

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 6:10 p.m. on the 5th day of May, 2022.

Cynthia J. Price

Cynthia J. Price, City of Durant

**MINUTES OF THE MEETING OF DURANT CITY COUNCIL
May 10, 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 6:01 p.m.

INVOCATION/FLAG SALUTE

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

ROLL CALL

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

Absent:
None

PRESENTATIONS

1. Proclamation Declaring May 15-21, 2022 as National Police Week

Mayor Grube presented the Proclamation Declaring May 15-21, 2022 as National Police Week.

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 April 12, 2022
- b. Consider Approval of Special Called Meeting Minutes of April 27, 2022
- c. Consider Approval of Budget Supplements BA 22-8
- d. Consider Approval of Mayoral Recommendation for the Re-Appointment of Mike Davis and David Rhynes to the Board of Adjustments
- e. Consider Approval of Mayoral Recommendation for the Re-Appointment of Drew Jackson and Shane Knight to Durant Planning Commission

Motion To: Approve Consent Items as Presented.

Motion By: Humphrey Miller

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

- a. Assistant City Managers Report - April 2022
- b. City Clerk Monthly Report - April 2022
- c. City Manager Monthly Report - April 2022
- d. Community Development Monthly Report - April 2022

- e. Economic Development Director Monthly Report - April 2022
- f. Emergency Management Monthly Report - April 2022
- g. Finance Monthly Reports - March 2022 & Sales Tax April 2022
- h. Fire Department Monthly Report - April 2022
- i. Grants Department Report - April 2022
- j. Human Resources Monthly Report- April 2022
- k. Library Monthly Report - April 2022
- l. Neighborhood Services Monthly Report - April 2022
- m. Parks and Recreation Monthly Report - April 2022
- n. Police Department Monthly Report - March 2022
- o. Ron Cross Senior Activity Center - April 2022
- p. Street Department Monthly Report - April 2022

4. Administration

- a. Presentation of the Main Street Drainage Study by Garver Engineering.

No action.

- b. Discussion, Consideration and Possible Action on Ordinance O-2022- 15, An Ordinance Granting to One Gas, Inc., Acting By and Through Its Oklahoma Natural Gas Company Division, and Its Successors and Assigns, For a Period of Twenty-Five (25) Years From Approval and Acceptance of This Ordinance, A Non-Exclusive Franchise and Right to Enter the Public Ways to Install, Operate and Maintain a Distribution System Within, Along, Across, Over and Under the Public Ways of the City of Durant, Oklahoma for the Transportation, Distribution and/or Sale of Gas to Consumers and the Public Generally in the City, Defining the Words and Phrases Therein; Providing for Assignment, Sale or Lease of the Franchise; Providing that the City May Enact an Ordinance Charging Persons Transporting Gas Through Grantee's Distribution System a Fee on the Calculated Value of Such Transported Gas; Providing for Use and Repair of the Public Ways; Providing for Regulation of Service; Establishing Depth of Pipelines; Establishing Rights and Duties in the Movement and Alteration of Pipelines; Providing for Indemnification of the City of Durant; Providing for Grantee's Rules and Regulations; Providing for Inspection of Grantee's Records; Requiring Grantee to Pay a Franchise Fee; Providing for Conditions of the Franchise; Providing for Construction of This Ordinance Upon the Invalidity of Any Part Thereof; Providing for the Submission of this Ordinance to an Election of the Qualified Voters of the City; Providing for Acceptance of This Franchise By Grantee and Both an Effective and an Operative Date Thereof; Repealing All Other Ordinances Directly in Conflict Herewith; and Providing for Severability.

(1) Ordinance O-2022-15 Sections 1 - 16

(2) Ordinance O-2022-15 Section 17 (Emergency Clause)

Motion To: Approve Ordinance O-2022-15, Sections 1-16

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Ordinance O-2022-15, Section 17, Emergency Clause

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- c. Discussion, Consideration and Possible Action on Resolution R-2022-05 Authorizing the Mayor of the City of Durant, Oklahoma, To Issue an Election Proclamation Calling for a Special Election in the City of Durant.

Motion To: Approve Resolution R-2022-05 Authorizing the Mayor of the City of Durant, Oklahoma, to Issue an Election Proclamation Calling for a Special Election in the City of Durant

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- d. Discussion, Consideration and Possible Action on a Memorandum of Agreement with the Choctaw Nation of Oklahoma for the Design and Construction of Roadway Improvements to Sunnyside Road.

Motion To: Approve Memorandum of Agreement with the Choctaw Nation of Oklahoma for the Design and Construction of Roadway Improvements to Sunnyside Road (C-2022-22)

Motion By: Curtis Morris

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- e. Discussion, Consideration and Possible Action on a Memorandum of Agreement Between the City of Durant and the Choctaw Nation of Oklahoma for the Construction of a Water Tower and to Connect to the City Water System.

Motion To: Approve Memorandum of Agreement Between the City of Durant and the Choctaw Nation of Oklahoma for the Construction of a Water Tower and to Connect to the City Water System (C-2022-19)

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- f. Turn-Key Generator Equipment and Installation (C-2021-68 GEN) to Support the C-Doppler Weather Radar System Funded by the OK State of Appropriation EMPG-2021-ARPA-1. (C-2020-68 GC)

1. Discussion, Consideration, and Possible Action on the SEALED Bid Proposals to be Received and Publicly Opened on Monday, May 9 at 2:00 PM for a Turn-Key Generator Equipment and Installation (C-2021-68 GEN) to Support the C-Doppler Weather Radar System EMPG-2021-ARPA-1 (C-2021-68 GC).

2. Discussion, Consideration, and Possible Action to Authorize the Mayor to Sign all Documents Related to the Procurement of the Generator Equipment and Installation (C-2021-68 GEN) to Support the C-Doppler Weather Radar System EMPG-2021-ARPA-1 (C-2021-68 GC) Award Upon Completed Vendor Requirements, Legal Review and Approval.

Motion To: Award Bid to Dave's Electrical Service and Systems in the amount of \$45,474.00 for the Turn-Key Generator Equipment and Installation (C-2021-68 GEN) to Support the C-Doppler Weather Radar System EMPG-2021-ARPA-1 (C-2021-68 GC) Conditioned Upon Legal Review and Approval By the City Attorney

Motion By: Steve Brittingham

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Authorize the Mayor to Sign All Documents Related to the Procurement of the Generator Equipment and Installation (C-202168GEN) to Support the C-Doppler Weather Radar System EMPG-2021-ARPA-1 (C-2021-68GC) Award Upon Completed Vendor Requirements, Legal Review and Approval

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- g. Discussion, Consideration and Possible Action on Ordinance O-2022-16 Amending Section 110.041 of the Durant Code of Ordinances Regarding the Regulation of Food Trucks.

- (1) Ordinance O-2022-16 Section 1.

- (2) Ordinance O-2022-16 Section 2 (Emergency Clause).

Motion To: Approve Ordinance O-2022-16, Section 1

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

Motion To: Approve Ordinance O-2022-16, Section 2, Emergency Clause

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- h. Discussion, Consideration and Possible Action on Resolution R-2021-02D Amending the Comprehensive Fee Schedule.

Motion To: Approve Resolution R-2021-02D Amending the Comprehensive Fee Schedule as Stated with the Modification for \$100 For One Year

Motion By: Steve Brittingham

Seconded By: Danny Sherrer

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- i. Discussion, Consideration and Possible Action on a Re-Plat Request for Property Located Near South 4th Avenue and Louisiana Street (PC2022-13)

Motion To: Approve Re-Plat Request for Property Located Near South 4th Avenue and Louisiana (PC2022-13)

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- j. Discussion, Consideration and Possible Action on a Preliminary Plat Extension for Property Located Near Washington Avenue and Mockingbird Lane (PC2022-14)

Motion To: Approve Preliminary Plat Extension for Property Located Near Washington Avenue and Mockingbird Lane (PC2022-14) With the Addition of the Current Subdivision Regulations

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Grube

Nays: Sherrer

Abstain: Morris

- k. Discussion, Consideration and Possible Action on Investigation and Report on the Location and Design of a New Playground Structure for Keithley Park

Motion To: Approve Investigation and Report on the Location and Design of a New Playground Structure for Keithley Park

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- l. Discussion, Consideration and Possible Action on a Memorandum of Understanding with the Durant Tourism Economic Development Authority Regarding Maintenance of the Area in the Vicinity of Main Street and 69/75 Intersection.

Motion To: Approve Memorandum of Understanding with the Durant Tourism Economic Development Authority Regarding Maintenance of the Area in the Vicinity of Main Street and 69/75 Intersection (C-2022-23)

Motion By: Danny Sherrer

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- m. Discussion, Consideration and Possible Action on Small Business Grant Programs and Budgeting \$260,000 of Economic Development Sales Tax Funds for Small Business Grants.

Motion To: Approve Small Business Grant Programs and Budgeting \$260,000 of Economic Development Sales Tax Funds for Small Business Grants

Motion By: Humphrey Miller

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- n. Discussion, Consideration and Possible Action on a Nutrition Site Sponsor Agreement with Social Services Foundation of Southern Oklahoma, Inc.

Motion To: Approve Nutrition Site Sponsor Agreement with Social Services Foundation of Southern Oklahoma, Inc.

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- o. Discussion, Consideration and Possible Action on Service Agreement with Crawford & Associates for Accounting and Consulting Services

Motion To: Approve Service Agreement with Crawford & Associates for Accounting and Consulting Services (C-2022-17)

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- p. Discussion, Consideration and Possible Action on Engaging HBC CPA's and Advisors to Conduct the Annual Financial Audit for the Fiscal Year ended June 30, 2022.

Motion To: Approve HBC CPAs and Advisors to Conduct the Annual Financial Audit for the Fiscal Year Ending June 30, 2022

Motion By: Curtis Morris

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

- q. Discussion, Consideration, and Possible Action on Resolution R-2021-14A Revising the Wage and Salary Plan.

Motion To: Approve Resolution R-2021-14A Revising the Wage and Salary Plan

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None

7. New Business

There was no new business.

ADJOURNMENT

Motion To: Adjourn Meeting

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer, Grube

Nays: None

Abstain: None