

Agenda posted on Durant City Hall Entry Door at 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 November, 2016 and that an agenda of said meeting was posted at the place of such meeting at 3:15 p.m. on the 10th day of February, 2017.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF February 14, 2017 AT 6:00 PM, Roscoe J. Hatfield Council Chambers, 300 West Evergreen, Durant, Oklahoma

CALL TO ORDER

Mayor Hoffman called the meeting to order at 6:20 p.m.

INVOCATION

James Dalton provided the invocation.

ROLL CALL

Present: Council Member Chad Hitchcock	City Attorney Pat Phelps
Council Member Billy L. Orr	City Manager Tim Rundel
Council Member Jerry Tomlinson	Accounting Specialist Paige Murray
Vice-Mayor Destry Hawthorne	
Mayor Stewart Hoffman	(*denotes partial attendance)

Absent: City Clerk Cynthia J. Price

Mayor Hoffman declared a quorum.

Mayor Hoffman read a letter from 11 year old Elizabeth Presley requesting a Chick-fil-A Restaurant in Durant. A group picture was taken with council. Miss Presley was presented with a city key chain and pin.

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 January 10, 2017
- b. Consider Approval of Special Called Meeting Minutes of January 26, 2017

- c. Consider Approval of Claims for January 2017
- d. Consider Approval of Budget Amendment 2017-04
- e. Consider Approval of Special Event Permit Application for 'Kick Up Your Heels' Event on April 8, 2017 - Sponsored by Crisis Control Center (SEP #2017-01)
- f. Consider Approval of Special Event Permit Application for 'Run for the Nations' Event on April 22, 2017 - Sponsored by Southeastern Oklahoma State University Baptist Collegiate Ministry (SEP #2017-02)

Approved

Motion was made by Jerry Tomlinson and seconded by Bill Orr to approve consent items as presented. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

2. Consider Items Removed from Consent

3. Administration

- a. Consider Approval of Contract # C-2017-02; A Memorandum of Understanding Between Sunstar, LLC and the City of Durant Involving Drainage Infrastructure for the Subdivision Known as Heritage Crossing I.

Approved

Marty Cook, Community Development Manager, addressed council and stated this agreement is intended to help facilitate drainage solutions for Heritage Crossing I Subdivision. Sunstar will be installing drainage infrastructure for Heritage Crossing I in lieu of sewer tap fees and building permit fees associated with their construction process. Mr. Cook reviewed the changes contained in this Memorandum of Understanding from the original Memorandum of Understanding.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Memorandum of Understanding between Sunstar, LLC and the City of Durant involving drainage infrastructure for the subdivision known as Heritage Crossing I (C-2017-02). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- b. Consider Recommendation from Oklahoma Municipal Assurance Group (OMAG) Regarding Tort Claim Made by Louis Longsine and Take

Possible Action

Approved

City Manager Rundel spoke in the city clerk's absence.

Motion was made by Jerry Tomlinson and seconded by Bill Orr to approve recommendation from Oklahoma Municipal Assurance Group (OMAG) and deny tort claim made by Louis Longsine. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

c. Presentation to City Council of FY15/16 Audit and Financial Statement

Michelle Hall, Assistant City Treasurer, introduced LaDonna Sinning of Arledge & Associates to council, Ms. Sinning presented the Fiscal Year 2015-2016 audit and provided an overview of each document. Ms. Sinning stated there were no findings on the single audit report. Council Member Tomlinson and City Manager Rundel praised the treasurer's office for their work.

d. Consider Approval Of Low Bidder For Base Rock For Evergreen and North 19th Project #634 (RFAB # 2017-002)

Approved

James Young, Street Department Superintendent, addressed council. There were five bidders. Mr. Young recommended the lowest bidder, Owner Operators, be awarded the bid in the amount of \$13.20 per ton.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve award of bid to Owner Operators in the amount of \$13.20 per ton for base rock for Evergreen and North 19th Project #634 (RFAB #2017-002). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

e. Consider Adoption Of The Durant Trail Committee's Master Trails Plan Created Through The 2016 National Park Service Rivers, Trails and Conservation Assistance Program, As The City's Official Trail Plan.

Approved

Rebecca Collins, Grants Coordinator, addressed council and recognized Imagine Durant Executive Director Kara Byrd and Imagine Durant volunteers for their diligent work to develop the master trails plan.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to

approve adoption of the Durant Trail Committee's Master Trails Plan created through the 2016 National Park Service Rivers, Trails and Conservation Assistance Program, as the city's official trail plan. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- f. Consider Contract # C-2017-05 Which Transfers Ownership of a 1989 Oshkosh Water Tender to Wade Fire Department In Exchange for Wade Fire Department Transferring Ownership of a 2009 Freightliner to the City of Durant

Approved

Fire Chief Roger Joines addressed council and stated the 1989 Oshkosh Water Tender was declared surplus in July 2016. Attempts to sell the vehicle through auction were unsuccessful. The city garage has stated they are in need of a truck for towing large vehicles and the vehicle offered by Wade Fire Department could serve that purpose.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Two-Party Exchange Agreement transferring ownership of a 1989 Oshkosh Water Tender to Wade Fire Department in exchange for Wade Fire Department transferring ownership of a 2009 Freightliner to the City of Durant (C-2017-05). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- g. Consider Approval of Request For Authorization To Purchase No. 2017-022 In The Amount Of \$ 194,800 For Residential Street Improvements Costs Relating To The Awarded 2016 Community Development Block Grant - Small Cities Program No. 16753 CDBG 16 (C-2016-81).

Approved

Rebecca Collins, Grants Coordinator, addressed council and stated the funds will be used to purchase materials for street improvements. The Street Department will provide the labor.

Motion was made by Bill Orr and seconded by Jerry Tomlinson to approve Request for Authorization to Purchase in the amount of \$194,800 for residential street improvement costs relating to the awarded 2016 Community Development Block Grant - Small Cities Programs No. 16753 CDBG 16 (C-2016-81). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- h. Consider Approval For Staff To Proceed With The Architectural Solicitation Process For The National Endowment For The Arts (NEA) 2016 Our Town Grant Project No. 16-4292-7067 (C-2016-55) To Create And Design An Arts District Within The 9th Avenue Corridor.

Approved

Rebecca Collins, Grants Coordinator, addressed council and stated this grant is for a planning area to create an Arts District. The cultural partner is the Oklahoma Shakespearean Festival. No cash commitment or match.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve staff proceeding with the architectural solicitation process for the National Endowment for the Arts (NEA) 2016 Our Town Grant Project No. 16-4292-7067 (C-2016-55) to create and design an Arts District within the 9th Avenue corridor. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

4. Public Hearings

- a. PC2017-03 - Consideration of Ordinance # 1821, A Planned Unit Development (PUD) for Property Located Near Larkspur Lane, to be Known as Heritage Crossing Phase III. Zoning Would Remain a Single Family Residential (R-1) District

Approved

Marty Cook, Community Development Manager, addressed council and stated the Planning Commission met January 17, 2017 and voted unanimously to recommend approval. Mr. Cook answered questions from council. Hearing opened to public. One citizen stepped forward to address council. Hearing closed.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance 1821, Section 1, a Planned Unit Development (PUD) for property located near Larkspur Lane, to be know as Heritage Crossing Phase III. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance 1821, Section 2 (emergency clause). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- b. PC2016-12 - Consideration of Ordinance # 1816, a Zoning Change for Property Located Near 83 Mockingbird Lane, from Agricultural (A-1) District to the Single Family Residential (R-1) District, as a Part of a Planned Unit Development

Approved

Marty Cook, Community Development Manager, addressed council and stated the Planning Commission heard this request in January 2017 and recommended approval by unanimous vote. Mr. Cook answered questions from council. Hearing opened to public. Four citizens stepped forward to address council. Public hearing closed.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance 1816, Section 1 subject to amending ordinance to read 'replace Agriculture 'A-1' District with the Single Family 'R-1' District and removing any reference to Planned Unit Development. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance 1861, Section 2 (emergency clause). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

5. Information Items

- a. Financial Statements - December 2016 (TO BE PRESENTED)
- b. Cemetery Report - January 2017 (TO BE PRESENTED)
- c. Library Report for January 2017 (TO BE PRESENTED)
- d. Fire Department Monthly Report - January 2017 (TO BE PRESENTED)
- e. Grants Department Report - January 31 2017 (TO BE PRESENTED)
- f. Street Department Report - January 2017 (TO BE PRESENTED)
- g. Landfill Information & Reports - January 2017 (TO BE PRESENTED)
- h. Waste Water Treatment Plant Monthly Projects Report - January 2017

(TO BE PRESENTED)

- i. Waste Water Treatment Plant Monthly Lab Report - January 2017 (TO BE PRESENTED)
- j. Airport Manager Monthly Report - January 2017 (TO BE PRESENTED)
- k. Food Truck Information, Draft Ordinance, and Draft Application (TO BE PRESENTED)
- l. Durant Police Department Monthly Report - December 2016
- m. Planning Commission Meeting Minutes of December 20, 2016
- n. Community Development Monthly Report for January 2017
- o. Parks/Durant Multi Sports Complex Report - January 2017
- p. Emergency Management Report - January 2017

6. Citizen Comments on Non-Agenda Items

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 starting 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.

Bill Ledbetter - Topic - Durant Police Department
Jim Harmon - Topic - Durant Police Department

7. Executive Session

- a. Consider Executive Session to Discuss Status of Negotiations with Local 3061 International Association of Firefighters Union for FY 2017-18 (This Executive Session Authorized by Title 25, Section 307 B(2) of the Oklahoma State Statutes)

Approved

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to to enter into executive session. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Bill Orr and seconded by Jerry Tomlinson to enter back into regular session. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- b. Consider Action Pursuant to Item 7(a) Above

No Action Taken

- c. Consider Executive Session to Discuss Appraisal of Real Estate for Possible Development (This Executive Session Authorized by Title 25, Section 307 B(3) of the Oklahoma State Statutes)

Approved

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to enter into executive session. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Bill Orr and seconded by Jerry Tomlinson to enter back into regular session. Motion Passed with the following vote:

- d. Consider Action Pursuant to Item 7(c) Above

No Action Taken

8. New Business

There was no new business.

ADJOURNMENT

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to adjourn meeting. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson