the building line shall be such that it will not be affected by storms equivalent to a 100-year frequency plus one foot of freeboard. The design of the channel improvements shall be in accordance with the standards set forth on the three following figures. Where turbulence is sufficiently limited, where natural beauty is thereby preserved and where erosion will not result, the Planning and Zoning Commission may approve omitting the paved section; and

(b) Whenever an open improved channel is required or authorized for a secondary drainage channel under the provisions of these regulations and the channel crosses large residential lots (area of not less than 10,000 square feet) and the channel improvement is to be designed as an integral part of the landscaping of the area that will be maintained by the property owners of the area, then the City Council may modify the requirements of the first part of this provision to permit a channel improvement design in accordance with the third of the design alternatives shown.

(F) Requirements relating to improvements:

(1) Easements. All storm drainage features shall be placed in proper easements as set out in these regulations;

(2) Bridges and culverts. Bridges and culverts shall be as follows:

(a) All flow of water across continuous streets or alleys shall be through culverts or bridges;

(b) Bridges and culverts on primary drainage channels shall be sized to accommodate a 100-year frequency rain, plus one foot of freeboard, based on the drainage area involved;

(c) Bridges and culverts on secondary drainage channels which drain 160 acres or more of land shall be sized to accommodate a 100-year frequency rain, plus one foot of freeboard, based on the drainage area involved. However, a 50-year frequency may be used when overflow provisions are incorporated to accommodate a 100-year frequency rain;

(d) Bridges and culverts on secondary drainage channels which drain less than 160 acres of land shall be sized to accommodate a 10-year frequency rain, based on the drainage area involved; provided, that all building elevations shall have one foot of freeboard above overflows of the 100-year storm;

(e) Design of bridges and culverts shall be submitted to and have the approval of the City Engineer;

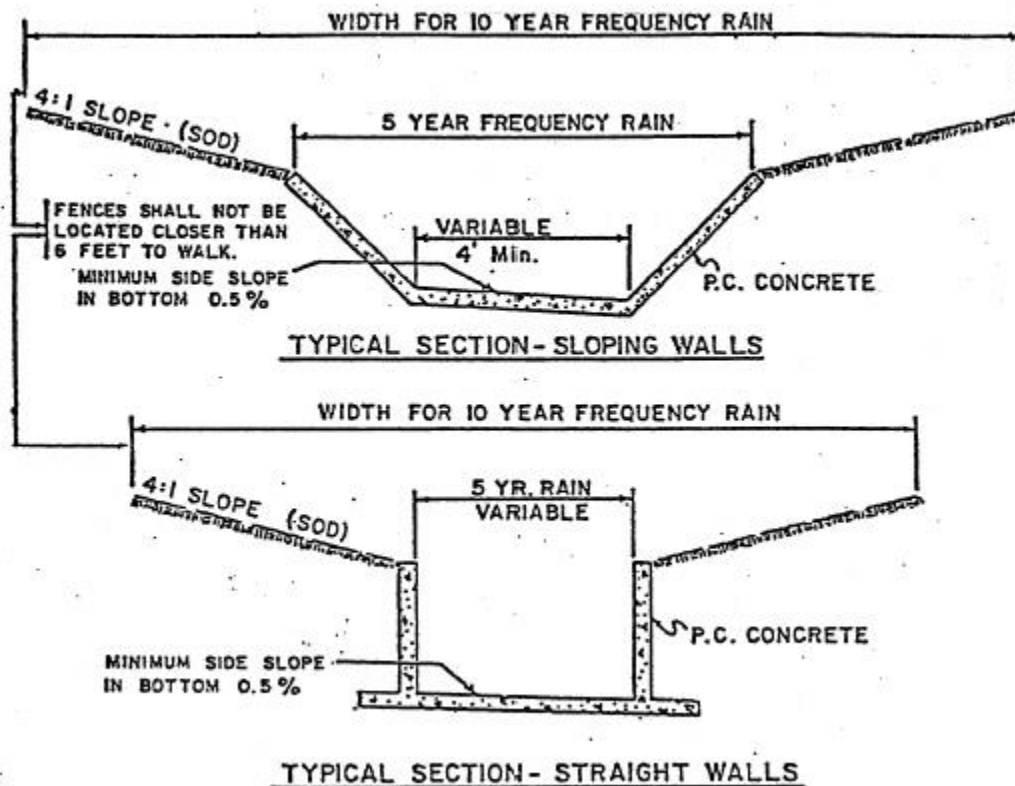
(3) Closed storm sewers. Closed storm sewers shall be constructed of pre-cast or pre-fabricated pipe or built in place of closed box design to serve a ten-year frequency rain for the drainage area involved; and

(4) Open paved storm drainage. Open paved storm drainage channels shall be approved in accordance with specifications approved by the City Engineer. Side slopes above the paved section shall be shaped and sodded on a slope of four horizontal to one vertical or flatter. Fences capable of limiting water flow or which would prevent proper maintenance and care of the drainage facility shall not be erected below the shoulder of the sodded section. Retaining walls or

other decorative elements which do not prevent necessary access for maintenance may be erected.

(G) The City Council reserves the right to require improvements, provisions of drainage easements and for provisions of agreements beyond the boundaries of the addition to facilitate flow of water through the addition and to provide continuous improvement of the overall storm sewer system.

#### IMPROVED DRAINAGE CHANNEL

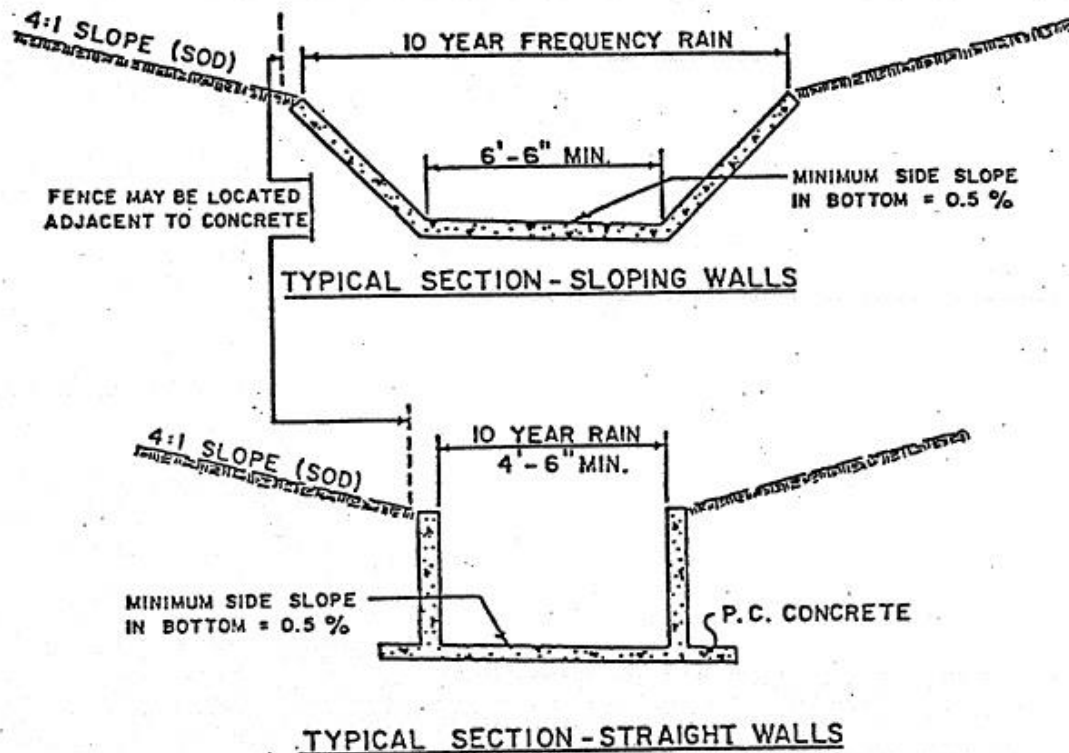


#### General Specifications

1. Use of sloping walls or straight walls is optional.
2. Construction of concrete lining shall conform to city specifications.
3. Straight walls shall be designed to withstand earth pressures.
4. Sloping walls shall have slope ratio of 1 horizontal to 1 vertical, or flatter.
5. Sodded slope ratio shall be 4 horizontal to 1 vertical, or flatter.
6. Concrete liners shall be structurally designed for calculated hydraulic load to be minimum 4 inches - maximum 6 inches of 3,500 lb. concrete.



## IMPROVED DRAINAGE CHANNEL



### General Specifications

1. Use of sloping walls or straight walls is optional.
2. Construction of concrete lining shall conform to city specifications.
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4. Sloping walls shall have slope ratio of 1 horizontal to 1 vertical, or flatter.
5. Sodded slope ratio shall be 4 horizontal to 1 vertical, or flatter.
6. Concrete liners shall be structurally designed for calculated hydraulic load to be minimum 4 inches - maximum 6 inches of 3,500 lb. concrete.

## IMPROVED DRAINAGE CHANNEL

### General Specifications

1. Slopes back of curb shall have a ratio of 4 horizontal to 1 vertical, or flatter.
  2. Slopes shall be sodded uniformly to permit mowing.
  3. Concrete construction shall conform to city specifications.
  4. This section shall be constructed only in those locations outlined in general policies and requirements.
  5. Concrete liners shall be structurally designed for calculated hydraulic load to be minimum 4 inches - maximum 6 inches of 3,500 lb. concrete.
- (`93 Code, § 12-447) (Ord. 1041, passed 4-12-83)



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Danielle O'Neal  
**Re:** Discussion, Consideration and Possible Action on a Re-Plat Request for Property Located Near North 4th Avenue and Willow Street (PC 2022-05)

**Request:** Consider a request from BREI, LLC, for a Re-Plat Request for property located near North 4th Avenue and Willow Street.

**Current Zoning:** R-3, General Residential

### Surrounding Properties:

| Direction | Zoning | Use                       |
|-----------|--------|---------------------------|
| North     | R-3    | Single Family Residential |
| East      | R-3    | Single Family Residential |
| South     | R-3    | Single Family Residential |
| West      | R-3    | Single Family Residential |

### Lot Characteristics: (Current Lots)

|            |                                                                                  |
|------------|----------------------------------------------------------------------------------|
| Width      | ~ 25 ft. (Each)                                                                  |
| Depth      | ~ 148 ft. (Each)                                                                 |
| Total Area | ~0.08 acres (~3,700 sq. ft.) (Single)<br>~0.17 acres (~7,400 sq. ft.) (Together) |

**Applicant:** BREI, LLC

**Background:** The applicant approached staff regarding filing for a re-plat request with the hopes of building a single family home on the property. This re-plat is combining two lots into one lot. Both of these lots are part of a platted area dating from around 1913. These lots do not currently meet the lot size requirements for the zoning classification.

Notifications have been made to the surrounding property owners and at the time of this report, there had not been any letters or emails received by staff.

**Analysis:** The subject property individually is approximately 3,700 square feet and the lots together would be approximately 7,400 square feet. It should be noted, currently the frontage of the lots is approximately 25 feet; therefore, together the street frontage will be just under the 50-foot requirement. The applicant is planning to place a single family home with its own driveway on the property. The floorplans provided by the applicant show a single family home that will fit on the lot if the re-plat is approved. There appears to be City Water and Sewer in the area. The Maintenance and Operations Supervisor has noted on the sign off sheet that the nearest sewer main is in between North 4th Street and

North 5th Street on Willow. The applicant will need to contact the Public Works Department regarding what is required to ensure City water and sewer serve the property.

The current Land Use Map appears to have this area as mixed residential; therefore, this request is generally in line with the Comprehensive Plan.

**Staff Recommendation:** Staff has signed off supporting the approval of the re-plat, with the note from the Maintenance and Operations Supervisor regarding the sewer main. It was also noted that no easements are listed on the plat. No further comments have been received as of the creation of this report.

**Planning Commission Recommendation:** The Planning Commission recommended approval of the re-plat contingent upon the applicant getting variance for the lot width requirements for this property from the Board of Adjustment.

**Required Action:** Hear the item and approve or deny the Re-Plat request for property located near North 4th Avenue and Willow Street. Any specific conditions imposed by the Council should be read into any approval motion.

#### **Council Information / Action Requested**

Planning Commission and City Staff recommend approval of this item contingent upon getting a variance from the Board of Adjustment.

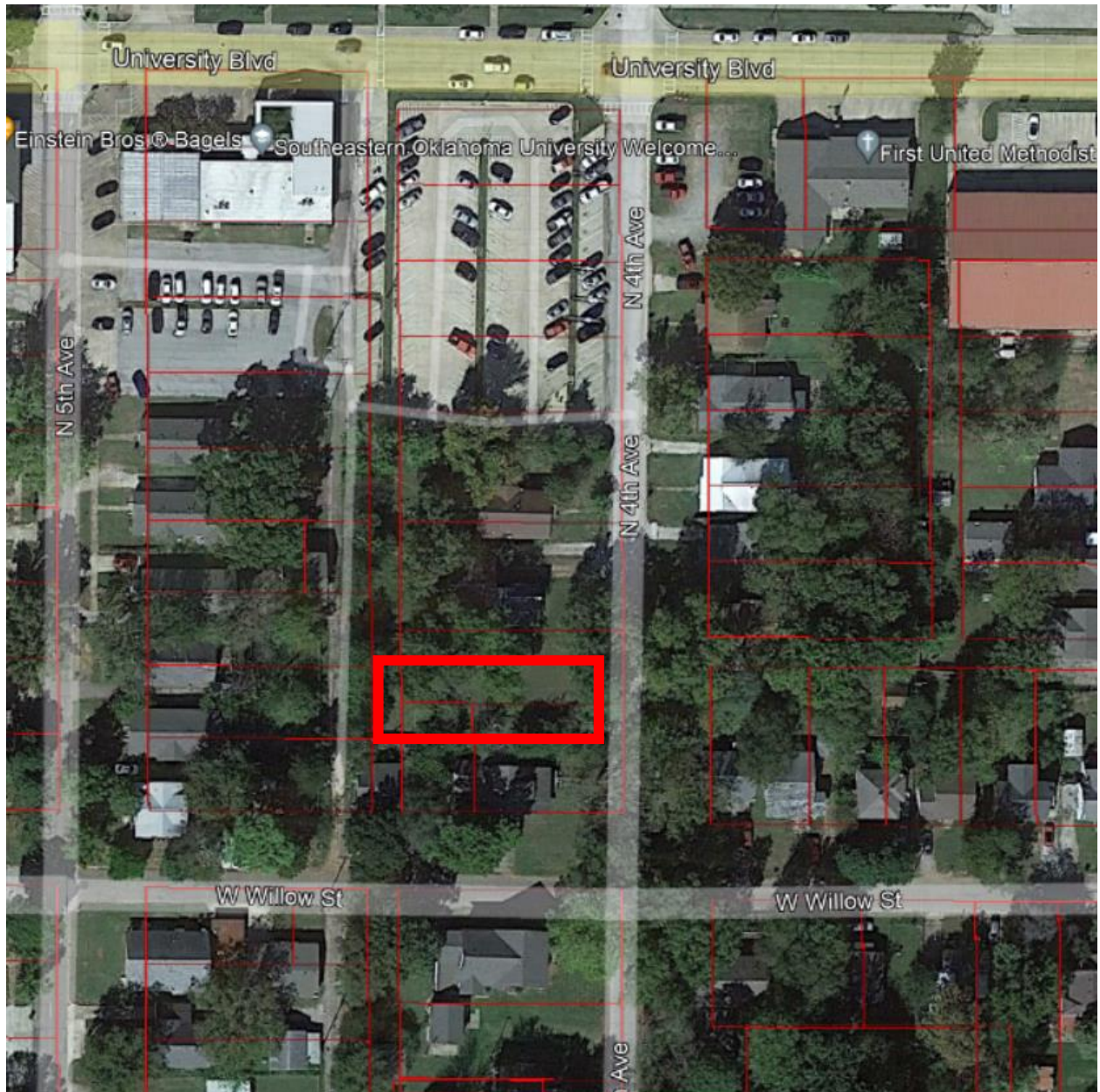
#### **City Staff Information / Action Follow-up, if Council authorizes this action:**

City Clerk  
Community Development  
GIS

#### **ATTACHMENTS:**

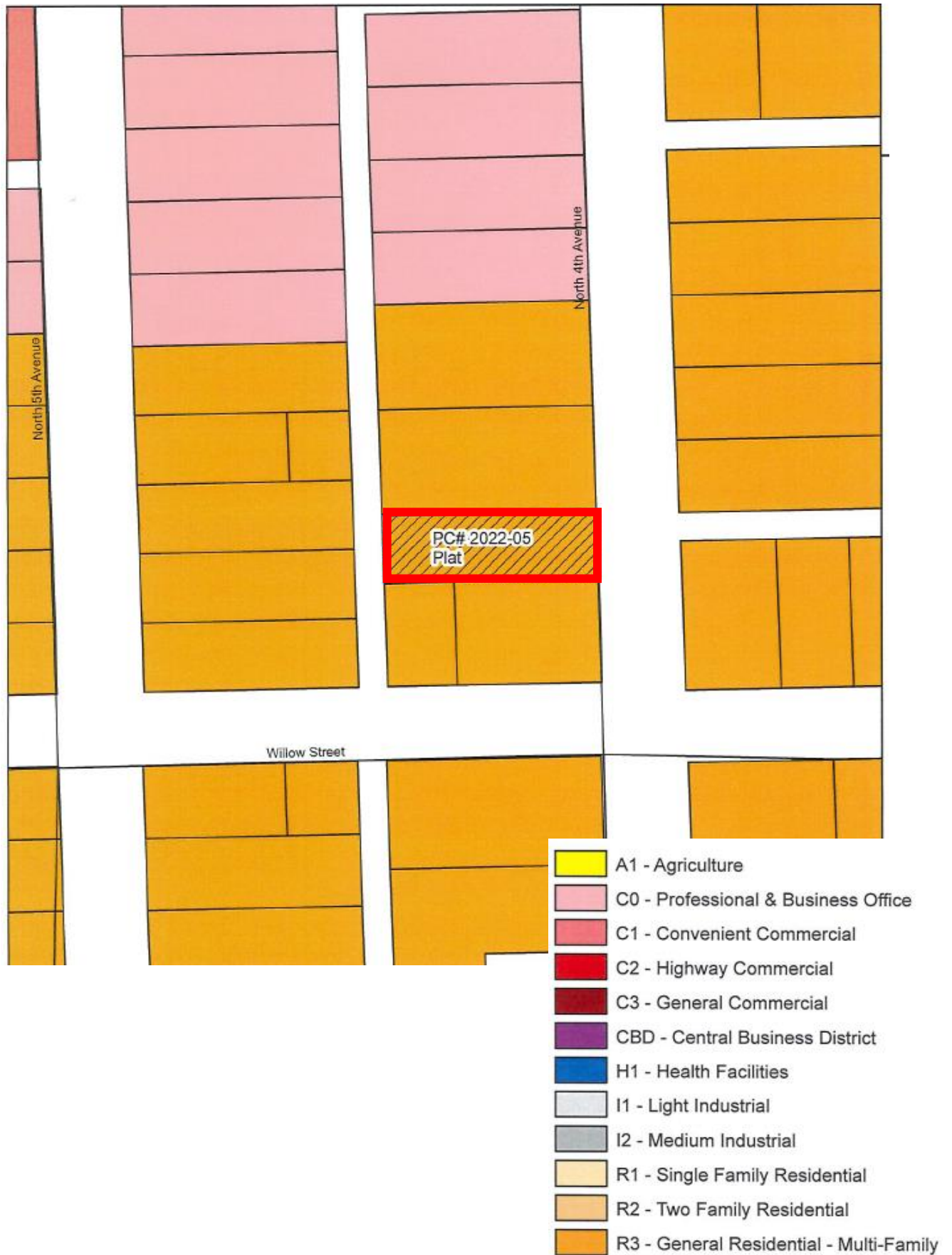
1. PC 2022 05 Maps
2. PC 2022-05 Signatures
3. Application
4. Warranty Deed
5. Signed RePlat
6. Floor Plans

## Aerial Map



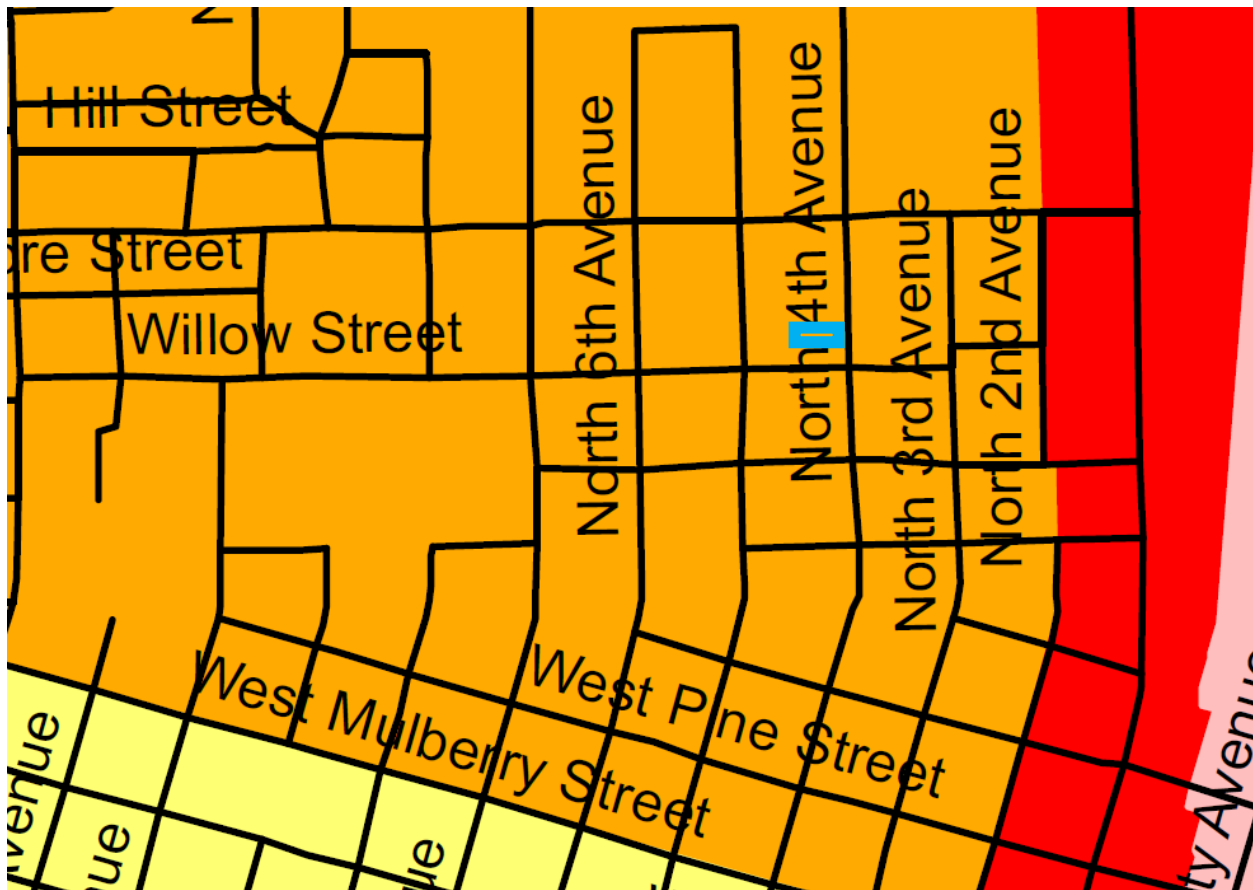


## Zoning Map





## Future Land Use Map



\*Location is approximate\*

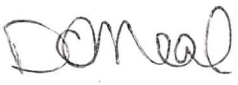
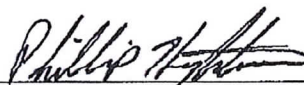
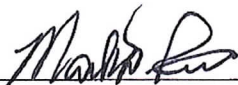
### Future Land Use



# COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

4<sup>th</sup> & Willow Re-plat

PC 2022-05

| Department                                        | Signature                                                                           | Date       | Notes                                                                           |
|---------------------------------------------------|-------------------------------------------------------------------------------------|------------|---------------------------------------------------------------------------------|
| Com Dev Director<br><br>Danielle O'Neal           |    | 3-29-22    | no easements listed                                                             |
| M&O<br><br>Randy Cantrell                         |    | 02-28-2022 | Nearest Sewer<br>Main is in Willow<br>Between 4 <sup>th</sup> & 5 <sup>th</sup> |
| Streets<br><br>Carl Meade                         |    | 2/28/22    |                                                                                 |
| Public Works<br>Director<br><br>Phillip Hightower |  | 2-28-22    |                                                                                 |
| Fire Marshal<br><br>Wade Boyd                     | see att                                                                             |            |                                                                                 |
| Building Inspector<br><br>Mark Pierce             |  | 2-28-22    |                                                                                 |
| Engineer<br><br>Brandon Wall                      | see att                                                                             |            |                                                                                 |

# COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

4<sup>th</sup> & Willow Re-plat

PC 2022-05

| Department                                        | Signature                                                                           | Date     | Notes       |
|---------------------------------------------------|-------------------------------------------------------------------------------------|----------|-------------|
| Com Dev Director<br><br>Danielle O'Neal           |                                                                                     |          |             |
| M&O<br><br>Randy Cantrell                         |                                                                                     |          |             |
| Streets<br><br>Carl Meade                         |                                                                                     |          |             |
| Public Works<br>Director<br><br>Phillip Hightower |                                                                                     |          |             |
| Fire Marshal<br><br>Wade Boyd                     |                                                                                     |          |             |
| Building Inspector<br><br>Mark Pierce             |                                                                                     |          |             |
| Engineer<br><br>Brandon Wall                      |  | 02/26/22 | No Comments |

# COMMUNITY DEVELOPMENT PLAT SIGN OFF SHEET

## 4<sup>th</sup> & Willow Re-plat

| Department                                        | Signature     | Date           | Notes             |
|---------------------------------------------------|---------------|----------------|-------------------|
| Com Dev Director<br><br>Danielle O'Neal           |               |                |                   |
| M&O<br><br>Randy Cantrell                         |               |                |                   |
| Streets<br><br>Carl Meade                         |               |                |                   |
| Public Works<br>Director<br><br>Phillip Hightower |               |                |                   |
| Fire Marshal<br><br>Wade Boyd                     | <i>W Boyd</i> | <i>2-28-22</i> | <i>No issues.</i> |
| Building Inspector<br><br>Mark Pierce             |               |                |                   |
| Engineer<br><br>Brandon Wall                      |               |                |                   |



# Subdivision/Plat Application

Sketch Plat: ☐  
 Preliminary Plat: ☐  
 Final Plat: ☐  
 Re-Plat: ☒

Petition # PC 2022-05  
 Fee \$ 300  
 Expedited Fee \$ \_\_\_\_\_

## APPLICANT INFORMATION

|                                         |                                              |                              |
|-----------------------------------------|----------------------------------------------|------------------------------|
| Name: <u>BREI, LLC.</u>                 | Email: <u>billy@blackburnplumbingllc.com</u> | Phone #1 <u>580 916-6799</u> |
| Mailing Address: <u>P.O. Box 816</u>    |                                              | Phone #2 <u>580 715-1779</u> |
| City: <u>DURANT</u> State: <u>OK</u>    | Zip: <u>74702</u>                            | Fax # _____                  |
| Applicant's Interest in Property: _____ |                                              |                              |

## SURVEYOR INFORMATION

|                                               |                   |                              |
|-----------------------------------------------|-------------------|------------------------------|
| Name: <u>PAGE SURVEYING</u>                   | Email: <u>N/A</u> | Phone #1 <u>580 920-9101</u> |
| Mailing Address: <u>124 S. 8TH AVE.</u>       |                   | Phone #2 <u>580 239-0176</u> |
| City: <u>DURANT</u> State: <u>OK</u>          | Zip: <u>74701</u> | Fax # <u>580 920-9101</u>    |
| Surveyor Oklahoma License Number: <u>1566</u> |                   |                              |

## ENGINEER INFORMATION

|                                         |              |                |
|-----------------------------------------|--------------|----------------|
| Name: _____                             | Email: _____ | Phone #1 _____ |
| Mailing Address: _____                  |              | Phone #2 _____ |
| City: _____ State: _____                | Zip: _____   | Fax # _____    |
| Engineer Oklahoma License Number: _____ |              |                |

## LAND INFORMATION

|                                                                                                                     |                          |
|---------------------------------------------------------------------------------------------------------------------|--------------------------|
| Legal Description:<br><u>LOTS 24 AND 25 OF BLOCK 1 OF<br/>NORMAL HEIGHTS FIRST ADDITION TO<br/>DURANT, OKLAHOMA</u> | Parcel Number: _____     |
| Proposed Subdivision Name: <u>NORMAL HEIGHTS FIRST ADDITION</u>                                                     | Current Zone: <u>R3</u>  |
| Proposed Use: <u>SFR</u>                                                                                            | Proposed Zone: <u>R3</u> |
| Current Property Owner's Name: <u>BREI, LLC.</u>                                                                    |                          |

The applicant has prepared this application and supporting documentation and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Applicant: [Signature] Date: 12/29/21

## Office Use Only

|                               |                       |                           |                                    |
|-------------------------------|-----------------------|---------------------------|------------------------------------|
| Date Filed                    | Date Payment Received | Notification Mailed       | Comments                           |
| Initial                       | Initial               | Date Initial              |                                    |
| Proof of Publication Received |                       | Property Posting Verified | Comprehensive Plan Recommendations |
| Date                          | Initial               | Date                      | Initial                            |

RECEIVED

JAN 25 2022



|                                                                                           |                                                                                        |                                                                                          |             |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------|
| Staff Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | PC Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | City Council Action<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | Ordinance # |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------|

APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT THE FOLLOWING INFORMATION ADDRESSED:

Please describe the nature and operating characteristics of the proposed use:

SINGLE FAMILY HOME

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

STANDARD CONCRETE DRIVEWAY FOR SINGLE FAMILY HOUSE

2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.).

WILL ADD LANDSCAPE, OR FENCING WHERE NEEDED

3. Traffic Impacts:

SINGLE FAMILY HOME

4. Protection of Neighborhoods:

WILL CONFORM TO EXISTING NEIGHBORHOOD

What licenses and permits (if any) are required for this proposed use?

JUST CITY PERMITS FOR NEW CONSTRUCTION

Please list or describe any other reasons to support this application.

HOUSE WILL CONFORM TO NEIGHBORHOOD AND ADD TO MUCH NEEDED RENTAL HOUSING.

After recording, return to:  
Blackburn Real Estate Investments, LLC  
P.O. Box 816  
Durant, OK 74702

2021-734134 Book 1562 Pg. 1,089  
06/02/2021 2:33 pm Pg 1089-1089  
Fee: \$ 18.00 Doc: \$ 29.25  
Tammy Reynolds - Bryan County Clerk  
State of Oklahoma



**JOINT TENANCY  
WARRANTY DEED**

File No.: 2021040136

Documentary Stamps: \$29.25

That Dan T. Crouse or Barbara Ann Crouse, Trustees of the Dan T. and Barbara Ann Crouse 2009 Revocable Trust, (the "Grantor"), in consideration of the sum of TEN & NO/100 Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto Blackburn Real Estate Investments, LLC, a Limited Liability Company, as joint tenants and not as tenants in common, with right of survivorship, the whole estate to vest in the survivor, (the "Grantee"), the following described real property and premises situate in Bryan County, Oklahoma, to wit:

**Lots 24 and 25 in Block 1 of Normal Heights First Addition, to the City of Durant, Bryan County, Oklahoma, according to the recorded plat thereof.**

Together with all the improvements thereon and the appurtenances thereto belonging, and warrant the title to the same. SUBJECT TO easements, rights of way, restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto said Grantee, and to the heirs, successors and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this 1st day of June, 2021.

Dan T. and Barbara Ann Crouse 2009 Revocable Trust

By: *Dan T. Crouse*  
By: Dan T. Crouse, Trustee

By: *Barbara Ann Crouse*  
By: Barbara Ann Crouse, Trustee

STATE OF OKLAHOMA

Bryan County, 29.25  
Documentary Stamps \$

**ACKNOWLEDGMENT - OKLAHOMA FORM**

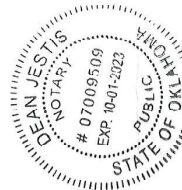
STATE OF OKLAHOMA

ss.

COUNTY OF BRYAN

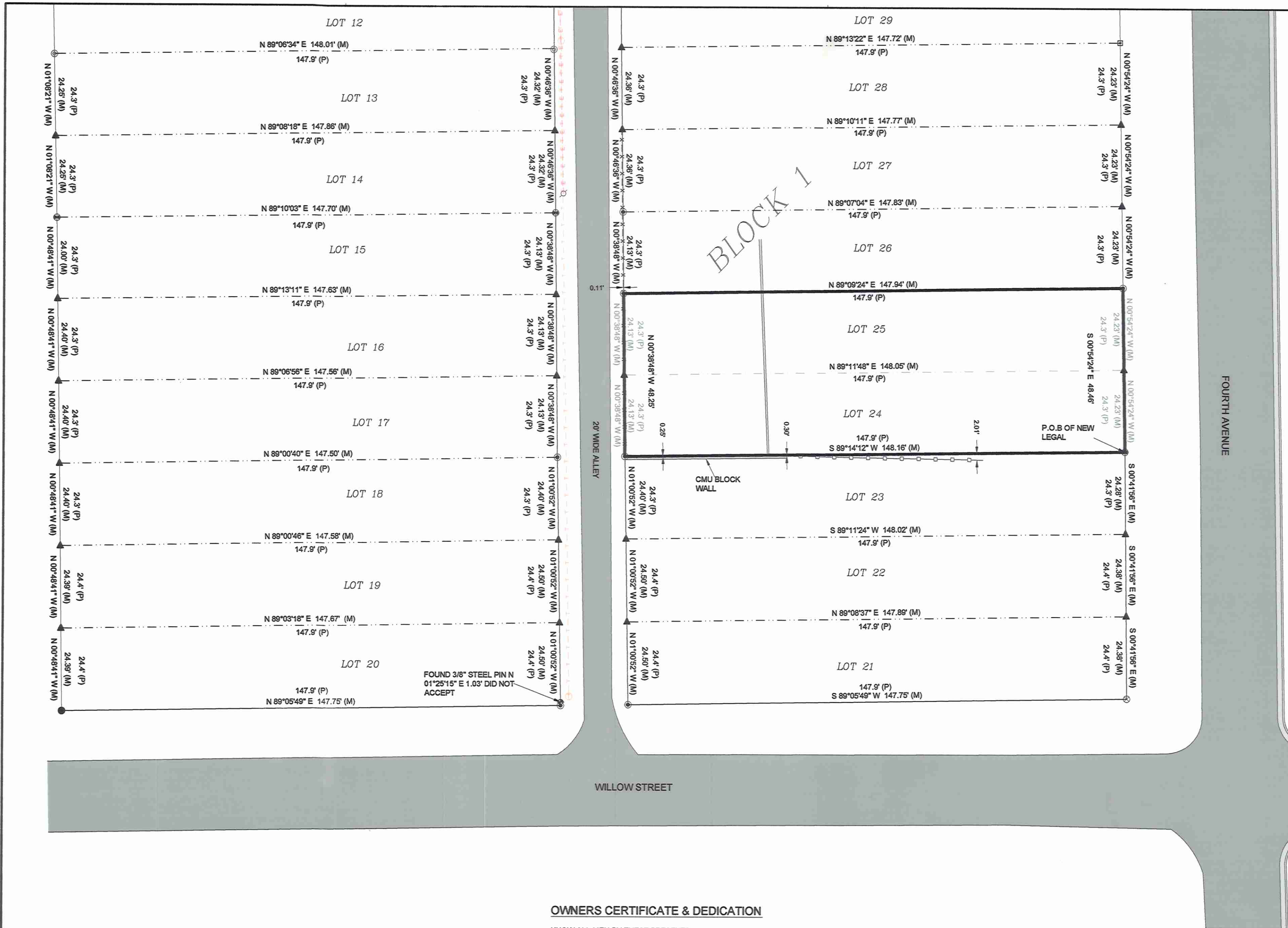
This instrument was acknowledged before me on this 1st, day of June, 2021 by Dan T. Crouse or Barbara Ann Crouse, Trustees of Dan T. and Barbara Ann Crouse 2009 Revocable Trust.

Commission No.:



*Dean J. Jettis*  
Notary Public  
My Commission Expires:





DOCUMENTS USED IN PREPARATION FOR THIS SURVEY:

- WARRANTY DEED FROM DAN AND BARBARA CROUSE TO BLACKBURN REAL ESTATE INVESTMENTS, L.L.C., FILED ON JUNE 02, 2020 IN BOOK 1562, PAGE 1089 IN THE RECORDS OF BRYAN COUNTY, OKLAHOMA.
- SUBDIVISION PLAT OF NORMAL HEIGHTS FIRST ADDITION TO DURANT, OKLAHOMA AS FILED IN THE RECORDS OF BRYAN COUNTY, OKLAHOMA.

SURVEYOR'S NOTES:

- SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT, COMMITMENT OR TITLE OPINION. NO EASEMENTS OR RIGHTS-OF-WAY WERE PROVIDED TO THE SURVEYOR.
- ALL MEASUREMENTS AS SHOWN ARE IN GRID (SPC NAD 83) BEARINGS, AND GROUND DISTANCES UNLESS OTHERWISE NOTED.
- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- ALL LATITUDE AND LONGITUDE COORDINATES ARE SHOWN AS WGS 84, DERIVED BY DIFFERENTIAL G.P.S. BASED ON DURANT CONTROL NETWORK BY PAGE SURVEYING AND ASSOCIATES, AND GRID (SPC NAD 83) BEARINGS.
- THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD.
- SUBJECT PROPERTY IS SUBJECT TO STATUTORY SECTION LINE ROAD EASEMENTS WHERE APPLICABLE AND AS SHOWN ON SURVEY PLAT.
- SURVEY PERFORMED USING RTK GPS, COORDINATE SYSTEM IS WGS 84, ALL BEARING ARE REFERENCED TO GRID (SPC NAD 83) BEARINGS.

G.P.S. BASE POINT INFORMATION:

NAD 83 COORDINATE  
NORTHING: 200228.1546  
EASTING: 2397945.5256  
ELEV: 637.751  
WGS 84 DATA  
LAT: 33°52'31.8824" N  
LONG: 98°30'08.6557" W  
HT: 550.969

OWNERS CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS  
That BILLY BLACKBURN, being the sole owner of the parent tracts in fee simple of the following described property respectively, to wit:

ORIGINAL PARENT TRACTS:  
DEED FILED IN BOOK 1562, PAGE 1089 OF THE RECORDS IN THE OFFICE OF THE COUNTY CLERK, BRYAN COUNTY, OKLAHOMA.

I DAVID L. PAGE JR. HEREBY CERTIFY THAT THIS SUB-DIVISION RE PLAT, ACCURATELY REPRESENTS THE FOLLOWING TRACTS OF LAND TO WIT:  
A TRACT OF LAND, BEING COMPRISED OF LOT 24 AND LOT 25 IN BLOCK 1 OF NORMAL HEIGHTS FIRST ADDITION TO DURANT, OKLAHOMA, FILED IN THE OFFICE OF THE BRYAN COUNTY CLERK BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS WITH A BASE GRID BEARING BEING S 89°14'12" W, ALONG THE SOUTH LINE OF SAID LOT 24, BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM DERIVED FROM THE DURANT CONTROL NETWORK BY PAGE SURVEYING AND ASSOCIATES, MORE PARTICULARLY DESCRIBED AS:  
BEGINNING AT THE SOUTHEAST CORNER OF LOT 24 OF THE REPLAT IN BLOCK 1 OF NORMAL HEIGHTS FIRST ADDITION TO DURANT, OKLAHOMA;

THENCE, S 89°14'12" W, ALONG THE SOUTH LINE OF SAID LOT 24, A DISTANCE OF 148.16 FEET TO THE SOUTHWEST CORNER OF SAID LOT 24;  
THENCE, N 00°58'48" W, ALONG THE WEST LINE OF SAID LOTS 24 AND 25, A DISTANCE OF 48.25 FEET TO THE NORTHWEST CORNER OF LOT 25;  
THENCE, N 89°09'24" E, ALONG THE NORTH LINE OF SAID LOT 25, A DISTANCE OF 147.84 FEET TO THE NORTHEAST CORNER OF SAID LOT 25;  
THENCE, S 89°05'49" E, ALONG THE EAST LINE OF SAID LOTS 24 AND 25, A DISTANCE OF 48.46 FEET BACK TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINS 0.16 ACRES MORE OR LESS.

3/1/22 BASIS OF BEARINGS: SOUTH 89°14'12" WEST, ALONG THE SOUTH LINE OF LOT 24 IN BLOCK 1 OF NORMAL HEIGHTS FIRST ADDITION TO DURANT, OKLAHOMA, REFERENCED TO THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83). THE AFORESAID PARCEL OF LAND DESCRIBED BY DAVID L. PAGE JR., PLS NO. 1566, ON NOVEMBER 17, 2021.

DATE SIGNED OWNER, MEMBER/MANAGER

STATE OF OKLAHOMA  
COUNTY OF BRYAN

Before me, the undersigned, a Notary Public in and for said County and State on this 1st day of March, 2022, personally appeared Billy Blackburn to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as him free and voluntary act and deed for the uses and purposes therein set forth.  
Given under my hand and seal of office the day and year last above written.

Notary Public  
9-7-2025  
Commission Expiration

CHRIS EASTWOOD  
Notary Public - State of Oklahoma  
Commission Number 81684719  
My Commission Expires Apr 7, 2025

LEGEND

- These standard symbols may be found in the drawing
- SET 12" STEEL PIN WITH CAP (PLS 1558)
  - FOUND 3/4" STEEL PIN
  - FOUND RAILROAD SPIKE
  - FOUND 12" STEEL PIN
  - FOUND 5/8" STEEL PIN
  - FOUND 1" STEEL PIPE
  - FOUND 3/8" STEEL PIN WITH CAP (CA 463)
  - FOUND 3/8" STEEL PIN
  - MEASURED FIELD DATA
  - RECORD PLATED DATA
  - POWER POLE
  - TELEPHONE PEDESTAL
  - BOUNDARY LINE
  - UNDERGROUND TELEPHONE LINE
  - OVERHEAD ELECTRIC
  - WOOD PANEL FENCE
  - ASPHALT SURFACE
  - CONCRETE SURFACE

REPLAT OF LOTS 24 AND 25

A SUBDIVISION TO THE TOWN OF DURANT OF THE  
NORMAL HEIGHTS FIRST ADDITION TO DURANT, OKLAHOMA.

LICENSED LAND SURVEYORS CERTIFICATE

I, David L. Page Jr., a Licensed Land Surveyor in the State of Oklahoma, do hereby state that this plat of survey is based on an actual field survey, by myself, or under my direction, in conformance with the Oklahoma Minimum Standards for the Practice of Land Surveying, And subject to easements and/or rights-of-way, either recorded, or implied, thereof.

David L. Page Jr. 11-17-21  
David L. Page Jr. P.L.S. #1566 Date

STATE OF OKLAHOMA  
COUNTY OF BRYAN

Before me, the undersigned, a Notary Public in and for said County and State on this 17th day of November, 2021, personally appeared David L. Page, Jr. to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as him free and voluntary act and deed for the uses and purposes therein set forth.  
Given under my hand and seal of office the day and year last above written.

Sarah Payne  
Notary Public  
5-11-2024  
Commission Expiration

COUNTY TREASURERS CERTIFICATE

I, \_\_\_\_\_, The duly elected and qualified County Treasurer of Bryan County, Oklahoma, do hereby certify that there are no unpaid taxes up to and including the year 2020 on the described real property known as Replat of Lots 24 and 25 being a part of Bryan County, State of Oklahoma, and the required security has been deposited in the office of the County Treasurer guaranteeing payment of the current years taxes.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

County Treasurer

STATE OF OKLAHOMA  
COUNTY OF BRYAN

Before me, the undersigned, a Notary Public in and for said County and State on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, personally appeared \_\_\_\_\_ to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that \_\_\_\_\_ executed the same as \_\_\_\_\_ free and voluntary act and deed for the uses and purposes therein set forth.  
Given under my hand and seal of office the day and year last above written.

Notary Public

Commission Expiration

DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL

The Oklahoma State Department of Environmental Quality, certifies that this plat is approved for the construction of a \_\_\_\_\_ sewage disposal system and a \_\_\_\_\_ water system this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Environmental Specialist

COUNTY CLERK CERTIFICATE  
STATE OF OKLAHOMA  
COUNTY OF BRYAN

This instrument, \_\_\_\_\_, was filed on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, at \_\_\_\_\_, and duly recorded in book \_\_\_\_\_, page \_\_\_\_\_.

County Clerk

STATE OF OKLAHOMA  
COUNTY OF BRYAN

Before me, the undersigned, a Notary Public in and for said County and State on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, personally appeared \_\_\_\_\_ to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that \_\_\_\_\_ executed the same as \_\_\_\_\_ free and voluntary act and deed for the uses and purposes therein set forth.  
Given under my hand and seal of office the day and year last above written.

Notary Public

Commission Expiration

DURANT CITY PLANNING COMMISSION - APPROVAL AND ACCEPTANCE

I, \_\_\_\_\_, Chairmen of the Durant Planning Commission for the City of Durant, State of Oklahoma, hereby certify that the said commission duly approved the Replat of lots 24 and 25 in Block 1 of Normal Heights to the Town of Durant, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chairman

Secretary

DURANT CITY COUNCIL - APPROVAL AND ACCEPTANCE

Let it be resolved by the City Council of the City of Durant, Bryan County, Oklahoma, that this Replat of lots 24 and 25 in Block 1 of Normal Heights to the Town of Durant, Bryan County, Oklahoma and are hereby accepted. Adopted by the City Council of the City of Durant, Bryan County, Oklahoma, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

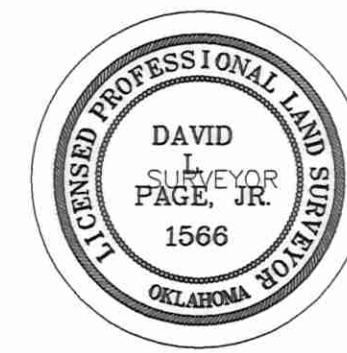
Signed: \_\_\_\_\_ Mayor Signed: \_\_\_\_\_ City Clerk



124 SOUTH 8th AVENUE  
DURANT, OKLAHOMA 74701  
(580) 920-9101 OR (580) 239-0176  
FAX (580) 920-9121

DAVID L. PAGE JR. © 2021  
PROFESSIONAL LAND SURVEYOR #1566  
C.A. # 1991, EXPIRES 6-30-2023

Surveyor's Seal



TREASURER

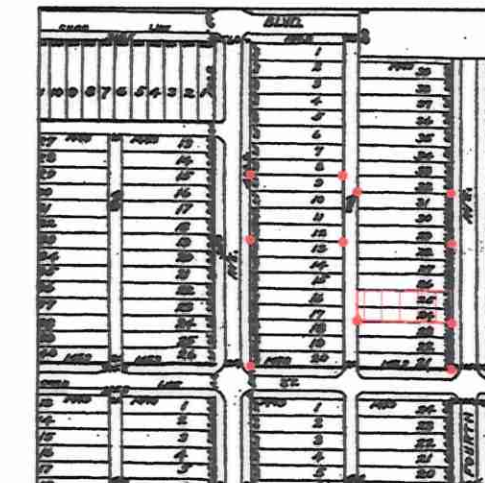
NOTARY

ENVIRONMENTAL  
QUALITY

CLERK

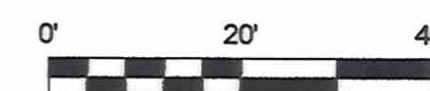
NOTARY

LOCATION MAP  
DENOTES FOUND MONUMENT



LOCATION

LOT 24 AND 25  
NORMAL HEIGHTS FIRST ADDITION TO  
DURANT, BRYAN COUNTY, OKLAHOMA



"BASIS OF BEARING"  
BASED ON THE OKLAHOMA STATE PLANE  
COORDINATES SYSTEM (NAD 83) AND THE  
DURANT CONTROL NETWORK BY PAGE  
SURVEYING AND ASSOCIATES.  
CONTROLLING CORNERS ARE EXISTING  
CORNERS FOUND AT THE LOT CORNERS  
IN BLOCK 1 OF NORMAL HEIGHTS FIRST  
ADDITION TO THE TOWN OF DURANT,  
BRYAN COUNTY, OKLAHOMA.

GENERAL NOTES

SUBJECT TO EASEMENTS AND/OR RIGHTS-OF-WAY, EITHER  
RECORDED, OR IMPLIED, THEREOF.  
NO UTILITIES OF ANY KIND HAVE BEEN LOCATED EXCEPT THOSE  
SHOWN ON THE ABOVE PLAT

CONTROLLING CORNERS FOR THIS SURVEY ARE AS SHOWN ON THE  
TOPOGRAPHIC SURVEY PLAT

THIS IS NOT A VALID SURVEY WITHOUT THE SURVEYOR'S ORIGINAL  
SIGNATURE AND ORIGINAL SEAL

PORTIONS OF THIS PLAT ARE IN COLOR. PHOTO AND ELECTRONIC  
COPIES OF THIS PLAT MAKE IT INVALID AND MAY ALTER ITS  
MEANING

THIS PLAT AND SURVEY MEETS THE OKLAHOMA MINIMUM  
STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED  
BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS.



| NO. | REVISION/ISSUE | DATE |
|-----|----------------|------|
|     |                |      |
|     |                |      |
|     |                |      |
|     |                |      |

SURVEY INFORMATION

FIELD WORK PERFORMED: 10-6-21  
DATE OF LAST SITE VISIT: 11-17-21  
PLAT COMPLETED: 11-17-21

Project Name and Address

BILLY BLACKBURN  
LOTS 24 AND 25 OF BLOCK 1  
OF NORMAL HEIGHTS FIRST ADDITION  
TO DURANT, OKLAHOMA

DATE

11-17-21

SCALE

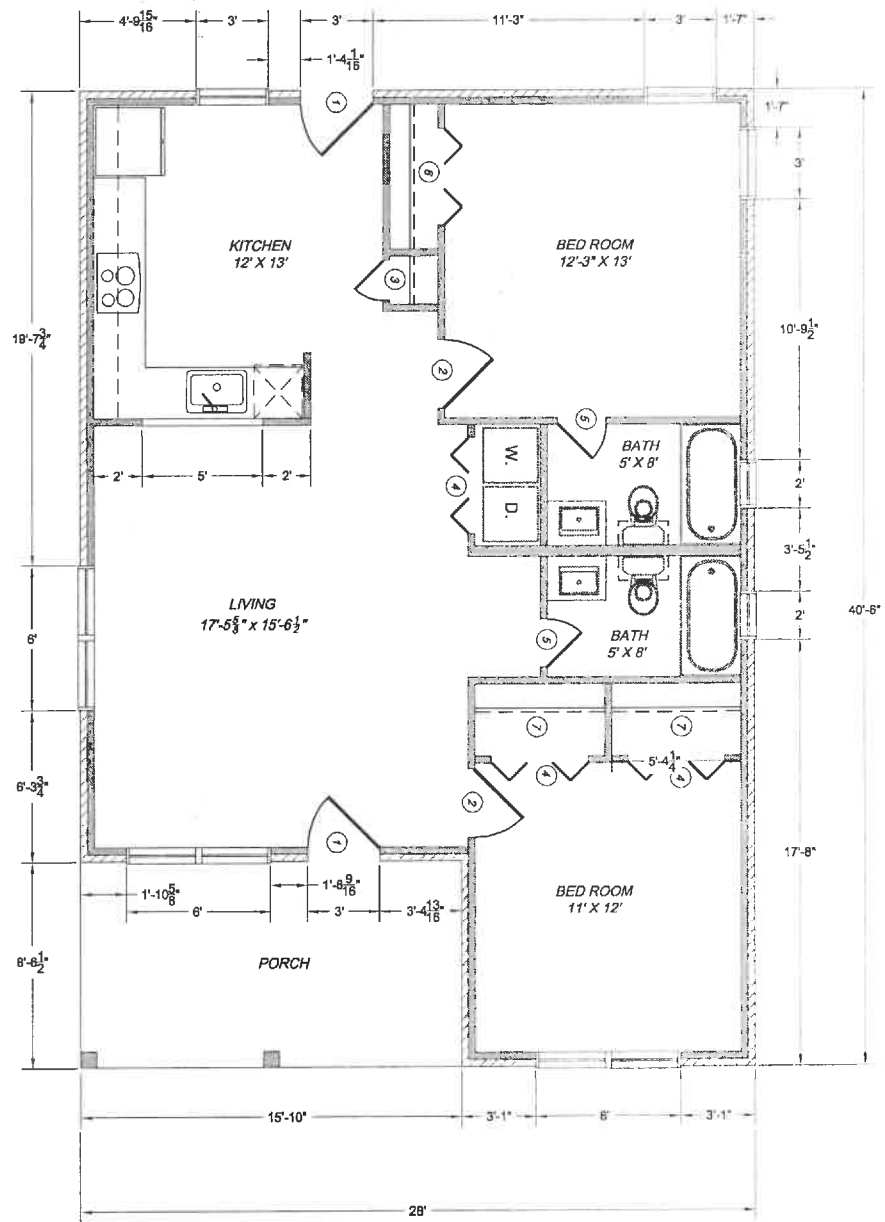
1" = 20'

SHEET NO.

1 OF 1



- ① 3' DOOR
- ② 2'-10" DOOR
- ③ 20" DOOR
- ④ 4' BIFOLD DOOR
- ⑤ 2' DOOR
- ⑥ 2x6' CLOSET
- ⑦ 3x5-4" CLOSET



PLAN VIEW  
SCALE: 1" = 30"

AREA: 998.75 SQ. FT.



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Danielle O'Neal  
**Re:** Discussion, Consideration and Possible Action on Ordinance O-2022-11, a Rezoning Request from A-1, General Agriculture District to C-0, Professional and Business Offices District for Property Located at 3202 W. University Boulevard (PC 2022-08)

**Request:** Consider a request from All Star Investment, LLC, for a rezoning of the property located at 3202 W. University Boulevard from A-1, General Agriculture to C-2, Commercial Highway and Commercial Recreation

**Current Zoning:** A-1, General Agriculture

**Requested Zoning:** C-0, Professional and Business Offices District

### Surrounding Properties:

| Direction | Zoning | Use             |
|-----------|--------|-----------------|
| North     | C-2    | Vacant          |
| West      | C-2    | Vacant          |
| South     | C-2    | Commercial Uses |
| East      | C-2    | Commercial Uses |

### Lot Characteristics:

|            |                                |
|------------|--------------------------------|
| Width      | ~ 80 ft                        |
| Depth      | ~ 330 ft.                      |
| Total Area | ~ 0.06 acres (~26,400 sq. ft.) |

**Applicant:** All Star Investment, LLC

**Background:** The applicant approached staff regarding the rezoning of this property with the desire to be able to develop this property for commercial uses. It should be noted, that the lot does not meet the lot area requirements for the current zoning district.

Notifications have been made to the surrounding property owners and at the time of this report, staff had not received any phone calls or letters regarding this rezoning request.

**Analysis:** The aforementioned property is approximately 0.06 acres and currently has a house on the lot. The area is made up of a mix of Commercial, Residential and Agriculture Zoned properties. The subject property does meet the requirements for the lot area that is required within the requested zoning type.



The current Future Land Use Map has this area as commercial land uses; therefore, this rezoning request is generally in line with the Future Land Use Map.

At the Planning Commission meeting, the applicant agreed to change the rezoning request from C-2, Highway Commercial and Commercial Recreation District to C-0, Professional and Business Offices District. The reason for the change was due to the lot width not meeting the C-2 zoning requirements.

**Staff Recommendation:** Staff recommends approval of this rezoning request.

**Planning Commission Recommendation:** The Planning Commission recommends approval of this rezoning request.

**Required Action:** Hear the item and approve or deny the rezoning request and the emergency clause for the property located at 3202 W. University Boulevard. Any specific conditions imposed by the Council should be read into any approval motion.

**Council Information / Action Requested**

Planning Commission and City Staff recommend approval of the rezoning request.

1. Ordinance O-2022-11 Section 1.
2. Ordinance O-2022-11 Section 2, Emergency Clause.

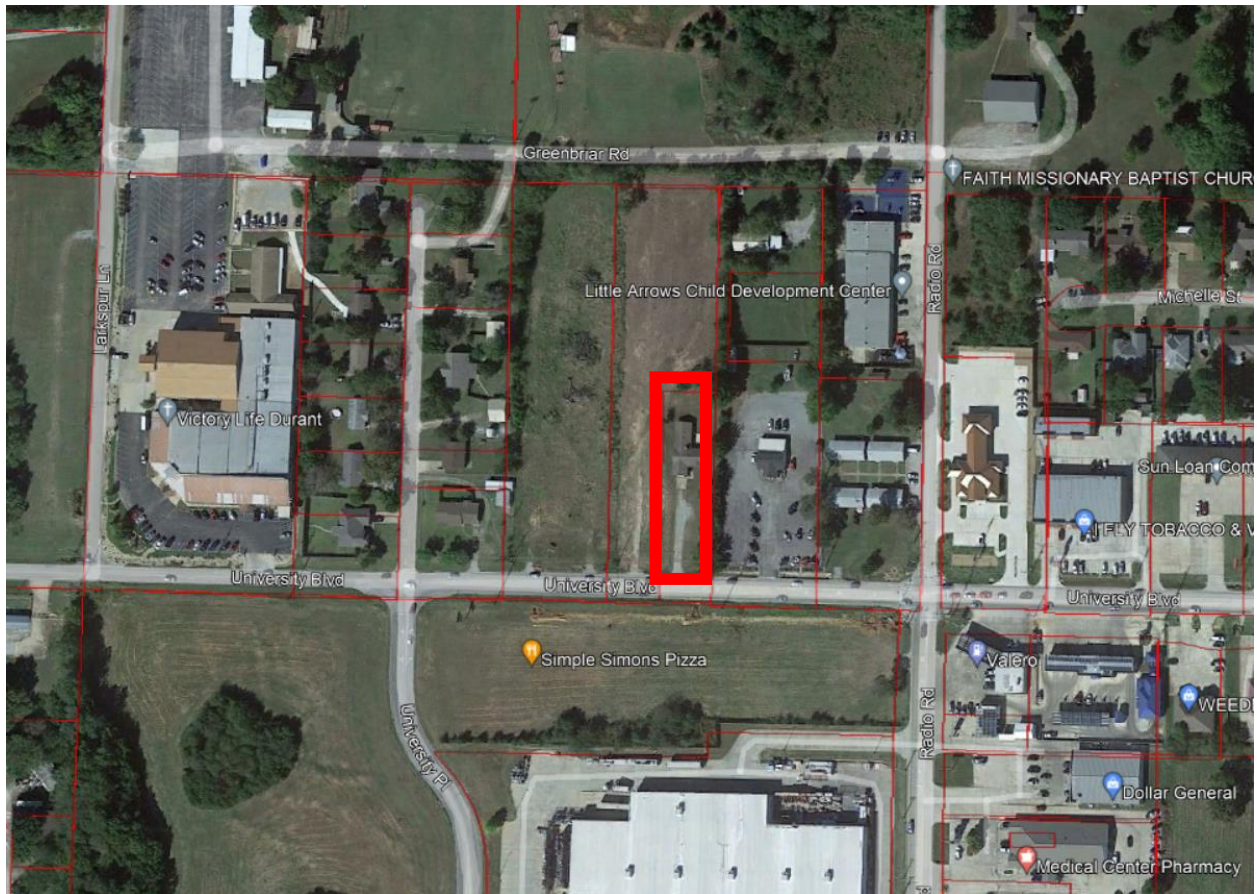
**City Staff Information / Action Follow-up, if Council authorizes this action:**

City Clerk  
Community Development  
GIS

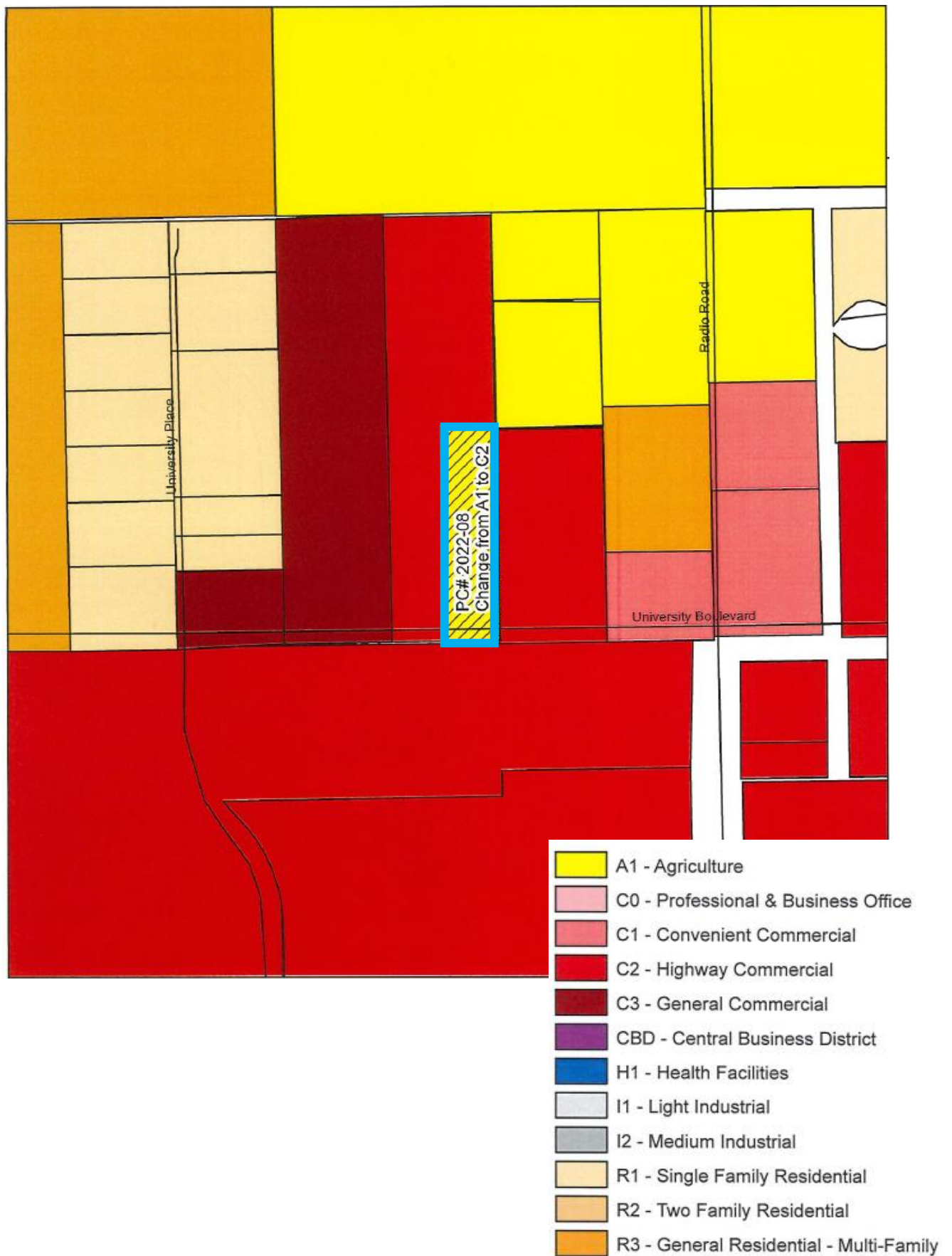
**ATTACHMENTS:**

1. PC 2022 08 Maps
2. Ord PC2022- 08 3202 W. University.
3. Application
4. Warranty Deed
5. C-0 Professional and Business Offices District Ordinance

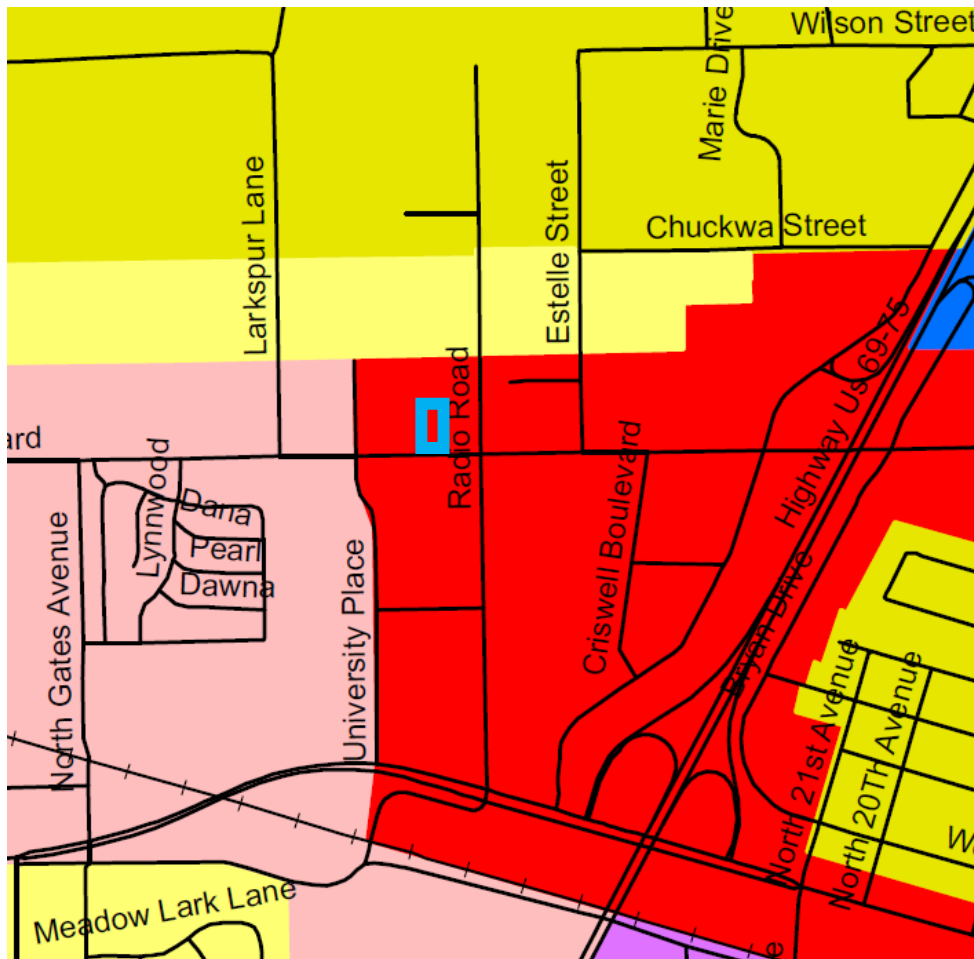
## Aerial Map



## Zoning Map



## Future Land Use Map



\*Location is approximate\*

### Future Land Use



**ORDINANCE NO. O-2022-11**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE ZONING CODE  
AND DECLARING AN EMERGENCY**

---

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DURANT, OKLAHOMA**

**SECTION 1.** That the zoning map is hereby amended as to replace the A-1, General Agriculture Zoning District to the C-0, Professional and Business Offices Zoning District for property located at 3202 W. University Boulevard, in Durant, and more particularly described as;

E/2 S/2 E/2 W/2 SE/4 SE/4 NE/4 of Section 25, Township 6 South, Range 8 East of the Indian Base and Meridian, in Bryan County, Oklahoma, according to the Government Survey thereof.

**SECTION 2.** For the immediate preservation of the peace, health, and safety of the City of Durant, Oklahoma and the inhabitants thereof, it is necessary that this ordinance shall become operative and go into effect immediately upon its passage, approval and publication.

**PASSED AND APPROVED** by the Mayor and City Council of the City of Durant this 12th day of April, 2022.

\_\_\_\_\_  
Oden Grube, Mayor  
City Of Durant, Oklahoma

ATTEST:

\_\_\_\_\_  
Cynthia J. Price, City Clerk



# REZONING APPLICATION

Petition # PC 2022-08  
Fee \$ 300

## APPLICANT INFORMATION

|                                                |                                 |                               |
|------------------------------------------------|---------------------------------|-------------------------------|
| Name: <u>All Star Investments, LLC</u>         | Email: <u>Kickinheyahoo.com</u> | Phone #1: <u>580-920-5897</u> |
| Mailing Address: <u>4709 W University Blvd</u> |                                 | Phone #2: <u>580-920-5890</u> |
| City: <u>Durant</u>                            | State: <u>OK</u>                | Zip: <u>74701</u>             |
| Applicant's Interest in Property: <u>owner</u> |                                 |                               |

☐ Please use attached addendum if there is more than one applicant.

|                                                                                                                                                              |             |     |       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----|-------|
| Physical Address of Rezoning Request: <u>3202 W University Blvd Durant, OK 74701</u>                                                                         |             |     |       |
| <input type="checkbox"/> Platted                                                                                                                             | Subdivision | Lot | Block |
| <input type="checkbox"/> Un-Platted                                                                                                                          |             |     |       |
| Legal Description: <u>The E 1/2 S 1/2 E 1/2 W 1/2 SE 1/4 SE 1/4 NE 1/4 of Section 25, Township 6, Range 8 East of the Indian Base Meridian, Bryan Co, OK</u> |             |     |       |
| <input type="checkbox"/> Deed Attached (required) If applicant is not owner listed on deed, owner consent must be included.                                  |             |     |       |

|                                                                                                                               |                                  |                                        |                                  |
|-------------------------------------------------------------------------------------------------------------------------------|----------------------------------|----------------------------------------|----------------------------------|
| Request Rezoning From: <u>Agriculture</u>                                                                                     | Request Rezoning To: <u>C-2</u>  |                                        |                                  |
| Present Use: <u>residence</u>                                                                                                 | Proposed Use: <u>office</u>      |                                        |                                  |
| Parcel Width: <u>82'</u>                                                                                                      | Parcel Length: <u>330'</u>       | Acres: <u>.62 ac</u>                   | Street/Road Frontage: <u>82'</u> |
| <input checked="" type="checkbox"/> City Water (If City Water will be extended or improvements will be made, please explain:) |                                  |                                        |                                  |
| <input checked="" type="checkbox"/> City Sewer (If City Sewer will be extended or improvements will be made, please explain:) |                                  |                                        |                                  |
| <input type="checkbox"/> Private Water                                                                                        |                                  | <input type="checkbox"/> Private Sewer |                                  |
| Is Property in the Floodplain?                                                                                                | Is property in the Airport Zone. |                                        |                                  |
| <u>no</u>                                                                                                                     | <u>no</u>                        |                                        |                                  |

The applicant has prepared this application and supporting documentation and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Wesley W. Hender

Signature of Applicant

2-16-22

Date

### Office Use Only

|                                  |                                  |                                    |             |
|----------------------------------|----------------------------------|------------------------------------|-------------|
| Date Filed                       | Date Payment Received            | Notification Mailed                | Comments    |
|                                  |                                  | Date                               |             |
| Initial                          | Initial                          | Initial                            |             |
| Proof of Publication Received    | Property Posting Verified        | Comprehensive Plan Recommendations |             |
| Date                             | Date                             |                                    |             |
| Initial                          | Initial                          |                                    |             |
| Staff Recommendation             | PC Recommendation                | City Council Action                | Ordinance # |
| <input type="checkbox"/> Approve | <input type="checkbox"/> Approve | <input type="checkbox"/> Approve   |             |
| <input type="checkbox"/> Deny    | <input type="checkbox"/> Deny    | <input type="checkbox"/> Deny      |             |

RECEIVED

FEB 16 2022

## REZONING SUPPORTING INFORMATION

1. List the changed or changing conditions in the area or in the City which makes this zone change necessary.

all land surrounding this lot is commercial.

2. Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

3. List any other reasons to support this zone change.



INDEXED

WARRANTY DEED  
(INDIVIDUAL)

567449  
State of Oklahoma  
County of Bryan  
Filed 3-29-05  
Book 1000 Page 180 Trm 11:50  
Patricia L. Brady  
County Clerk TA Deputy.

KNOW ALL MEN BY THESE PRESENTS:

That, **DANIEL J. MESTER II a/k/a DANIEL JOHN MESTER II**, a single person, party of the first part, in consideration of the sum of Ten and more (\$10.00) Dollars, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto **ALL STAR INVESTMENT, LLC**, 19252 U.S. Hwy 70, Durant, OK 74701, party of the second part, the following described real property and premises, situated in Bryan County, State of Oklahoma, to-wit:

E/2 S/2 E/2 W/2 SE/4 SE/4 NE/4 of Section 25, Township 6 South, Range 8  
East of the Indian Base and Meridian, in Bryan County, Oklahoma,  
according to the Government Survey thereof.

R.S. \$141.00

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto party of the second part, its heirs and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

SIGNED AND SEALED this the 28<sup>th</sup> day of March, 2005.

Daniel J. Mester II  
DANIEL J. MESTER II a/k/a  
DANIEL JOHN MESTER II

STATE OF OKLAHOMA )  
 )ss. ACKNOWLEDGMENT  
COUNTY OF BRYAN )

Before me, the undersigned, a Notary Public in and for said County and State, on this 28<sup>th</sup> day of March, 2005, personally appeared DANIEL J. MESTER II a/k/a DANIEL JOHN MESTER II, a single person, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal this day and year last above written.

My Commission Expires



Melissa Cathers  
NOTARY PUBLIC

000180

**§ 156.026 C-0 PROFESSIONAL AND BUSINESS OFFICES DISTRICT.**

This commercial district is intended for a unified grouping in one of more buildings for professional or business offices. It is intended that the office center be developed as a unit with adequate off-street parking space for customers and employees and with appropriate landscaping and screening.

(Prior Code, § 157.024) (Ord. 1040, passed 4-12-1983)



# The City of Durant

## Memorandum

**Date:** 4/12/2022  
**To:** Mayor and City Council  
**From:** Danielle O'Neal  
**Re:** Discussion, Consideration and Possible Action on Resolution R-2022-03, a Conditional Use Permit to Place a Billboard Sign on Property Located at 4516 West Main Street (PC2022-09)

**Request:** Consider a request from Dale Goad (property owner), for a Conditional Use Permit request to place a billboard sign on the property.

**Current Zoning:** I-1, Light Industrial

### Surrounding Properties:

| Direction | Zoning    | Use              |
|-----------|-----------|------------------|
| North     | I-1       | Vacant           |
| West      | C-2 / I-1 | Residential Uses |
| South     | C-2       | Vacant           |
| East      | C-2 / I-1 | Industrial Uses  |

### Lot Characterists:

|            |                                 |
|------------|---------------------------------|
| Width      | ~ 362 ft.                       |
| Depth      | ~ 507 ft.                       |
| Total Area | ~ 2.00 Acres (~183,534 sq. ft.) |

**Applicant:** Dale Goad

**Background:** The applicant approached staff regarding the desire to place a billboard sign on the property. The property owner has a lease with R&R Signs to place the billboard. The property is within the Highway Overlay District; therefore, per City Ordinance, they are required to apply for a Conditional Use Permit for the placement of a billboard sign.

Notifications have been made to the surrounding property owners, and at the time of this report, staff had not received any calls or emails regarding this Conditional Use Permit request.

**Analysis:** The aforementioned property is approximately 2 acres and currently has commercial / industrial businesses on the property. The area is made up of a mixture of Industrial, Agriculture and Commercial Zoned properties. Ordinances do allow a billboard to be within the Highway Overlay District; however, they are required to obtain a Conditional Use Permit. The billboard is expected to be 60 feet in height and 384 square feet. The billboard will be located 40 feet from the Main Street property line and 60 feet from the West property line. Given this information, the billboard does meet the requirements within the Sign Ordinance.



The current Future Land Use Map has this area as commercial / residential mixed use; therefore, this conditional use permit request appears to be in line with the Future Land Use Map.

**Staff Recommendation:** Staff does not have any problems with this request, but it should be noted the applicant or their representative will be required to pull a sign permit if the request is approved.

**Planning Commission Recommendation:** Planning Commission recommended approval of the Conditional Use Permit Request to place a billboard at 4516 W. Main St.

**Required Action:** Hear the item and approve or deny Resolution R-2022-03, a conditional use permit request for the property located at 4516 W. Main Street. Any specific conditions imposed by the Council should be read into any approval motion.

#### **Council Information / Action Requested**

Planning Commission and City Staff recommend approval of Resolution R-2022-03, a Conditional Use Permit to place a billboard at 4516 W. Main St.

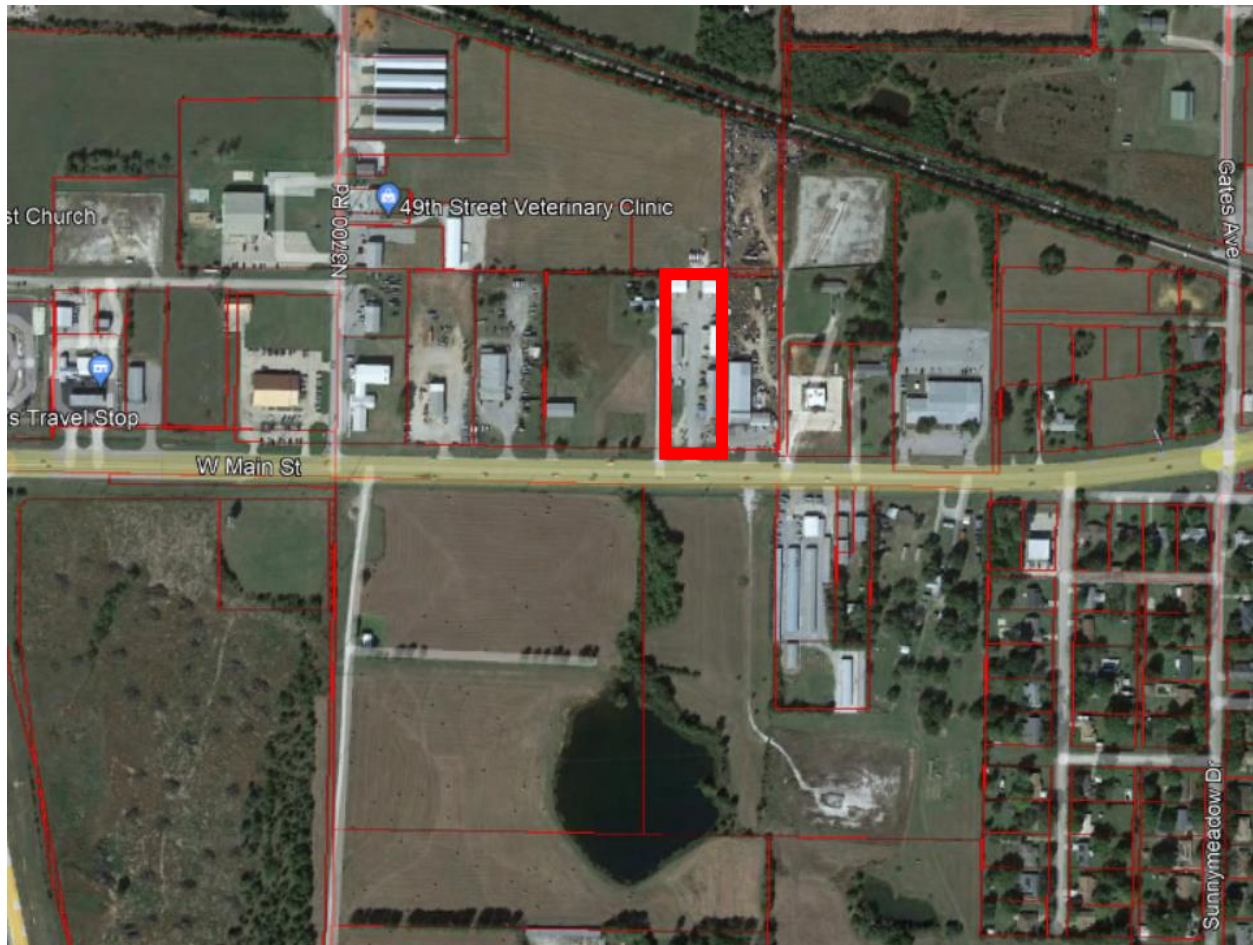
#### **City Staff Information / Action Follow-up, if Council authorizes this action:**

City Clerk  
GIS  
Community Development

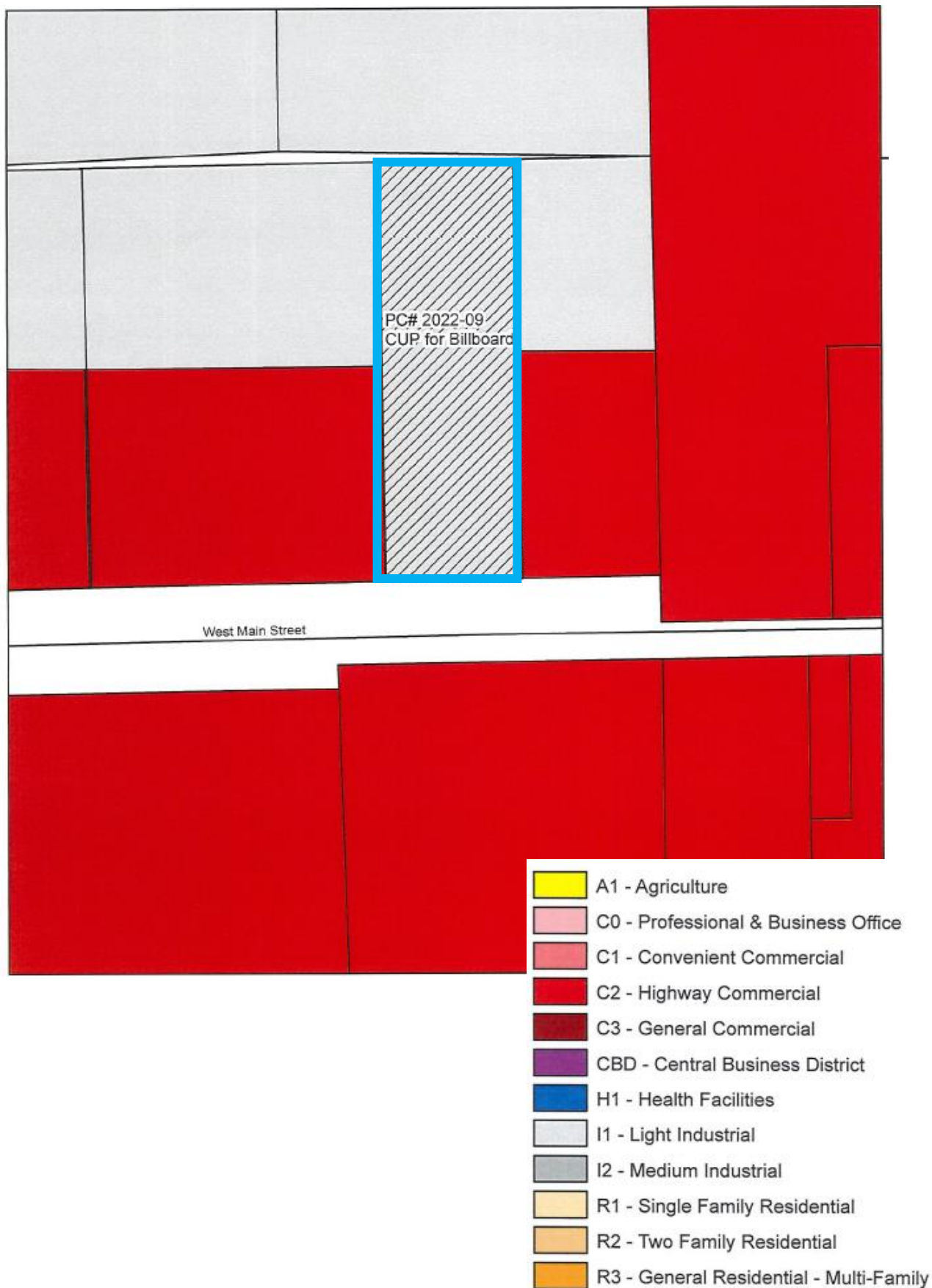
#### **ATTACHMENTS:**

1. PC 2022 09 Maps
2. Conditional Use Permit Resolution Dale Goad R&R Signs
3. Application
4. Warranty Deed
5. Site Plan
6. State Permit
7. CUP Ordinance
8. Sign Ordinance

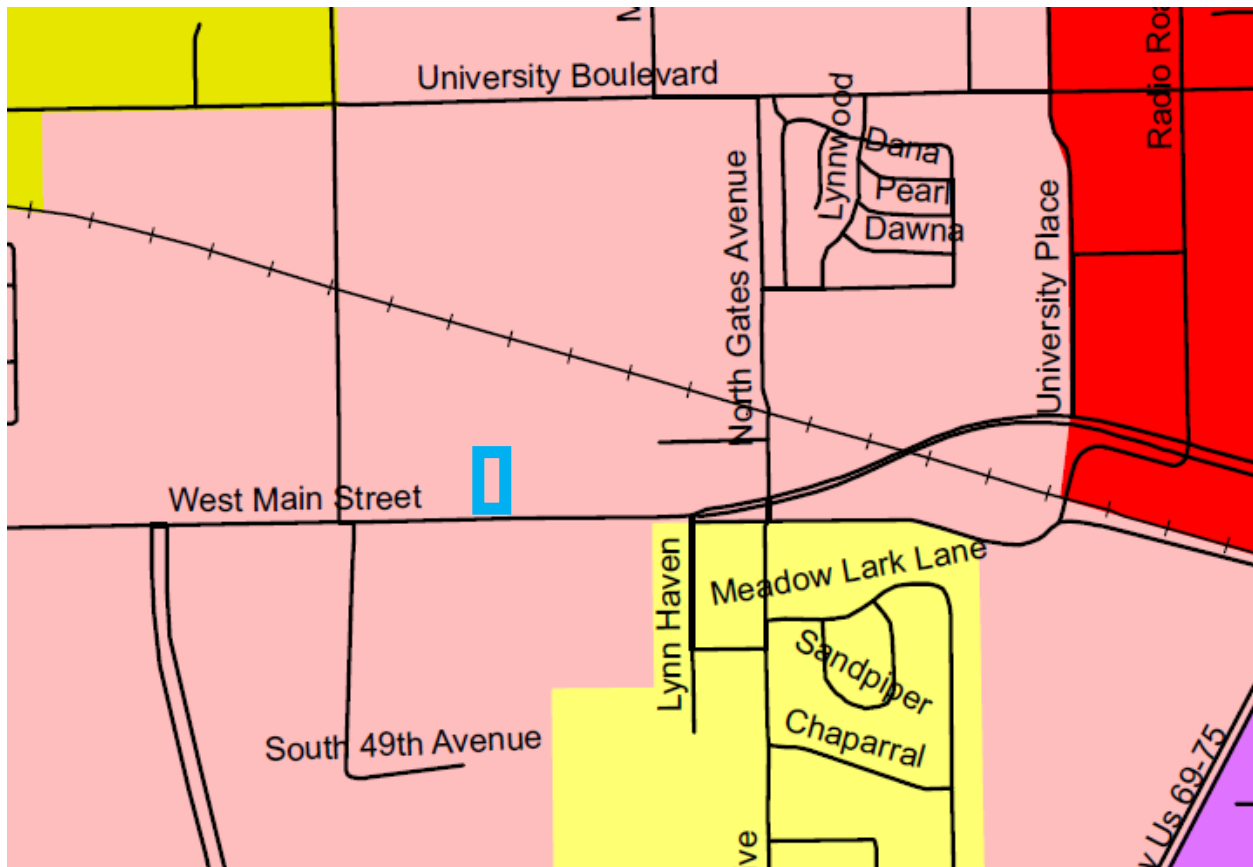
## Aerial Map



## Zoning Map



## Future Land Use Map



\*Location is approximate\*

### Future Land Use



### RESOLUTION # R-2022-03

A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT IN THE HIGHWAY OVERLAY DISTRICT FOR A PARCEL OF LAND LOCATED AT A PART OF THE SW/4 SW/4 OF SECTION 25, TOWNSHIP 6 SOUTH, RANGE 8 EAST OF THE INDIAN BASE AND MERIDIAN, BRYAN COUNTY, OKLAHOMA, DESCRIBED AS BEGINNING AT A POINT 336.74 FEET WEST AND 102.12 FEET NORTH OF THE SOUTHEAST CORNER OF THE SW/4 SW/4 OF SAID SECTION 25 ON THE NORTH HIGHWAY RIGHT-OF-WAY; THENCE NORTH 517.02 FEET; THENCE EAST 168.48 FEET; THENCE SOUTH 516.24 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 53 MINUTES WEST 168.37 FEET ALONG HIGHWAY RIGHT-OF-WAY TO THE POINT OF BEGINNING.

KNOWN AS 4516 W. Main Street

(Petition of Dale Goad / R&R Signs)

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WHEREAS, a Public Hearing was held before the Durant Planning Commission regarding the proposed Conditional Use Permit contained in this Resolution; and

WHEREAS, the Durant Planning Commission has determined that the proposed billboard sign is in general conformance with the goals of the Comprehensive Plan of the City of Durant if developed according to the conditions contained in the Resolution; and

WHEREAS, the Durant Planning Commission has determined that the proposed billboard sign satisfies the criteria for conditional uses as set forth in the Zoning Code of the City of Durant if developed to the conditions contained in this Resolution; and

WHEREAS, the Durant Planning Commission has determined that there is a reasonable and proportionate connection between the conditions contained in the Resolution and the findings of fact contained in the staff report on Petition # PC2022-09; and

WHEREAS, the Durant Planning Commission has recommended approval of the conditions contained in the Resolution; and

WHEREAS, the City Council has reviewed the recommendation of the Durant Planning Commission and has determined that the Conditional Use Permit is appropriate.

NOW THEREFOR BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DURANT, OKLAHOMA, AS FOLLOWS:

Section 1: A Conditional Use Permit is granted subject to all rules and regulations and to conditions set forth for the property described in Section 1 as follows:

- I. PERMITTED AND CONDITIONAL USES
  - a. Dale Goad / R&R Signs may be permitted to construct a single billboard sign to be located at 4516 W Main Street.
- II. SPECIFIC DEVELOPMENT REQUIREMENTS
  - a. Building Codes – The billboard sign shall meet the guidelines as stated in Title XV, Chapter 150 and Chapter 158, Code of Ordinances.
  - b. Signage – Shall meet the guidelines as stated in Chapter 158, Code of Ordinances, including the requirement of obtaining a sign permit.
  - c. Trash and Weeds – The area shall meet the requirements of §95.31, Trash and Weeds, Unlawful.



- d. Parking – Shall meet all parking requirements for off-street parking as stated in Chapter 156, Code of Ordinances.
- e. Lighting – Shall meet and follow the guidelines as stated in Chapter 158, Code of Ordinances.
- f. Fire Lanes and all Life Safety – As approved by the City of Durant Fire Marshal.

III. MISCELLANEOUS

- a. All applicable licenses and permits from other governmental and regulatory agencies must be obtained and kept current.

IV. LIMITATIONS

- a. The continuation of the use permitted by the resolution shall be dependent upon the conditions established under the permit and this section. In the event of a change of conditions or noncompliance with conditions, the City Council shall have the authority to revoke the Conditional Use Permit after affording the owner/operator the right to be heard.
- b. In the event of a disagreement between any owner/operator and the Director of Community Development as to whether the use of the site meets the criteria or conditions set forth in the resolution, such disagreement shall be submitted to the Planning Commission for recommendation to the City Council. The City Council shall make the decision on such disagreement, provided the owner/operator shall have the right to appeal such decision pursuant to Chapter 157 of the City of Durant Code of Ordinances and to pursuant to any other available legal or equitable remedy.

Section 3: This Resolution shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** this 12th day of April 2022.

\_\_\_\_\_  
**ODEN GRUBE, MAYOR**  
**CITY OF DURANT, OKLAHOMA**

**ATTEST:**

\_\_\_\_\_  
**CYNTHIA J. PRICE**  
**CITY CLERK**

# CONDITIONAL USE APPLICATION

Petition # PC 2022-09  
Fee \$ 300

## APPLICANT INFORMATION

|                                                |                               |                               |
|------------------------------------------------|-------------------------------|-------------------------------|
| Name: <u>DALE GOAD</u>                         | Email: <u>DALE.GOAD@GMAIL</u> | Phone #1: <u>350-775-4725</u> |
| Mailing Address: <u>Box 5101</u>               |                               | Phone #2: _____               |
| City: <u>DURANT</u> State: <u>OK</u>           | Zip: <u>74702</u>             | Fax #: _____                  |
| Applicant's Interest in Property: <u>OWNER</u> |                               |                               |

\_\_\_\_ Please use attached addendum if there is more than one applicant.

|                                                                                          |                         |                                              |                   |
|------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------|-------------------|
| Physical Address of Proposed Conditional Use: <u>4516 <del>508</del> W. MAIN, DURANT</u> |                         | Name of Project: <u>BILLBOARD</u>            |                   |
| Platted<br><input checked="" type="checkbox"/> Un-Platted                                | Subdivision: <u>N/A</u> | Lot: <u>N/A</u>                              | Block: <u>N/A</u> |
| Legal Description: (If Un-platted) <u>PART of SW/4 SW/4 SEC 25-6S-8E</u>                 |                         | <u>ONLY PERTAINING TO BILLBOARD LOCATION</u> |                   |

|                                                                                                           |                                                                                |                                     |                             |
|-----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------------------------------|-----------------------------|
| Existing Zoning: <u>I-1</u>                                                                               | Proposed Conditional Use: <u>BILLBOARD</u>                                     |                                     |                             |
| Present Use: <u>VACANT</u>                                                                                | Parking Spaces Required: <u>N/A</u>                                            | Parking Spaces Provided: <u>N/A</u> |                             |
| Parcel Width: <u>N/A</u>                                                                                  | Parcel Length: <u>N/A</u>                                                      | Acres: _____                        | Street/Road Frontage: _____ |
| <u>N/A</u> City Water                                                                                     | (If City Water will be extended or improvements will be made, please explain:) |                                     |                             |
| <u>N/A</u> City Sewer                                                                                     | (If City Sewer will be extended or improvements will be made, please explain:) |                                     |                             |
| ____ Private Water                                                                                        | ____ Private Sewer                                                             |                                     |                             |
| Explain in your own words why your property should be rezoned:<br><u>TO COMPLY WITH CITY REQUIREMENTS</u> |                                                                                |                                     |                             |

The applicant has prepared this application and supporting documentation and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Applicant: DALE GOAD Date: 2/17/22

## Office Use Only

|                                                   |                                                |                                                  |                                    |
|---------------------------------------------------|------------------------------------------------|--------------------------------------------------|------------------------------------|
| Date Filed                                        | Date Payment Received                          | Notification Mailed                              | Comments                           |
| Initial                                           | Initial                                        | Date Initial                                     |                                    |
| Proof of Publication Received                     |                                                | Property Posting Verified                        | Comprehensive Plan Recommendations |
| Date Initial                                      | Date Initial                                   | Date Initial                                     |                                    |
| Staff Recommendation<br>____ Approve<br>____ Deny | PC Recommendation<br>____ Approve<br>____ Deny | City Council Action<br>____ Approve<br>____ Deny | Ordinance #                        |

RECEIVED

FEB 17 2022

APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT THE FOLLOWING INFORMATION ADDRESSED:

Please describe the nature and operating characteristics of the proposed use:

BILLENARD

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

NONE NEEDED

2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.).

N/A

3. Traffic Impacts:

N/A

4. Protection of Neighborhoods:

N/A

What licenses and permits (if any) are required for this proposed use?

DDOT PERMIT (ACQUIRED BY BILLENARD OWNER)

Please list or describe any other reasons to support this Conditional Use Permit Application.

TO COMPLY WITH CITY REQUIREMENTS



# CONDITIONAL USE APPLICATION

Petition # PC2022-09  
 Fee \$ 300  
 Expedited Fee \$ \_\_\_\_\_

## APPLICANT INFORMATION

|                                                    |                                         |                               |
|----------------------------------------------------|-----------------------------------------|-------------------------------|
| Name: <u>American Billboards Corp.</u>             | Email: <u>scott.crain@texomamfg.com</u> | Phone #1: <u>580-920-0878</u> |
| Mailing Address: <u>PO Box 1662</u>                |                                         | Phone #2: <u>580-916-0855</u> |
| City: <u>Durant</u>                                | State: <u>OK</u>                        | Zip: <u>74702</u>             |
| Applicant's Interest in Property: <u>Billboard</u> |                                         |                               |

\_\_\_\_ Please use attached addendum if there is more than one applicant.

|                                                                                               |                                      |                  |       |
|-----------------------------------------------------------------------------------------------|--------------------------------------|------------------|-------|
| Physical Address of Proposed Conditional Use: <u>4510 4508 4510 4510 4510 Durant OK 74701</u> |                                      | Name of Project: |       |
| <input type="checkbox"/> Platted                                                              | <input type="checkbox"/> Subdivision | Lot              | Block |
| <input type="checkbox"/> Un-Platted                                                           |                                      |                  |       |
| Legal Description:<br>(If Un-platted)                                                         |                                      |                  |       |

|                                                                                                                              |                                       |                                        |                       |
|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------------------------|-----------------------|
| Existing Zoning: <u>I-1 Industrial</u>                                                                                       | Proposed Conditional Use: <u>Same</u> |                                        |                       |
| Present Use:                                                                                                                 | Parking Spaces Required:              | Parking Spaces Provided:               |                       |
| Parcel Width:                                                                                                                | Parcel Length:                        | Acres:                                 | Street/Road Frontage: |
| <input type="checkbox"/> City Water (If City Water will be extended or improvements will be made, please explain:)           |                                       |                                        |                       |
| <input type="checkbox"/> City Sewer (If City Sewer will be extended or improvements will be made, please explain:)           |                                       |                                        |                       |
| <input type="checkbox"/> Private Water                                                                                       |                                       | <input type="checkbox"/> Private Sewer |                       |
| Explain in your own words why your property should be rezoned.<br><br><u>NO Rezoning. Just applying For Billboard Permit</u> |                                       |                                        |                       |

The applicant has prepared this application and supporting documentation and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Applicant: [Signature] Date: 1-31-22

## Office Use Only

|                                                                                           |                                                                                        |                                                                                          |                                    |
|-------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|------------------------------------|
| Date Filed                                                                                | Date Payment Received                                                                  | Notification Mailed                                                                      | Comments                           |
| Initial                                                                                   | Initial                                                                                | Date<br>Initial                                                                          |                                    |
| Proof of Publication Received                                                             |                                                                                        | Property Posting Verified                                                                | Comprehensive Plan Recommendations |
| Date                                                                                      | Initial                                                                                | Date                                                                                     | Initial                            |
| Staff Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | PC Recommendation<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | City Council Action<br><input type="checkbox"/> Approve<br><input type="checkbox"/> Deny | Ordinance #                        |

**RECEIVED**  
**FEB - 1 2022**

APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT THE FOLLOWING INFORMATION ADDRESSED:

Please describe the nature and operating characteristics of the proposed use:

Errecting Billboard

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

N/A

2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.).

N/A

3. Traffic Impacts:

N/A

4. Protection of Neighborhoods:

N/A

What licenses and permits (if any) are required for this proposed use?

We have a state permit

Please list or describe any other reasons to support this Conditional Use Permit Application.

To promote the city of Durant business



INDEXED

498 811

WARRANTY DEED

JOINT TENANCY

KNOW ALL MEN BY THESE PRESENTS:

That: RANDY L. DOWNS & MELODY D. DOWNS,  
HUSBAND & WIFE.

STATE OF OKLAHOMA, Bryan COUNTY, ss.  
This instrument was filed for record on the 26 day of March  
A. D., 1998, at 4 o'clock 10 minutes P.M., and duly  
recorded in Book No. 912 at Page 499, Fee \$  
Blenda Williams, County Clerk  
By Boenue Brown, Deputy

parties of the first part, in consideration of the sum of TEN & MORE

(\$ 10.00) DOLLARS,

the receipt of which is hereby acknowledged, do as by these presents grant, bargain, sell and convey unto

DALE GOAD CONSTRUCTION, INC., 400 WEST MAIN, DURANT, OK 74701

and as joint tenants, the survivor to take all,  
and not as tenants in common, parties of the second part, their grantees, and their heirs and grantees of the survivor, all of the following described  
real property and premises, situated in BRYAN County, State of Oklahoma, to-wit:

A PART OF THE SW/4 SW/4 OF SECTION 25, TOWNSHIP 6 SOUTH, RANGE 8 EAST  
OF THE INDIAN BASE & MERIDIAN, IN BRYAN COUNTY, OKLAHOMA, DESCRIBED AS  
BEGINNING AT A POINT 336.74 FEET WEST AND 102.12 FEET NORTH OF THE  
SOUTHEAST CORNER OF SW/4 SW/4 OF SAID SECTION 25 ON NORTH HIGHWAY RIGHT-  
OF-WAY; THENCE NORTH 517.02 FEET; THENCE EAST 168.48 FEET; THENCE SOUTH  
516.24 FEET TO HIGHWAY RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 53 MINUTES  
WEST 168.37 FEET ALONG HIGHWAY RIGHT-OF-WAY TO THE POINT OF BEGINNING.

R. S. - 56.25

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same

TO HAVE AND TO HOLD said described premises unto parties of the second part, their grantees and the heirs and grantees of the survivors,  
forever, free, clear, and discharged of and from all former grants, titles, charges, judgements, taxes, mortgages and other liens and encumbrances  
of whatsoever nature.

SIGNED AND SEALED this the 13th day of February, 1998.

Randy L. Downs

Melody D. Downs

ACKNOWLEDGMENT

STATE OF OKLAHOMA, Bryan County, ss.

Before me, the undersigned, a Notary Public in and for said County and State, on this 13th day of February, 1998, personally appeared

Randy L. Downs

and Melody D. Downs

to me known to be the identical person S who executed the within and foregoing instrument, and acknowledged to me that they executed the same  
as their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and Seal of office this 13th day of February, 1998.

My Commission Expires 10/1/2001

KATHRYN ANDERSON  
NOTARY PUBLIC  
IN AND FOR THE  
STATE OF OKLAHOMA  
BRYAN COUNTY

Kathryn Anderson, Notary Public

ACKNOWLEDGMENT BY CORPORATION

STATE OF OKLAHOMA, County, ss.

Before me, the undersigned, a Notary Public in and for said County and State, on this STATE OF OKLAHOMA day of Bryan County, 1998, personally  
appeared Documentary Stamps \$ 56.25 and

to me known to be the identical person who who subscribed the name of the maker thereof to the foregoing instrument as its President

and acknowledged to me that he he executed the same as a free and voluntary act and deed and as the free and voluntary act and deed of such  
corporation, for the uses and purposes therein set forth.

Given under my hand and Seal of office the day and year last above written.

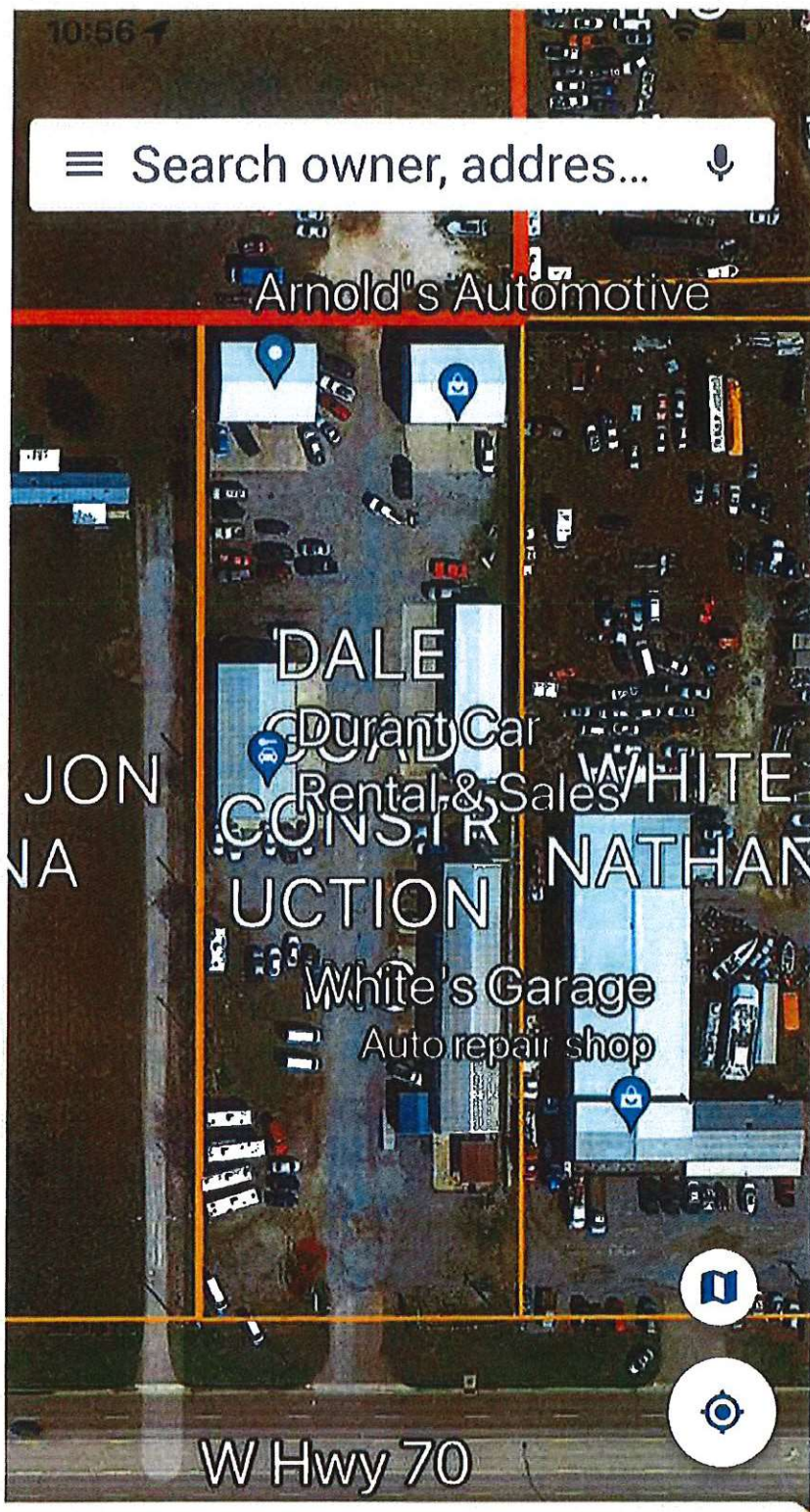
My Commission Expires 10/1/2001, Notary Public

000499









**GOAD CONSTRUCTION INC &**

Owner

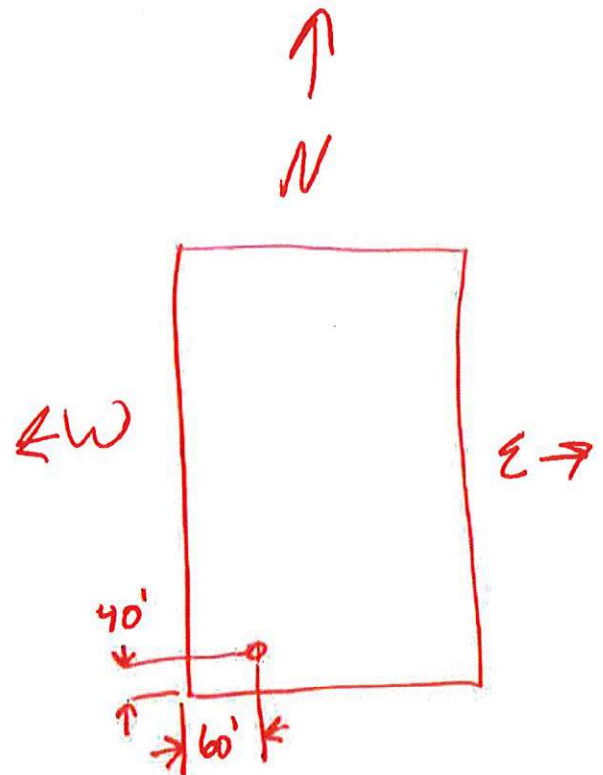
Address

**A399-25-06S-08E-3-002-00**

Parcel ID

2-17-22

American Billboards Corp  
CUP Application



• - Billboard  
60' Tall  
12' x 32'



OKLAHOMA DEPARTMENT OF TRANSPORTATION  
APPLICATION FOR SIGN REGISTRATION & PERMIT  
(See back of form for instructions.)

| FOR OFFICIAL USE ONLY  |                 |               |
|------------------------|-----------------|---------------|
| MGR. INITIALS          | OWNER NO.       | REG. NO.      |
| \$100.00<br>FEE AMOUNT | APPLICATION NO. | SIGN FILE NO. |

Part I - SIGN OWNER INFORMATION

101 Applicant's Name: **American Billboards Corp** 102 Address: **PO Box 1662**  
103 City: **Durant** 104 State: **OK** 105 Zip Code: **74702**  
106 Telephone No. **(580) 920-0878** 107 Fax No. **(580) n/a** 108 Email Address: **scott.crain@texomamfg.com**

Part II - LOCATION OF SIGN SITE

201 Located on Hwy.: **70** 202 Side of Hwy.: **N** 203 County Name: **Bryan** 204 City Name: **Durant**  
205 Nearest Intersecting Hwy.: **70 Bypass** 206 Direction from Intersection: **W** 207 Distance from Intersection: **.419** 208 Distance from Right-of-Way: **25'**  
209 GPS Coordinates: Latitude: **33** **99861** Longitude: **-96** **42161**

Part III - LAND OWNER INFORMATION (No. Assigned: \_\_\_\_\_)

301 Land Owner's Name: **Dale Goad Construction** 302 Address: **PO Box 5101**  
303 City: **Durant** 304 State: **OK** 305 Zip Code: **74702**  
306 Telephone No. **(580) 775-4775** 307 Have you enclosed proof of land use consent? ☐ YES ☐ NO

Part IV - PHYSICAL DESCRIPTION OF SIGN

401 DIMENSIONS: Height of Facing: **12** ft. Width of Facing: **32** ft. Overall Height Above Ground: **45** ft.  
(Cannot exceed 25 ft.) (Cannot exceed 60 ft.) (No limit by state)  
402 TYPE OF SIGN: ☐ Single ☐ Side-by-Side ☒ Stacked ☐ V-Type ☒ Back-to-Back ☐ Tri-Vision (Rotating Slats)  
(Cannot exceed 30 ft.)  
403 NO. OF PANELS: **4** 404 WILL SIGN BE ILLUMINATED? ☒ YES ☐ NO If yes, will it be an LED/digital display? ☐ YES ☒ NO  
(Advertising Displays)

Part V - ZONING AND COMMERCIAL/ INDUSTRIAL QUALIFICATIONS (One of these options is required for Class A Permit. However if applying for a Class C (Informational) Permit, this section does not apply.)

**ZONED AREA ONLY**

**UNZONED AREA ONLY**

501 - Is proposed location zoned? ☒ YES ☐ NO  
(If answer is no, then go directly to item 505.) **Commercial**  
502 - What is the zoning designation? **Commercial**  
(Must be some type of commercial, industrial or business designation.)  
503 - Who is the zoning authority? **City of Durant**  
504 - If the area is zoned, a Zoning Confirmation from must be completed and attached. (Form OAC Z-504 or its equivalent.)  
505 - Is proposed location within 600 ft. of a conforming business? (Refer to OAC §730:35-5-12[a][2]) ☒ YES ☐ NO  
506 - What is the name of the business?  
507 - Please attach a diagram depicting the layout of the business and the proposed sign site.

Part VI - ACKNOWLEDGMENT

Have you read all of the statutes and regulations pertaining to outdoor advertising control? ☒ YES

REMARKS:

Inspector  
Pre-review:

STATE OF: **Oklahoma**  
County of: **Bryan**  
**J. Scott Crain**

being of lawful age and first duly sworn upon oath deposes and states the following:

I, on behalf of myself (or) \_\_\_\_\_ as authorized representation of the organization listed above as Applicant, so attest that I have read the foregoing information and that the facts set out therein are true and correct to the best of my knowledge and belief.

Signature of Applicant or Representative

**J. Scott Crain**

Printed Signature

FORM AP-100 (Revised 7/07/2020)

NOTARY PUBLIC:

Subscribed and sworn to me this **7th** day of **June**, 20**21**

My commission expires: **6/21/21**

Signature of Notary





## GENERAL INSTRUCTIONS:

- (1) Read through this entire set of instructions before attempting to fill out the application form.
- (2) All entries must be legibly printed or typewritten. Any omission of required information may result in the rejection of this application.
- (3) An application fee of \$100, payable to the Oklahoma Department of Transportation, per sign location, must be submitted with all applications. The fee is non-refundable.

### PART I - SIGN OWNER INFORMATION

- 101 - Applicant's Name: Give the full name of the person, firm or corporation to which the registration and permit are to be issued.
- 102 - Address: Sign owner's responsibility to keep updated.
- 103 - 105: Self-explanatory.
- 106 - 108: Please supply all if available.

### PART II - LOCATION OF SIGN SITE

- 201 - Located on Highway: Provide the complete highway designation and number as posted on the highway, adjacent to where you intend to build your sign. The designation should include the prefix I (Interstate) U (US Highway,) S (State Highway,) T (Turnpike,) and any other suffixes such as BUS (Business,) ALT (Alternate,) BYP (Bypass,) E (East,) W (West,) N (North,) or S (South) if applicable.
- 202 - Side of Highway: Enter N, S, E or W indicating the side of highway upon which you intend to construct your sign.
- 203 - County Name: Enter the name of the county in which the sign will be located.
- 204 - City Name: If the sign will be located inside the corporate limits of any city or town, enter the name. Otherwise, enter the word "none".
- 205 - Nearest Intersecting Highway: Provide the complete highway designation (see 201 above,) of the nearest numbered highway (or turnpike,) which intersects the highway adjacent to your sign location. (Highway you entered on item 201.)
- 206 - Direction from Intersection: Enter N, S, E or W, indicating the direction from the intersection that your sign will be located.
- 207 - Distance from Intersection: Enter the distance in miles and/or tenths that your sign will be located from the intersection.
- 208 - Distance from Right-of-Way: Enter your best estimate of the distance, in feet, from your sign location to the nearest right-of-way boundary of the highway entered in item 201. (If you are unsure of the right-of-way boundaries, you can contact the local ODOT office in your area, and they can provide you with this information. If you need contact information for your area can be obtained from the OAC Branch.) Please keep in mind it is YOUR responsibility to ensure you are not encroaching on state right-of-way.

### PART III - LAND OWNER INFORMATION (No. to be assigned by ODOT.)

- 301 - 306 - Self Explanatory
- 307 - If applicant is not land owner, a form of written land use consent must be submitted with the application. The location of the sign site must be referenced, and all owners of record must sign the document. Time frame referenced on the document must be current. Be sure to build and maintain your sign on the property of the given landowner. Do not encroach on state right-of-way.

### PART IV - PHYSICAL DESCRIPTION OF SIGN

401 - Dimensions: Enter the following dimensions in feet: (Refer to drawings enclosed in outdoor advertising information packet if necessary. Contact the Outdoor Advertising Control office for copies.) Be sure to consider that any cut-outs or extensions that extend outside of the regular portion of a sign are also configured into the overall height and/or width of facing. The overall square footage of the advertising display area is limited to 1200 sq. ft per facing (direction).

A. Height of facing, including border and trim, but not the apron. (Cannot exceed 25 ft.)

B. Width of facing, including border and trim. (Cannot exceed 60 ft.)

C. Overall Height Above Ground, includes the distance from the top of the sign to the ground. State and Federal regulations do not limit the height above ground, only the height and width of the facing.

402 - Arrangement of Panels: Check only the types that apply to your intended sign.

### PART IV - PHYSICAL DESCRIPTION OF SIGN (continued)

403 - Number of Panels: Each separate advertising display attached to a sign structure constitutes a panel. For example, a double-stack, back to back type structure would have four panels.

404 - Is Sign Illuminated? Check "yes" only if artificial illumination will be provided for the sign. Reflectorized signs without other illumination are not included in this category. If you intend to utilize LED/digital type illumination, you will need to refer to the Tri-Vision guidelines for guidance.

### PART V - ZONING AND COMMERCIAL/INDUSTRIAL ACTIVITIES

One of these qualifications **must** be met to obtain a Class "A" Permit. (If you are applying for a Class "C" sign (Ref: OAC 730:35-5-13,) this section does not apply.) Commercial or industrial business must meet standards as designated under OAC 730:35-5-12[a][2].

#### ZONED AREA

501 - Is proposed location zoned? Must be zoned by an official zoning authority recognized by the State of Oklahoma as thus.

502 - What is the zoning designation? Must be some type of commercial, industrial or business zoning. Agricultural or Residential will disqualify the location. In the case of PUD, SPUD or Corridor, a copy of the approved development plan must be attached.

503 - Who is the zoning authority? Enter name of entity that has zoned the property.

504 - A Zoning Confirmation form (Z-504) must be completed, including signature of zoning official, and submitted with the application. These forms are provided in the outdoor advertising information packet, or can be obtained thru the Outdoor Advertising Control office. (Other official confirmation can be acceptable in lieu of this form.)

#### UNZONED AREA

505 - If area is unzoned, then your sign location must be within 600 ft. of a qualifying commercial or industrial activity. The 600 ft. distance is measured from the nearest point of a regularly used portion of the business then along the highway to the sign location. The distance between these two points cannot exceed 600 ft.

506 - Self explanatory.

507 - Diagram must be clearly labeled and include measurements or distances which confirm that proposed sign site is located within the required 600 feet of a regularly used portion of the business. (Hand rendered drawings are acceptable.)

### PART VI - ACKNOWLEDGMENT

Rules and regulations pertaining to the control of outdoor advertising can be found in Title 69 O.S. §1271 et. seq. and OAC Title 730:35-5 et. seq. Copies of regulations can be obtained from the OAC office.

#### REMARKS

You may use this space for any additional comments or information that you consider applicable.

#### APPLICANT SIGNATURE AND NOTARY PUBLIC

Each application for sign registration and permit must be made under oath. The oath provided on this form must be fully executed, including notary's stamp and signature. False or erroneous information provided on the application form can be grounds for denial or revocation.

#### PHOTOGRAPHS/GPS Location

Each application must be accompanied by two photos of the staked location, and GPS coordinates, where the sign is intended to be constructed. The photos should be taken from two different angles to assist ODOT personnel in locating the proposed site. These photos will also document your intent of designated site.

#### DISPOSITION

The original, fully completed, notarized application form along with photos, proof of land use consent and \$100 fee should be sent to the following address:

Oklahoma Department of Transportation  
Outdoor Advertising Control Branch  
200 N.E. 21<sup>st</sup>, Room 2A1  
Oklahoma City, OK 73105

Telephone: (405)521-3005

Fax: (405)522-0386



## § 156.172 CONDITIONAL USE PERMITS.

(A) The following procedure is established to integrate properly the conditional uses with the other land uses located in the district. These uses shall be reviewed and authorized or rejected under the following procedure:

- (1) An application shall be filed with the office of the City Planning Commission for review. Such application shall be in such form and content as the Planning Commission may by resolution establish;
- (2) The Planning Commission shall within 45 days of the date of the application transmit to the City Council its report as to the effect of such proposed building or use upon the character of the neighborhood, traffic conditions, public utilities, and other matters pertaining to the general welfare and the recommendation of the Planning Commission;
- (3) The Planning Commission may recommend and the City Council may establish such conditions which in its judgment would carry out the purpose and intent of these regulations as a condition or conditions to the permitting of such conditional use. Thereupon, the City Council may authorize or deny the issuance of a building permit for the use of land or buildings as requested;
- (4) For each application for a conditional use permit, a fee as set by the City Council by motion or resolution shall be paid to the City Clerk-Treasurer. The cost of legal publication and required notices shall be the responsibility of the applicant, also each applicant shall submit an accurate legal description and map of the land and existing buildings. A certified abstractor's list of all owners of property located within 300 feet of subject property shall be submitted;
- (5) The Planning Commission shall publish a notice of the public hearing in an official paper or a newspaper of general circulation in the city at least 15 days prior to the date of the public hearing giving the time and place of the public hearing and the proposed conditional use. Notice shall be mailed to all owners of property located within 300 feet of the subject property at least 20 days prior to the hearing; and
- (6) The City Council may make its approval of any conditional use permit subject to conditions when, in its judgment, compliance of the applicant to the conditions would diminish adverse impact of the desired use on surrounding uses. The conditions to be met shall be made an integral part of the City Council action authorizing the conditional use permit.

(B) The following are suggested permit conditions:

- (1) The use is specifically identified and conforms to conditions listed in the zoning regulations;
- (2) The proposed use is not injurious to the present use of the land nor prevents enjoyment of uses already permitted;
- (3) The change should not impede normal or orderly development or improvement of surrounding property;
- (4) Adequate utilities, access roads, drainage, and other necessary facilities are provided;
- (5) Sufficient off-street parking and loading spaces are available;
- (6) The conditional use does not create a nuisance (odors, fumes, dust, noise, and the like) in the area;
- (7) If the use requires the applicant to obtain a license or permit from any other regulatory or governmental entity, such permit or license has been obtained;
- (8) The permit is subject to periodic review and must be renewed as set out in these regulations. Any violation of the conditions results in automatic termination. If not used, conditional use permits are void after one year;
- (9) The permit is not transferrable from one applicant to another, so that a change in possession of the property terminates a permit. Caveat: a new permit must be issued to any subsequent applicant who can satisfy the permit conditions; and
- (10) A permit or license fee may be charged in an amount which reflects the administrative costs of regulating the conditional use program.

(Prior Code, § 157.192) (Ord. 1049, passed 10-11-1983; Ord. 1123, passed 3-8-1988)

## CHAPTER 158: SIGN REGULATIONS

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### Section

- 158.01 Purpose
- 158.02 Applicability
- 158.03 Binding effect
- 158.04 Definitions
- 158.05 Sign standards by zoning district
- 158.06 Nonconforming signs
- 158.07 General provisions for on-site signs
- 158.08 Standards for specific types of signs
- 158.09 Signs within the Highway Overlay District
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- 158.11 Sign permits
- 158.12 Sign permits: initial and continuing; lapse of sign permit; and assignment of sign permit
- 158.13 Inspections
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### § 158.01 PURPOSE.

This chapter provides standards for on-site and off-site signs to safeguard life, health, property, safety, and public welfare, while encouraging creativity, variety, and compatibility, and enhancement of the city's image. The provisions of this chapter are intended to:

(A) Encourage signs that are responsive to the aesthetics and character of their particular location, adjacent buildings and uses, and the surrounding neighborhood. Signs should be compatible and integrated with the building's architectural design; and

(B) Recognize that signs are a necessary form of communication, and provide flexibility within the sign review/approval process to allow for unique circumstances and creativity.

(Prior Code, § 159.01) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

### § 158.02 APPLICABILITY.

(A) *Sign permits required.* To ensure compliance with the regulations of this chapter, a sign permit shall be required in order to apply, erect, move, alter, reconstruct, or repair any permanent or temporary sign, except signs that are exempt from permits.

(B) *Sign standards.* The sign standards provided in this chapter are intended to apply to signs in each zoning district in the city. Only signs authorized by this chapter shall be allowed.

(C) *Design guidelines.* The city's sign design guidelines will be used in the evaluation of sign permit applications to ensure that signs are well designed, compatible with their surroundings, and do not detract from the overall visual quality of the city.

(Prior Code, § 159.02) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

### § 158.03 BINDING EFFECT.

After approval of a comprehensive or lot signage plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan. In case of any conflict between the provisions of such a plan and any other provision of this chapter, this chapter shall control.

(Prior Code, § 159.03) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

## § 158.04 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ABANDONED SIGN.** Any sign that advertises a business, lessor, owner, product, service, or activity that is no longer located on the premises where the sign is displayed.

**ALTERATION.** Any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.

**ANIMATED OR MOVING SIGN.** A sign that uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.

**AREA OF A SIGN.** See **SIGN AREA**.

**AWNING SIGN.** Any sign copy or logo attached to or painted on an awning.

**AWNINGS** and **CANOPIES.** Roof-like covers that project from the wall of a building for the purpose of shielding a doorway or window from the elements.

**BANNER, FLAG, or PENNANT.** Any cloth, bunting, plastic, paper, or similar non-rigid material used for advertising purposes attached to any structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the State of Oklahoma, and other states of the nation, counties, municipalities, official flags of foreign nations, and nationally or internationally recognized organizations.

**BILLBOARD.** A sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

**BLADE/BRACKET SIGN.** A small, pedestrian-oriented sign (for example, less than four square feet), that projects perpendicular from a structure (**BRACKET SIGN**) or is hung beneath a canopy (**BLADE SIGN**).

**BUILDING FRONTAGE.** The building elevation that fronts on a public street where customer access to the building is available.

**BUSINESS FRONTAGE.** The portion of a building frontage occupied by a single tenant space having a public entrance within the building frontage. For businesses located on the interior of a building without building frontage, the building elevation providing customer access shall be considered the **BUSINESS FRONTAGE**.

**BUSINESS IDENTIFICATION SIGN.** A sign that serves to identify only the name, address, and lawful use of the premises upon which it is located and provides no other advertisements or product identification.

**CANOPIES.** See **AWNINGS** and **CANOPIES**.

**CHANGEABLE COPY SIGN.** A sign designed to allow changing of copy manually.

**CHANNEL LETTERS.** Three-dimensional individually cut letters or figures, illuminated or un-illuminated, affixed to a structure.

**CIVIC EVENT SIGN.** A temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church, civic-fraternal organization, or similar noncommercial organization.

**CONTRACTOR OR CONSTRUCTION SIGN.** A sign that states the name of the developer and contractor(s) working on the site and any related engineering, architectural, or financial firms involved with the project.

**CONVENIENCE SIGN.** A sign that conveys information (for example, restrooms, no parking, and entrance) or minor business identification for directional purposes, and is designed to be viewed by pedestrians and/or motorists.

**COPY.** Words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

**DIRECTIONAL SIGN.** Any sign that is designed and erected solely for the purposes of directing vehicular and/or pedestrian traffic within a project.

**DIRECTORY SIGN.** A sign listing the tenants of a multiple-tenant structure or center.

**DOUBLE-FACED SIGN.** A sign constructed to display its message on the outer surfaces of two identical and opposite parallel planes.

**ELECTRONIC READER BOARD SIGN** or **ELECTRONIC GRAPHICS SIGN.** A sign with a fixed or changing display/message, composed of a series of lights that may be changed through electronic means.

**EXTERNAL ILLUMINATION.** The lighting of an object from a light source located a distance from the object.

**FLASHING SIGN.** A sign that contains an intermittent or sequential flashing light source.

**FREESTANDING BRACKET SIGN.** A small pedestrian-oriented sign mounted on the ground using one or more posts, or having a solid monument-type base.

**GRAND OPENING.** A promotional activity, not exceeding 30 calendar days, used by newly established businesses within two months after initial occupancy, to inform the public of their location and services available to the community. **GRAND OPENING** does not mean an annual or occasional promotion by a business.

**HEIGHT OF SIGN.** The vertical distance from the uppermost point used in measuring the area of a sign to the average grade immediately below and adjoining the sign.

**ILLEGAL SIGN.** Any of the following:

- (1) A sign erected without first obtaining a permit and complying with all regulations in effect at the time of its construction or use;
- (2) A sign that was legally erected but whose use has ceased because the business it identifies is no longer conducted on the premises;
- (3) A nonconforming sign for which the amortization period has expired;
- (4) A sign that was legally erected which later became nonconforming and then was damaged to the extent of 50% or more of its current replacement value;
- (5) A sign that is a danger to the public or is unsafe; or
- (6) A sign that pertains to a specific event that has not been removed within five days after the occurrence of the event.

**INFLATABLE DEVICE.** An object that is blown up with air or gas.

**INTERNALLY ILLUMINATED SIGN.** A sign whose light source is located in the interior of the sign so that the rays go through the face of the sign, or light source which is attached to the face of the sign and is perceived as a design element of the sign.

**MONUMENT SIGN.** Permanent sign where the entire bottom of the sign is affixed to the ground, not to a building.

**MULTIPLE-TENANT BUILDING.** A development consisting of two or more separate uses or tenancies that share either the same parcel or structure and use common access and parking facilities.

**MURAL.** A painting or other work of art executed directly on a wall.

**NEON SIGN.** Glass tube lighting in which a gas and phosphors are used in combination to create a colored light.

**NONCONFORMING SIGN.** An advertising structure or sign which was lawfully erected and maintained prior to the adoption of the city's Zoning Code, and which has subsequently come under the requirements of the city's Zoning Code, but does not now completely comply.

**OFF-SITE SIGN.** Any sign which advertises or directs attention to a business, commodity, service, or activity conducted, sold, or offered elsewhere than on the same lot or within the same building upon which such sign is located. All **OFF-SITE SIGNS** shall conform to the rules and regulation established by the state for outdoor advertising signs.

**ON-SITE SIGN.** Any sign used for identifying a use, facility, service, or product that is located, sold, or manufactured on the same premises.

**PERMANENT SIGN.** Any sign which is not a temporary sign as defined herein.

**POLE SIGN.** A sign mounted on a freestanding pole or other support so that the bottom edge of the sign face is six feet or more above finished grade.

**POLITICAL SIGN.** A sign designed for the purpose of advertising support of or opposition to a candidate or proposition for a public election, or a sign expressing political, religious, or other ideological sentiment that does not advertise a product or service.

**PORTABLE SIGN.** A sign that is not affixed to a structure or the ground (for example, A-frame or sandwich-board signs).

**PROJECTING SIGN.** A sign that protrudes in a V-shape from the top of the ground floor over the sidewalk, like a traditional theater marquee.

**PROMOTIONAL SIGN.** A sign erected on a temporary basis to promote the sale of new products, new management, new hours of operation, a new service, or to promote a special sale.

**PROPERTY FRONTAGE.** The side of a parcel or development site abutting on a public street.

**REAL ESTATE SIGN.** A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.

**ROOF SIGN.** A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support, and which projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

**SIGN.** An object, device display, or structure, or part thereof, situated outdoors or indoors, which is used to identify, display, or direct or attract attention to an object, person, institution, organization, business, product, service, event, or

location, by any means, including words, letters, figures, design symbols, fixtures, colors, illumination, or projected image.

**SIGN AREA.** The entire area within a perimeter defined by a continuous line composed of right angles which enclose the extreme limits of lettering, logo, trademark, or other graphic representation, together with any frame or structural trim forming an integral part of the display used to differentiate the sign from the background against which it is placed.

**SPECIAL EVENT SIGN/BANNER.** A temporary sign or banner that is intended to inform the public of a unique happening, action, purpose, or occasion (for example, grand opening or community event).

**TEMPORARY SIGN.** Any sign or advertising device constructed of cloth, canvas, light fabric, portable cardboard, wood, wallboard, metal, or other light materials, with it without frames, which is intended to be displayed for a limited period of time only and which is portable.

**THREE-DIMENSIONAL SIGNS.** Signs that have a depth or relief on their surface greater than six inches.

**TIMEAND/OR TEMPERATURE SIGN.** Signs that accurately display the current local time and/or temperature, usually through arrays of small electric lights. No commercial advertising or other message is allowed.

**VEHICLE SIGN.** A sign that is attached to or painted on a vehicle that is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.

**WALL SIGN.** A sign that is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.

(Prior Code, § 159.04) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

## § 158.05 SIGN STANDARDS BY ZONING DISTRICT.

(A) Key. The tables in this chapter are organized by zoning district and have the following meanings:

| <i>Abbreviation</i> | <i>District</i>                      |
|---------------------|--------------------------------------|
| <i>Abbreviation</i> | <i>District</i>                      |
| A-1                 | Agriculture, General                 |
| R-1                 | Residential, Single-Family Detached  |
| R-2                 | Residential, Two-Family              |
| R-3                 | Residential, General                 |
| R-4                 | Residential, Manufactured Housing    |
| CBD                 | Central Business District            |
| C-0                 | Commercial, Office                   |
| C-1                 | Commercial, Convenience              |
| C-2                 | Commercial, Highway and Recreational |
| C-3                 | Commercial, General                  |
| H-1                 | Health                               |
| I-1                 | Industrial, Light                    |
| I-2                 | Industrial, Medium                   |
| Hwy Overlay         | Highway Overlay District             |

(B) All signs shall comply with the standards of the applicable zoning district, in compliance with the provisions in Tables 1-1 and 1-2.

| <i>Table 1-1 Sign Standards for Residential Zoning Districts</i> |                           |                                |                                                                               |                                                               |                                                                                   |                          |                                                          |
|------------------------------------------------------------------|---------------------------|--------------------------------|-------------------------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------|----------------------------------------------------------|
| <i>(A-1, R-1, R-2, R-3, R-4)</i>                                 |                           |                                |                                                                               |                                                               |                                                                                   |                          |                                                          |
| <i>Sign Class</i>                                                | <i>Allowed Sign Types</i> | <i>Maximum Number of Signs</i> | <i>Maximum Sign Area</i>                                                      | <i>Maximum Sign Height</i>                                    | <i>Location Requirements</i>                                                      | <i>Lighting Allowed?</i> | <i>Additional Requirements</i>                           |
| Multi-family development identification                          | Wall or monument          | 1 for each street frontage     | 1 sq. ft. for each linear ft. of street frontage; 25 sq. ft. maximum per sign | Below edge of roof; monument<br><br>(see monument regulation) | Affixed to wall or placed within a landscaped area near building/project entrance | Yes                      | Name and address of facility only<br><br>Permit required |



|                                 |                                    |                                                |                    |                                         |                                                                           |     |                                                          |
|---------------------------------|------------------------------------|------------------------------------------------|--------------------|-----------------------------------------|---------------------------------------------------------------------------|-----|----------------------------------------------------------|
| Bed and breakfast               | Wall or free-standing bracket sign | 1 for each street frontage                     | 16 sq. ft. maximum | Below edge of roof; 36 in. freestanding | Affixed to wall or placed within a landscaped area near building entrance | Yes | Name and address of facility only<br><br>Permit required |
| Real estate and political signs | Yard sign                          | 1 for each street frontage                     | 4 sq. ft. maximum  | N/A                                     | Five feet from curb or street if no curb                                  | No  | No permit required                                       |
| Yard sale                       | Yard sign                          | 1 for each street frontage at location of sale | 4 sq. ft. maximum  | N/A                                     | Five feet from curb or street if no curb                                  | No  | No permit required                                       |

(Prior Code, § 159.05) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

#### **§ 158.06 NONCONFORMING SIGNS.**

(A) A legal nonconforming sign is a sign which does not conform to each and every applicable provision of the city's signage regulations, but was:

- (1) Lawfully in existence prior to the passage of Ordinance 1345, as adopted on September 10, 2001;
- (2) Lawfully in existence and in use in the city prior to and at the time the provisions of the city's signage regulations with which it does not conform became effective; or
- (3) Lawfully in existence and in use on property outside the city at the time of annexation of such property to the city.

(B) All legal nonconforming signs, billboards, or commercial advertising structures specifically describing the business or nature of a conforming or legal nonconforming building, structure, or use on the premises may be maintained during the lawful lifetime of the building, structure, or use.

(C) (1) Although the resulting sign will not be in conformance in all respects with the provisions of the signage regulations, a sign permit may be issued to allow replacement, alteration, or relocation on the same parcel of a legal nonconforming sign provided that:

- (a) The resulting sign is no larger in square footage than the original legal nonconforming sign;
  - (b) The resulting sign has received design approval from the Director of Community Development; and
  - (c) The Director of Community Development has determined that the resulting sign will reduce visual clutter or visual blight.
- (2) The resulting sign shall be a legal nonconforming sign.

(D) The Zoning Code shall address all other issues of nonconformance.

(Prior Code, § 159.06) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

#### **§ 158.07 GENERAL PROVISIONS FOR ON-SITE SIGNS.**

(A) *Encroachment into public right-of-way.* No sign shall encroach into a public right-of-way, except that a blade/bracket sign attached to a building facade may project a maximum of three feet over a public sidewalk, if the lowest part of the sign is at least 12 feet above the sidewalk surface; and any temporary yard sign no larger than four square feet per side, that advertises a special product, sale event, yard sale, community event, political, or real estate sign may be placed within the public right-of-way five feet back from the curb or street if no curb exists for a maximum of 30 days as long as the above mentioned sign does not block a pedestrian sidewalk, cause a visual nuisance, or block the sign triangle within the city.

(B) *Illumination of signs.* The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate negative impacts on surrounding rights-of-way and properties. The following standards shall apply to all illuminated signs:

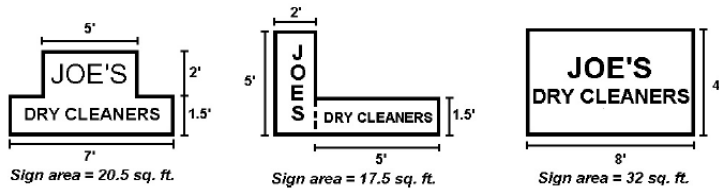
- (1) External light sources shall be directed and shielded to limit direct illumination of any object other than the sign;
- (2) The light from an illuminated sign shall not be of an intensity or brightness that will create a negative impact on residential properties in direct line of sight to the sign;
- (3) Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices;
- (4) Reflective type bulbs and incandescent lamps that exceed 15 watts shall not be used on the exterior surface of signs so that the face of the bulb or lamp is exposed to a public right-of-way or adjacent property; and
- (5) Light sources shall utilize energy efficient fixtures to the greatest extent possible.

(C) *Measurement of sign area.*

(1) The surface area of a sign shall be calculated by enclosing the extreme limits of all lettering, background, emblem, logo, representation, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines drawn at right angles.

**Figure 1-1**

**Sign Area Measurement**



**Figure 1-1**  
**Sign Area Measurement**

(2) Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

(3) Double-faced (back-to-back) signs shall be regarded as a single sign only if mounted on a single structure, and the distance between each sign face does not exceed two feet at any point. Only one face of a double-faced sign shall be measured when determining maximum allowable area except for off-site billboards.

(4) Where a sign consists of one or more three-dimensional objects (for example, balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum projection upon a vertical plane. Time and temperature devices shall not be included within the measurement of maximum sign area.

(D) *Measurement of sign height.* The height of a sign shall be measured as the vertical distance from the uppermost point used in measuring the area of the sign to the average grade immediately below and adjoining the sign.

(E) *Sign copy.* The sign copy (text) of permanent signs shall relate only to the name and/or nature of the business. Permanent signs that advertise continuous sales, special prices, and the like, shall not be allowed.

(F) *Sign maintenance.* Signs and supporting hardware, including temporary signs and time/temperature signs, shall be structurally safe, clean, free of visible defects, and functioning properly at all times. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.

(G) *Sign removal or replacement.* When a sign is removed or replaced, all brackets, poles, and other structural elements that supported the sign shall also be removed. Affected building surfaces shall be restored to match the adjacent portion of the structure.

(Prior Code, § 159.07) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

**§ 158.08 STANDARDS FOR SPECIFIC TYPES OF SIGNS.**

(A) *Awning and canopy signs.* Awning and canopy signs may be permitted only as an integral part of the awning or canopy to which they are attached or applied, as follows.

(1) *Location.* Signs may be placed only on awnings that are located on first- and second-story building frontages, including those fronting a parking lot or pedestrian way.

(2) *Lighting.* Awnings shall not be internally illuminated except as part of a creative sign.

(3) *Required maintenance.* Awning and canopy signs shall be regularly cleaned and kept free of dust and visible defects.

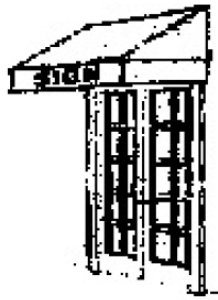
**Figure 1-2**

**Canopy/Awning Sign**

**Figure 1-3**

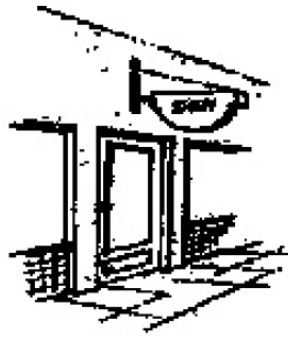
**Blade/Bracket Sign**

**Figure 1-2  
Canopy/Awning Sign**



**Figure 3-2  
Canopy/Awning Sign**

**Figure 1-3  
Blade/Bracket Sign**



**Figure 3-3  
Blade/Bracket Sign**

(B) *Blade/bracket signs.*

(1) *Location.* Blade or bracket signs shall be placed only on a ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access.

(2) *Maximum area and height.* The maximum sign area shall be four square feet. The lowest point of a blade or bracket signs shall be at least eight feet above finished grade.

(3) *Sign structure.* Sign supports and brackets shall be compatible with the design and scale of the sign.

(C) *Changeable copy signs; limitations on use and sign area.* Changeable copy signs may only be allowed:

(1) In conjunction with facilities used exclusively for the presentation of theatrical, cultural, or religious events subject to the approval of a comprehensive sign program and limited to a maximum area of eight square feet; or

(2) To advertise products, services, and prices in conjunction with a retail business and limited to a maximum area of 32 square feet.

(D) *Freestanding bracket signs.* A freestanding bracket sign may be allowed when the Director determines that a wall sign would not be easily seen from the street and there is sufficient area on the site to accommodate a freestanding sign.

(1) *Location.* The sign may be located only on a site frontage adjoining a public street.

(2) *Maximum area and height.* The area of the sign shall be counted towards the maximum allowable sign area for the use. The sign shall have a maximum height of three feet and the maximum area of four square feet.

(3) *Sign mounting.* The sign shall be mounted on one or more posts or have a solid monument-type base. Posts shall not have a diameter greater than 12 inches.

**Figure 1-4**

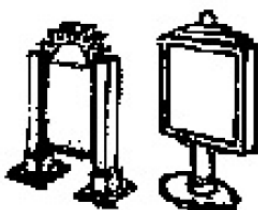
**Figure 1-5**

**Freestanding Bracket Sign**

**Monument Sign**

**Figure 1-4  
Freestanding Bracket Sign**

**Figure 1-5  
Monument Sign**



(E) *Monument signs.* Monument ground signs shall be permitted to be located on a property line fronting a non-residential street under the following conditions when located in a non-residential district:

(1) *Area allowable (size).* Fifty square feet as situated at the property line, 100 square feet total for all sides of the sign at the property line. The monument ground sign allowed shall have no less than 50% of the width of the sign support base consisting of masonry or other architecturally compatible materials to the building;

(2) *Height.* Six feet at the property line;

(3) *Number of signs.* Only one monument ground sign shall be permitted per property ownership except when there is a single ownership fronting on two non-residential streets; and, in that case, one additional sign shall be permitted with at least one of the two signs being located in excess of 300 feet from the intersection, as measured from the property line;

(4) *Landscaping.* Minimum landscaping shall be required for all monument ground signs. There shall be landscaping around the monument ground sign structure equal to or greater than the total of both sides of the sign, consisting of plant and/or tree units other than sod. Landscaping must be maintained at all times. Landscaping may be allowed to extend onto the public right-of-way as long as such landscaping does not interfere with the normal and safe operation of the abutting street and does not exceed a height of two feet. The city and other utility providers in the right-of-way shall not be liable for the removal of landscaping in the right-of-way for utility, street, and other work that may need to be performed in the right-of-way; and

(5) *Public easements.* No ground monument sign may be located in an easement dedicated to the city.

(F) *Time and/or temperature signs.* A time and/or temperature sign may be permitted on a site in addition to the other signs allowed by this chapter.

(1) *Maximum area and height.* The sign shall have a maximum area of 32 square feet.

(2) *Design.* The sign shall be designed in a manner that is compatible with other signs on the site and with the structure on which it is placed.

(G) *Wall signs.* Where allowed, a wall sign shall comply with the following additional requirements.

(1) *Location.* The sign shall not be placed to obstruct any portion of a window, doorway, transom, or other architectural detail.

(2) *Maximum area and height.* The sign shall not project above the edge of the roof of a structure, unless approved by the Building Official.

(3) *Projection from wall.* The sign shall not project from the surface upon which it is attached more than required for construction purposes and in no case more than 12 inches for three-dimensional elements on all signs.

(H) *Welcome identification signs.* Welcome identification sign is an off-site sign for the identification of a specific church or civic organization.

(1) *Standards.* Welcome identification signs shall not:

- (a) Interfere with pedestrian or vehicular safety;
- (b) Detract from the pedestrian quality of the surrounding area; or
- (c) Add to an over proliferation of signs on property or in an area.

(2) *Maintenance required.* The owner of the signs shall keep ongoing cleaning, maintenance, and repair of the sign.

(Prior Code, § 159.08) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

## **§ 158.09 SIGNS WITHIN THE HIGHWAY OVERLAY DISTRICT.**

(A) *Purpose.* This section provides standards for off-site signs and on-site signs within the Highway Overlay District.

(B) *Applicability.* A sign permit shall be required for the establishment of any sign allowed under the provisions of this section.

(C) *Approval authority.* The Planning Commission and City Council shall have the authority to approve billboards through the conditional use permit process. The Director or his or her designee may approve all other signs.

(D) *On-site signs and billboards.* On-site signs located within the Highway Overlay District shall have a height restriction of 90 feet and maximum size of 300 square feet.

(E) *Billboards.* A billboard may be approved in compliance with this section. The following regulations are intended to encourage billboards that make a positive visual contribution to the overall image of the city.

(1) *Applicability.* An applicant may request the approval of a sign permit for a billboard only within the Highway Overlay Zoning District.

(2) *Highway Overlay District established.* A Highway Overlay District shall be established by this division. Off-premises signs shall only be permitted within the Highway Overlay District as defined as:

- (a) Seven hundred and fifty linear feet from the center line of U.S. Highway 69/75;
- (b) Seven hundred and fifty linear feet of center line of U.S. Highway 70 west of the intersection of U.S. Highway 70 and U.S. Highway 69/75;
- (c) Seven hundred and fifty linear feet of the center line of U.S. Highway 70 east of Sawmill Road; and
- (d) One thousand two hundred feet north of the center line of U.S. Highway 70 between U.S. Highway 69/75 and 250 linear feet west of the center line of University Place.

(E) *Off-premises signs.* Off-premises signs will only be permitted in commercial and industrial zoned districts, billboards only in the Highway Overlay District.

(F) *On-premises signs and billboards.* On-premises signs located within the Highway Overlay District shall have a height restriction of 90 feet and maximum size of 300 square feet. Billboards shall have a height restriction of 60 feet and maximum size of 750 square feet. The Highway Overlay District only takes precedence on sign height and billboards, all other district restrictions apply. All off-premises signs shall conform to the rules and regulation established by the state for outdoor advertising signs.

(G) *On-premises advertising.* Animated or moving, electronic reader board, or electronic graphics signs used for identifying a use, facility, service, or product that is not located, sold, or manufactured on the same premises shall have a height restriction of 60 feet and maximum size of 32 square feet. The Community Development Director may approve on-premises animated or moving electronic reader board or electronic graphics signs only in the C-2 District. Any other location must be approved by the Planning Commission.

(H) *Billboard location.* Billboards shall not be located within 500 feet of any of the following sites which are adjacent to any road (on the same side):

- (1) Public park;
- (2) Public forest;
- (3) Playground;
- (4) Cemetery;
- (5) Church;
- (6) School;
- (7) Historical battlefield; or
- (8) Rest area.

(I) *Planning Commission review required.* All signs that measure more than 100 square feet in size or more than 45 feet in height, measured from the ground elevation to the highest portion of the actual sign, within 300 feet of a residential district shall be first reviewed by the Planning Commission. All owners of real property located within a 300-foot radius of the proposed sign shall be given written notice and a notice shall be published in a local newspaper of general circulation at least 15 days and not more than 30 days prior to such public hearing. The notice shall contain a legal description of the actual site of the proposed sign, a street address of the property on which the proposed sign shall set upon, general design details (including height, size, and lighting placement) of the proposed sign, and date, time, and place of the public hearing. In addition to the permit fee, a petition and other applicable fees as adopted by the City Council by motion or resolution, shall be paid by the applicant.

(J) *Height exceptions for monument ground signs.* On-premises signs located in the Highway Overlay District may petition the Planning Commission for an exception from the height requirements for a monument ground sign. Under no circumstance shall a monument ground sign exceed 20 feet in height as measured from the base of the sign. The Planning Commission shall take into consideration the setting and appearance of the sign in relation to the site and surrounding development. The Planning Commission may impose additional reasonable requirements and restrictions as a condition of approval. Approval may also be granted to allow signage for more than one tenant within a unified development to be located on the monument ground sign. In addition to the permit fee, a petition and other applicable fees as adopted by the City Council by motion or resolution, shall be paid by the applicant.

(K) *Welcome identification signs.* A welcome identification sign is an off-site sign for the identification of a specific church or civic organization. Welcome identification signs shall not:

- (1) Interfere with pedestrian or vehicular safety;
- (2) Detract from the pedestrian quality of the surrounding area; or
- (3) Add to an over proliferation of signs on one property or in an area.

(L) *Maintenance required.* The owner of the sign shall keep ongoing cleaning, maintenance, and repair of the sign.

(Prior Code, § 159.09) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

## **§ 158.10 PROHIBITED SIGNS.**



The following signs are inconsistent with the purposes and standards of this chapter and are prohibited in all zoning districts:

- (A) Large screen video signs over 32 square feet;
- (B) Notices, placards, bills, posters, cards, stickers, banners, signs, advertisings, or other devices designed to attract the attention of the public that are posted or otherwise affixed upon any street, street furniture, right-of-way, public sidewalk, crosswalk, curb, lamp post, hydrant, tree, alley, telephone pole, public telephone, or lighting system, or other public alarm or communication system;
- (C) Murals, except as may be approved by the City Manager;
- (D) Obscene or offensive signs containing statements, words, or pictures of an obscene or indecent character which appeal to the prurient interest in sex, or which are patently offensive and do not have serious literary, artistic, political, or scientific value;
- (E) Off-site signs not specifically allowed by the provisions of this chapter;
- (F) Painted signs on fences or roofs except addresses;
- (G) Signs advertising home occupations;
- (H) Signs not in compliance with the provisions of this chapter;
- (I) Signs erected in a manner that a portion of their surface or supports will interfere with the free use of a fire escape, exit, or standpipe, or obstruct a required ventilator, door, stairway, or window above the first story, or create other hazards;
- (J) Signs using words, colors, symbols, or characters in a manner that interferes with, misleads, or confuses pedestrian or vehicular traffic and safety;
- (K) Vehicle signs attached to or painted on motor vehicles that are parked other than on or adjacent to property that the business is located for more than 24 consecutive hours, the principal purpose of which is to attract attention to a product sold or business located other than on the property;
- (L) Signs in the public right-of-way that block any section of the pedestrian sidewalk or street;
- (M) Signs in the public right-of-way with the first five feet from the curb or street if no curb exists;
- (N) Roof signs extending past and above the edge of the roof structure;
- (O) Signs emitting audible sounds, odors, or visible matter;
- (P) Inflatable signs and tethered balloons;
- (Q) Beacons;
- (R) Pennants; and
- (S) Strings of lights not permanent anchor points.

(Prior Code, § 159.10) (Ord. 1870, passed 12-11-2018; Ord. 1917, passed 10-13-2020; Ord. O-2021-04, passed 2-9-2021)

#### **§ 158.11 SIGN PERMITS.**

Sign permits shall be prepared, filed, processed, and approved or denied in compliance with this section.

(A) *Application processing and fee.* A sign permit application shall include the information and materials required by the Department, and the filing fee set by the city's fee resolution.

(B) *Criteria for approval.* The Director or his or her designee may approve a sign permit if the proposed sign:

- (1) Meets the requirements of this chapter;
- (2) Is in compliance with the sign design guidelines;
- (3) Would not interfere with pedestrian or vehicular safety;
- (4) Would not detract from the character of a historic or architecturally significant structure;
- (5) Would not be located so as to have a negative impact on adjacent property;
- (6) Would not detract from the pedestrian quality of street or area; and
- (7) Would not add to an over proliferation of signs on a particular property or area.

(C) *Revocation or modification of sign permits.* The Director or his or her designee may revoke or modify a sign permit, if it is found that the sign(s) has been erected, altered, reconstructed, or is being maintained in a manner that is inconsistent with the approved permit.

(D) *Temporary signs.* Temporary signs on commercial or industrial property shall be allowed only upon the issuance of a

temporary sign permit, which shall be subject to the following requirements.

(1) *Term.* A temporary sign permit shall allow the use of a temporary sign for a specified 30-day period.

(2) *Number.* Only one temporary sign permit shall be issued to the same business or business owner on the same zone lot in any calendar year, unless otherwise determined by the city staff.

(E) *Note.* No permits for temporary signs in the public right-of-way shall be issued.

(Prior Code, § 159.11) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

#### **§ 158.12 SIGN PERMITS: INITIAL AND CONTINUING; LAPSE OF SIGN PERMIT; AND ASSIGNMENT OF SIGN PERMIT.**

(A) The owners of a zone lot containing signs requiring a permit under this chapter shall at all times maintain in force a sign permit for such property. Sign permits shall be issued for individual zone lots, notwithstanding the fact that a particular zone lot may be included with other zone lots in a comprehensive signage plan.

(B) A continuing sign permit shall lapse automatically if the business license for the premises lapses, is revoked, or is not renewed. A sign permit shall also lapse if the business activity on the premises is discontinued for a period of 90 days or more and is not renewed within 30 days of a notice from the city to the last permittee or owner of record that the sign permit shall lapse if such activity is not renewed.

(C) A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject only to filing such application as the city may require and paying any applicable fee. The assignment shall be accomplished by filing and shall not require approval if no substantial changes have been made to the sign.

(Prior Code, § 159.12) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

#### **§ 158.13 INSPECTIONS.**

The city shall inspect the zone lot for which a permit for a new sign or for modification of an existing sign is requested and/or issued. This inspection shall occur within a reasonable time of notification by the contractor, owner, and the like of completion of the specific sign. If the construction is substantially complete but not in compliance with this chapter and applicable codes, the city shall give the owner or applicant notice of the deficiencies and shall allow an additional 30 days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. Once the sign is constructed and meets city's Building, Electrical and Mechanical Codes and ordinances, the city shall affix to the premises and/or sign a permanent symbol identifying the sign and the applicable permit by number or other reference.

(Prior Code, § 159.13) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

#### **§ 158.14 EXEMPTIONS FROM SIGN PERMIT REQUIREMENTS.**

(A) Sign permits shall not be required for the signs listed in this division (A). These exempt signs shall not be included in the determination of the total allowable number of signs or total allowable sign area for a site.

(1) *Official flags.*

(a) Flags of incorporated nonprofit organizations or service clubs, provided that the pole height shall not exceed 25 feet above finished grade within five feet of the pole if located on the ground or ten feet if located on a roof. The length of the flag shall not exceed one-quarter of the height of the pole. No more than three flags per use shall be allowed. Larger flags may be allowed subject to approval by the Director or his or her designee.

(b) Flags of the United States, the State of Oklahoma, the City of Durant, the Choctaw Nation, foreign nations having diplomatic relations with the United States, and any other flag sanctioned by the City Council, provided that such a flag shall now exceed 80 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. Flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulations as such.

(2) *Permanent signs without size limitations.*

(a) *Official signs.* Official and legal notices required by a court or governmental agency.

(b) *Government signs.* A sign erected by a federal or state agency or the city.

(c) *Signs in the public right-of-way.* Off-site signs that are part of an accessory to pay phones, trash receptacles, and other similar street furniture located in the public right-of-way and installed by the city or in compliance with an agreement with the city. This includes banners attached to streetlights and other similar structures.

(3) *Permanent signs with size and number limitations.*

(a) *Affiliation signs.* Signs that provide notices of services (for example, trade affiliations, credit cards accepted) provided the signs are attached to the structure. Signs or notices shall not exceed one-half square foot in area for each sign,

and no more than three signs are allowed for each business.

(b) *Changeable copy signs.* Signs with readily changeable copy/text (for example, chalkboard) limited to one sign per business not to exceed four square feet in area.

(c) *Gasoline pumps signs.* Signs identifying the brand, types, and octane rating, provided the signs do not exceed two square feet for each pump face. Also includes equivalent signs for alternative fuel/electric vehicle recharging stations.

(d) *Name plaques.* Commemorative plaques, tables, dates of construction, and the like when carved in stone, concrete, or similar materials or made of bronze, aluminum, or other similar permanent material. Signs shall not exceed two square feet in area.

(e) *Neighborhoods watch signs.* Signs located in residential neighborhoods that are designated official neighborhood watch areas and limited to three square feet in area.

(f) *Off-site directional signs.* Signs located off-site and providing directions to publicly-owned facilities or emergency facilities and limited to 12 square feet in area.

(g) *Portable parking lot and valet parking signs.* One freestanding portable sign at each parking lot entrance limited to 12 square feet in area. The sign shall not cause any hazard to pedestrian movement.

(h) *Inside buildings.* Any sign inside a building including on the windows.

(i) *Murals or works of arts.* City Manager-approved murals or works of art that do not include a commercial message.

(j) *Site address.* Limited to two for each street address, subject to the following standards:

1. The total aggregate sign area shall not exceed 72 square inches. Individual numbers and letters shall not exceed a height of six inches; and

2. The sign shall be placed in an area adjacent to or near the primary entrance of the structure or property frontage and face the street curb in front of the structure.

(k) *Time and/or temperature signs.* Time and/or temperature signs when provided in compliance with §158.08(F) of this chapter.

(4) *Vehicle-oriented safety and directional signs.* Signs solely for the purpose of guiding traffic, parking, and loading on private property. One safety or directional sign on each site may include the name of the business within a maximum area of two square feet. No other advertising copy or logos shall be allowed.

(5) *Temporary signs limited by size and period of display.* The temporary signs listed below are exempt from sign permit requirements in compliance with the provisions of this chapter:

(a) City-installed signs or signs installed in compliance with a city agreement;

(b) Holiday lights and decorations with no commercial message;

(c) Political campaign signs five feet from the curb or edge of the street and not located in the sight triangle for a period of 45 days prior and seven days following the associated election;

(d) A temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church, civic-fraternal organization, or similar noncommercial organization; and

(e) A sign that states the name of the developer and contractor(s) working on the site and any related engineering, architectural, or financial firms involved with the project. Maximum size of 32 square feet and must be removed 15 days after the construction has been finished.

(B) Real estate and political campaign signs shall comply with the following requirements:

(1) The signs are allowed on private property only subject to the owner's permission. Real estate signs shall not be placed at an off-site location;

(2) The signs shall be non-illuminated. The signs shall be constructed of durable, rigid material suitable to their location and purpose. Only interior window signs may be made of non-rigid material; and

(3) Real estate signage shall be located on the actual property for sale, lease or rent. Signs shall be located at least five feet from the curb or edge of the street and not in the sight triangle.

(C) No signs shall be allowed in the public right-of-way, except for the following:

(1) *Permanent public signs.* Permanent public signs erected in the public right-of-way by or on behalf of a governmental body to post legal notices, identify public property, convey public information, convey community pride, and direct or regulate pedestrian or vehicular traffic;

(2) *Informational signs.* Signs placed in the public right-of-way by a public utility regarding its poles, lines, pipes, or facilities; or

(3) *Emergency signs.* Emergency warning signs erected in the public right-of-way by a governmental agency, a public

utility company, or a contractor doing authorized or permitted work within the public right-of-way.

(D) All signs exempt from regulation shall comply with the applicable provisions of the adopted Building, Electrical, and Mechanical Code of the city at all times.

(E) Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full cost of removal and disposal of such sign.

(Prior Code, § 159.14) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

#### **§ 158.15 COMPREHENSIVE SIGN PROGRAM.**

(A) *Purpose.* A comprehensive sign program is intended to integrate the design of the signs proposed for a development project with the design of the structures into a unified architectural statement. A comprehensive sign program provides a means for defining common sign regulations for multi-tenant projects, to encourage maximum incentive and latitude in the design and display of multiple signs, and to achieve, not circumvent, the intent of this chapter.

(B) *Applicability.* The approval of a comprehensive sign program shall be required whenever any of the following circumstances exist, or whenever an applicant requests the approval of a comprehensive sign program:

- (1) Two or more separate tenant spaces are to be created on the same parcel;
- (2) Five or more non-exempt signs are proposed for a new or existing development; and

(3) The Director or his or her designee determines that a comprehensive sign program is needed because of special project characteristics (for example, the size of proposed signs, limited site visibility, a business within a business, the location of the site relative to major transportation routes, and the like).

(C) *Approval authority.* A comprehensive sign program shall be approved through the granting of a sign permit for a comprehensive sign program by the Director or his or her designee.

(D) *Application requirements.* A sign permit application for a comprehensive sign program shall include all information and materials required by the Department, and the filing fee set by the city's fee resolution.

(E) *Standards.* A comprehensive sign program shall comply with the following standards:

- (1) The program shall comply with the purpose of this chapter, the sign design guidelines, and the overall intent of this section;
- (2) The signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the comprehensive sign program, to the structures and/or developments they identify, and to surrounding development;
- (3) The program shall accommodate future revisions that may be required because of changes in use or tenants; and
- (4) The program shall comply with the standards of this chapter, except that flexibility is allowed with regard to sign area, number, location, and/or height to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the purposes of this chapter.

(F) *Revisions to comprehensive sign programs.* Revisions to a comprehensive sign program may be approved by the Director or his or her designee if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new comprehensive sign program.

(Prior Code, § 159.15) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

#### **§ 158.16 ABANDONED SIGNS.**

A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business that it advertises is no longer conducted on the premises. The sign shall be removed within 30 days of the close of business

(Prior Code, § 159.16) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

#### **§ 158.17 ILLEGAL SIGNS.**

(A) *Penalties.* Illegal signs shall be subject to the administrative remedies hereof.

(B) *Removal of illegal signs in the public right-of-way.* The Director or his or her designee may cause the removal of any sign within the public right-of-way or on property that is otherwise abandoned that has been placed there without first complying with the requirements of this chapter.

(C) *Storage of removed signs.* Signs removed in compliance with this section shall be stored by the city for 30 days, during which they may be recovered by the owner only upon payment to the city for costs of removal and storage. If not recovered within the 30-day period, the sign and supporting structure shall be declared abandoned and title shall vest with the city. The costs of removal and storage (up to 30 days) may be billed to the owner. If not paid, the applicable costs may be imposed as a tax lien against the property.

(Prior Code, § 159.17) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

## § 158.18 VIOLATIONS, ENFORCEMENT, AND REMEDIES.

(A) Any of the following shall be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, by the Zoning Code, and by state law:

- (1) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
- (2) To install, create, erect, or maintain any sign requiring a permit without such permit;
- (3) To install, create, erect, or maintain any sign that in any way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
- (4) To fail to remove any sign that is installed, created, erected, or maintained in violation of this chapter, or for which the sign permit has lapsed; and/or
- (5) To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this chapter.

(B) Each sign installed, created, erected, or maintained in violation of this chapter shall be considered a separate violation when applying the penalty portions of this chapter.

(C) Any violation or attempted violation of this chapter, or of any condition or requirement adopted pursuant hereto, may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law. A violation of this chapter shall be considered a violation of the Zoning Code of this city. The remedies of the city shall include the following:

- (1) Issuing a stop-work order for any and all work on any signs on the same zone lot;
  - (2) Seeking an injunction or other order of restraint or abatement that requires that removal of the signs) or the correction of the nonconformity;
  - (3) Imposing any penalties that can be imposed directly by the city under the Zoning Code;
  - (4) Seeking in court the imposition of any penalties that can be imposed by such court under the Zoning Code; and/or
  - (5) In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of the Zoning Code and Building Code for such circumstances.
- (D) The city shall have such other remedies as are, and as may from time to time be, provided for or allowed by state law for the violation of the Zoning Code.

(E) All such remedies provided herein shall be cumulative. To the extent that state law may limit the availability of a particular remedy set forth herein for a certain violation or a part thereof, such remedy shall remain available for other violations or other parts of the same violation.

(Prior Code, § 159.18) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)

## § 158.19 TABLES.

(A) *Table 1: Permitted signs by type and zoning district.*

| <i>Sign Type</i>        | <i>A-1</i> | <i>R-1 and R-2</i> | <i>R-3 and R-4</i> | <i>CBD</i> | <i>C-0 and C-1</i> | <i>C-2 and C-3</i> | <i>H-1 and H-2</i> | <i>I-1 and H-2</i> | <i>Hwy Overlay</i> | <i>INST</i> |
|-------------------------|------------|--------------------|--------------------|------------|--------------------|--------------------|--------------------|--------------------|--------------------|-------------|
| <i>Sign Type</i>        | <i>A-1</i> | <i>R-1 and R-2</i> | <i>R-3 and R-4</i> | <i>CBD</i> | <i>C-0 and C-1</i> | <i>C-2 and C-3</i> | <i>H-1 and H-2</i> | <i>I-1 and H-2</i> | <i>Hwy Overlay</i> | <i>INST</i> |
| Animated or moving sign | N          | N                  | N                  | P          | P                  | P                  | P                  | P                  | P                  | P           |
| Awning sign             | N          | N                  | N                  | P          | P                  | P                  | P                  | P                  | P                  | P           |
| Banner/flag/pennant     | N          | N                  | N                  | N          | P                  | P                  | P                  | N                  | P                  | P           |
| Billboards              | N          | N                  | N                  | N          | N                  | N                  | N                  | N                  | P                  | P           |
| Blade bracket sign      | N          | N                  | N                  | P          | P                  | P                  | P                  | P                  | P                  | P           |
| Building marker         | Pc         | Pc                 | Pc                 | P          | Pc                 | Pc                 | Pc                 | Pc                 | Pc                 | P           |
| Canopy sign             | N          | N                  | N                  | P          | P                  | P                  | P                  | P                  | P                  | P           |
| Changeable copy         | N          | N                  | P*                 | N          | P                  | P                  | P                  | P                  | P                  | P           |
| Freestanding pole sign  | N          | N                  | N                  | P          | P                  | P                  | P                  | P                  | P                  | P           |



|                    |    |    |    |   |    |    |    |    |    |   |
|--------------------|----|----|----|---|----|----|----|----|----|---|
| Identification     | Pc | Pc | Pc | P | Pc | Pc | Pc | Pc | Pc | P |
| Monument sign      | N  | N  | N  | P | P  | P  | P  | P  | P  | P |
| Official flag      | A  | A  | A  | A | A  | A  | A  | A  | A  | P |
| Portable temp sign | P  | P  | P  | P | P  | P  | P  | P  | P  | P |
| Projecting         | N  | N  | N  | P | P  | P  | P  | P  | P  | P |
| Roof               | N  | N  | N  | P | P  | P  | P  | P  | P  | P |
| Suspended          | N  | N  | N  | P | P  | P  | P  | P  | P  | P |
| Temporary          | N  | N  | N  | P | P  | P  | P  | P  | P  | P |
| Wall               | N  | N  | N  | P | P  | P  | P  | P  | P  | P |

A= Allowed

N= Not allowed

P= Allowable only with a sign permit

INST This column does not represent a zoning district. It applies to institutional uses permitted under the Zoning Code in residential zoning districts. Such uses may include, but are not limited to, churches, schools, and uses granted by or operating under a valid conditional use permit. These signs shall have the maximum square footage of 55 square feet.

\* Changeable copy only allowed in R-3 not in R-4.

- a) May include only building name, date of construction, or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.
- b) No commercial message of any kind allowed on sign.
- c) Only address and name of occupant allowed on sign.

(B) Table 2: Setback requirements.

| Sign Type                                                                          | Maximum Number Allowed   | Vertical Clearance from Private Drive, Street, Sidewalk or Parking Lot | Vertical Clearance from Public Street or Sidewalk | Lighting Allowed | Location Requirement                                  | Time Limit | Max Sign Area    | Maximum Sign Height                  | Minimum Setback from Property Line |
|------------------------------------------------------------------------------------|--------------------------|------------------------------------------------------------------------|---------------------------------------------------|------------------|-------------------------------------------------------|------------|------------------|--------------------------------------|------------------------------------|
| Sign Type                                                                          | Maximum Number Allowed   | Vertical Clearance from Private Drive, Street, Sidewalk or Parking Lot | Vertical Clearance from Public Street or Sidewalk | Lighting Allowed | Location Requirement                                  | Time Limit | Max Sign Area    | Maximum Sign Height                  | Minimum Setback from Property Line |
| Animated or moving electronic reader board or electronic graphics advertising sign | 1 per building           | 14'                                                                    | 14'                                               | Yes              | Attached to a freestanding pole sign or monument sign | N/A        | 32 sq. ft.       | N/A                                  | 10'                                |
| Awning sign                                                                        | 1 per building           | 8'                                                                     | 8'                                                | No               | Connected to the building                             | N/A        | 15% of wall area | Not to be placed above the roof edge | N/A                                |
| Banner/pennants/flags                                                              | 1 per building           | 8'                                                                     | 8'                                                | No               | N/A                                                   | N/A        | 12 sq. ft.       | 14' tall                             | 10'                                |
| Billboards                                                                         | 1 per 1,000' HW frontage | 14'                                                                    | 14'                                               | Yes              | Within the Highway Overlay District                   | N/A        | 750 sq. ft.      | 60' tall                             | 10'                                |

|                        |                                        |     |     |     |                                                     |         |                             |                                      |     |
|------------------------|----------------------------------------|-----|-----|-----|-----------------------------------------------------|---------|-----------------------------|--------------------------------------|-----|
| Blade bracket sign     | 1 per building                         | 8'  | 8'  | Yes | On building                                         | N/A     | 4 sq. ft.                   | Not to be placed above the roof edge | N/A |
| Building marker        | 1 per building                         | N/A | N/A | Yes | N/A                                                 | N/A     | 4 sq. ft.                   | N/A                                  | N/A |
| Canopy sign            | 1 per building                         | 8'  | 8'  | No  | On building                                         | N/A     | 32 sq. ft.                  | Not to be placed above the roof edge | N/A |
| Freestanding pole sign | 1 per 60' of frontage                  | 14' | 14' | Yes | N/A                                                 | N/A     | 50 sq. ft.                  | 40' tall                             | 10' |
| Freestanding pole sign | 1 per 60' of frontage                  | 14' | 14' | Yes | Within the Highway Overlay District                 | N/A     | 300 sq. ft.                 | 90' tall                             | 10' |
| Identification         | 1 per building                         | N/A | N/A | Yes | N/A                                                 | N/A     | 4 sq. ft.                   | Not to be placed above the roof edge | 10' |
| Monument sign          | 1 per building                         | N/A | N/A | Yes | Not to be placed in the public ROW                  | N/A     | 100 sq. ft. total all sides | 6'                                   | N/A |
| Official flag          | N/A                                    | N/A | N/A | N/A | N/A                                                 | N/A     | N/A                         | 25'                                  | 10' |
| Portable temp sign     | 1 per building                         | N/A | N/A | Yes | No closer than 5' to the curb or street             | 45 days | 4 sq. ft.                   | N/A                                  | N/A |
| Projecting             | 1 per building                         | N/A | N/A | Yes | Connected to the building                           | N/A     | 15% of wall area            | Not to be placed above the roof edge | N/A |
| Roof                   | 1 per building                         | N/A | N/A | Yes | Connected to the building's roof                    | N/A     | 32 sq. ft.                  | N/A                                  | N/A |
| Suspended              | 1 per building                         | 8'  | 8'  | Yes | Connected to the building or freestanding sign pole | N/A     | 12 sq. ft.                  | Not to be placed above the roof edge | N/A |
| Temporary              | 1 per building or tenant space         | N/A | N/A | No  | No closer than 5' to the curb or street             | 30 days | 32 sq. ft.                  | N/A                                  | N/A |
| Wall                   | 1 per side of building or tenant space | N/A | N/A | Yes | Connected to the building                           | N/A     | 15% of wall area            | Not to be placed above the roof edge | N/A |

(C) Permitted sign characteristics by zoning district.

|                                                                                                                                                                                                                                                                                                                                       | R-1 | R-2 | R-3 | R-4 | C-0 | C-1 | C-2 | C-3 | H-1 | H-2 | I-1 | I-2 | A-1 | INST | Hwy Overlay |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-------------|
| Exposed bulbs                                                                                                                                                                                                                                                                                                                         | N   | N   | N   | N   | N   | N   | P   | N   | N   | N   | N   | N   | N   | N    | N           |
| External                                                                                                                                                                                                                                                                                                                              | N   | N   | P   | P   | P   | P   | P   | P   | P   | P   | N   | N   | P   | N    | P           |
| Internal                                                                                                                                                                                                                                                                                                                              | N   | N   | N   | N   | N   | P   | P   | N   | N   | P   | P   | P   | N   | N    | P           |
| Neon                                                                                                                                                                                                                                                                                                                                  | N   | N   | N   | N   | N   | N   | P   | P   | N   | P   | N   | N   | N   | N    | P           |
| P =Permissible only with a sign permit<br>N = Not allowed<br>INST=This column does not represent a zoning district. It applies to institutional uses permitted under the Zoning Code in residential zoning districts. Such uses may include, but are not limited to, churches, schools, and uses granted by a conditional use permit. |     |     |     |     |     |     |     |     |     |     |     |     |     |      |             |

(Prior Code, § 159.19) (Ord. 1870, passed 12-11-2018; Ord. O-2021-04, passed 2-9-2021)