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 10th day of November, 2015 and that an agenda of said meeting was posted at the place of such meeting at 5:15 p.m. on the 4th day of March, 2016.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF March 8, 2016 AT 6:00 PM, Roscoe J. Hatfield Council Chambers, Durant City Hall

CALL TO ORDER

The meeting was called to order by Mayor Hoffman at 6:06 pm.

INVOCATION

A moment of silence was observed for Richard Gilbert, 20 year employee of the City of Durant who passed from this life on February 20, 2016. The invocation was provided by Police Chief David Houser.

ROLL CALL

Present: Council Member Chad Hitchcock	City Attorney Pat Phelps
Council Member Billy L. Orr	City Manager Sarah Sherrer
Council Member Jerry Tomlinson	City Clerk Cynthia J Price
Vice-Mayor Destry Hawthorne	
Mayor Stewart Hoffman	(*denotes partial attendance)

Absent: None

Mayor Hoffman declared a quorum.

1. Presentations

a. Veterans of Foreign Wars Presentation of Certificates of Commendation

In attendance to present awards on behalf of the Veterans of Foreign Wars (VFW) were: David Webb - Post Commander #3196; Clint McMahan - District #4 Commander; Coral Porch - VFW State Surgeon and State Representative from Lawton, Oklahoma.

David Webb presented a check to: Boy Scout Troop 644, Families Feeding Families. Bryan County RSVP, and Boys and Girls Club of Durant,

Clint McMahan presented a check to: Crisis Control Center of Bryan County.

David Webb presented an award to: Vape World, KLBC, Jake Stewart - Bryan County EMS, Jay Bergner - Durant Fire Department, Lt. John Vietta with Durant Fire Department, Calera Fire Chief Brian Norton. Lt. Joe Sebourn, and Chief David Houser of the Durant Police Department. Bryan County Sheriff Ken Golden joined David Webb to present the 2015 Officer of the Year award to Nathan Callaway, Bryan County Sheriff's Department Chief Investigator.

2. 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 Minutes for the Regularly Scheduled City Council Meeting of February 9, 2016

b. Consider Approval of Minutes for the Special Called City Council Meeting of February 16, 2016

c. Consider Approval of Minutes for the Special Called City Council Meeting of February 29, 2016

d. Consider Approval of Claims - February 2016

e. Consider Request For Authorization To Purchase (#2016-031) For Engineering Services At Durant Regional Airport - Eaker Field

f. Consider Approval of 2nd Annual Run for the Nations 5K Run Sponsored by Baptist Collegiate Ministries

g. Consider Approval of Request by Durant Area Chamber of Commerce for Street Closures in Conjunction with the Following 2016 Events: Magnolia Festival and Rodeo Parade, 3rd Magnolia 5K Run, the SOSU Homecoming Parade, the Veterans Day Parade and the Christmas Parade

h. Consider Approval of Budget Amendment 2016-05

i. Consider Approval of 6th Annual Kick Up Your Heels Mens March

Sponsored by Crisis Control Center Inc.

Approved

Council Member Tomlinson asked that Item 3(b) be removed for further discussion.

Mayor Hoffman asked that Item 3(e) be removed for further discussion.

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

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

3. Consider Items Removed from Consent

Item 3(b) - Council Member Tomlinson noted for the record that the Minutes of Special Meeting February 16 reflected the location of the meeting as being at city hall when the meeting was held at the Donald W. Reynolds Community Center & Library.

Motion was made by Jerry Tomlinson and seconded by Bill Orr to approve Item 3b Minutes for the Special Called City Council Meeting of February 16, 2016 with the location of the meeting to be corrected to read 'Donald W. Reynolds Community Center & Library'. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

Item 3(e) - City Manager Sherrer stated the work order has already been approved. This item is to approve spending of dollars for engineering services. The total amount is $334,000 ($17,000 is a city match; $317,000 in the form of a grant).

Motion was made by Stewart Hoffman and seconded by Chad Hitchcock to approve Item 3e Request for Authorization to Purchase (#2016-031) for Engineering Services at Durant Regional Airport - Eaker Field. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

4. Administration

a. Consider Recommendation from Oklahoma Municipal Assurance Group (OMAG) Regarding Tort Claim Made by Ilene South and Take Possible Action

Approved

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to follow the recommendation of the Oklahoma Municipal Assurance Group (OMAG) and deny Ilene South Tort Claim. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

b. Consider Acceptance of Fiscal Year 2014-15 Annual Financial Statements and Independent Auditor's Reports

Approved

Jim Denton, Managing Partner and Chief Executive Officer of Arledge & Associates, addressed city council. Mr. Denton provided an overview of a two page letter that was included in the agenda packet and available for viewing online. Mr. Denton noted 'there were no transactions entered in to by the City of Durant during the year for which there is a lack of authoritative guidance or consensus'. The financial statement disclosures were found to be neutral, consistent and clear. No difficulties were encountered in dealing with management in performing and completing the audit. Mr. Denton provided an overview of the Financial Statements which was included in the agenda packet and available for viewing online. Mr. Denton pointed out the city received a "clean opinion". Mr. Denton further pointed out that the net worth of the city at year end was $84.5 Million Dollars. The net worth of the previous year end was $81.5 Million Dollars. Mr. Denton stated this means the city is better off than it was a year ago by $3 Million Dollars. Total debt decreased by 14%. Mr. Denton provided an overview of the Single Audit Report which was provided in the agenda packet and available for viewing online. The City's Community Development Block Grant fund reported a negative balance at end of year of $242,000 resulting from a late transfer of funds. Debt ratio of the city is approximately 33% of total assets which is normal for municipal government. A question/comment period from the council followed the report.

Motion was made by Destry Hawthorne and seconded by Jerry Tomlinson to accept Fiscal Year 2014-15 Annual Financial Statements and Independent Auditor's Reports. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

c. Consider Authorization To Reject Bids for Asphalt for Country Club Rd. Between State Highway 78 And McLean That Were Received On December 29, 2016 Request For Bid RFB# 2015-036 In Conjunction with Community Development Block Grant- Economic Development #16246 CDBG14

Approved

Item presented by James Young, Street Department Superintendent. At regular city council meeting held on February 9, 2016, there was no action taken on this bid. It was brought to Mr. Young's attention that the bid needed to be rejected before further action to accept a new bid could be taken.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to reject bid for asphalt for Country Club Road between State Highway 78 and McLean that was received on December 29, 2016 Request for Bid RFB#2015-036 in conjunction with Community Development Block Grant - Economic Development #16246 CDBG14. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

d. Consider Authorization To Award Bids for Asphalt Contingent On The Oklahoma Department Of Commerce's Approval For Country Club Rd. Between State Highway 78 And McLean(Request For Bid # 2015-36R) In Conjunction With # 16246 Community Development Block Grant- Economic Development 14

Approved

This bid was opened for second time and only received one bid. The Oklahoma Department of Commerce and City Attorney Phelps submitted their approval of the bid in writing.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve S3 bid in the amount of $273,224.00. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

This bid was opened for second time and only received one bid. The Oklahoma Department of Commerce and City Attorney Phelps submitted their approval of the bid in writing.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve S4 bid in the amount of $98,022.00. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

e. Consider Authorization To Award The Contract (C-2016-09) With Rocking O Construction After Legal Review For Curb And Gutter On Country Club Rd. Between State Highway 78 and McLean Street Request For BID #2015-36 In Conjunction With# 16246 Community Block Grant - Economic Development 14

Approved

City council approved the bids at their February 9, 2016 meeting. This item is to approve the contract contingent on final approval by City Attorney Phelps. Mr. Phelps stated the only matter delaying final approval is for the company's corporate seal to be affixed to the bond.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to award Contract (C-2016-09) with Rocking O Construction contingent upon city attorney's approval. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

f. Consider Authorization To Award Change Order For Curb And Gutter To Include Fencing On Country Club Rd. Between State Highway 78 And McLean Request For Bid # 2015 -036 In Conjunction With # 16246 Community Development Block Grant- Economic Development 14

Approved

Initial bid went out for fencing and received no bids. Rocking O agreed to change order to include fencing in the amount of $28,850.00 The total project amount is $227,697.35.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to award change order in the amount of $28,850.00 for Curb and Gutter to include Fencing on Country Club Road between State Highway 78 and McLean. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

g. 1. Consideration of Bid Award For The Upgrade Of The Water System

SCADA (Supervisory Control and Data Acquisition) To Include Replacement Of PLCs, (Programmable Logic Controllers) And Conversion to Cellular Based System, At Priority Water System Locations Relating To Awarded 16436 CDBG 15 Grant- RFB (Request For Bid) # 2016-014

2. Consideration Authorizing Mayor to Sign Contract Documents for the Upgrade of the Water System SCADA (Supervisory Control and Data Acquisition) To Include Replacement Of PLCs, (Programmable Logic Controllers) And Conversion to Cellular Based System, Upon Completion of Contract And Approval of City Attorney.

Approved

4.(g)(1) - Rebecca Collins, Grant Coordinator, presented this item. Ms. Collins stated the apparent low bidder did not properly complete the bid packet as there was no company seal and the bidder tried to strike the general liability insurance requirement. As a result, the Oklahoma Department of Commerce gave its approval to the next best bid. City Attorney Phelps recommended rejection of the lowest bid due to its being disqualified.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to award next best bid of Haynes Equipment for the upgrade of the water system SCADA (Supervisory Control and Data Acquisition). Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

4(g)(2) - This motion would authorize Mayor Hoffman to sign contract documents for the upgrade of the water system SCADA (Supervisory Control and Data Acquisition upon completion of contract and approval of city attorney.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to authorize Mayor to sign contract documents for the upgrade of the water system SCADA (Supervisory Control and Data Acquisition) upon completion of contract and approval of city attorney. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

h. Consider Approval Of Contract (2016-08) With Contech, Inc. For Construction Of A Ten Unit T- Hangar At Durant Regional Airport- Eaker Field

Approved

City Manager Sherrer presented this item on behalf of Jerry Yandell. The bid for this project was approved at the city council meeting held on February 9, 2016. This item is to approve the contract.

Motion was made by Stewart Hoffman and seconded by Destry Hawthorne to approve contract (C-2016-08) with Contech, Inc. for construction of a ten unit T-Hangar at Durant Regional Airport-Eaker Field. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

i. Consider Request For Authorization To Purchase (#2016-031) for LBR, Inc. Engineering Services for Engineering of Runway Rehabilitation At Durant Regional Airport - Eaker Field

Approved

City Manager Sherrer stated this is the same project that she referred to earlier in the meeting under Item 3(e). The work order has already been approved. This item is to approve spending of dollars for engineering services. The total amount is $334,000 ($17,000 is a city match; $317,000 in the form of a grant).

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve Request For Authorization to Purchase (#2016-031) for LBR, Inc. Engineering Services for Engineering of Runway Rehabilitation at Durant Regional Airport-Eaker Field. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

j. Consider Approval of Ordinance 1789 Relating to the Utilization of Apportioned Tax Revenues as Authorized by Article 10, Section 6C of the Oklahoma Constitution and Implemented by the Local Development Act; Approving and Adopting the Commercial Metals Company Economic Development Project Plan and Expressing Intent to Carry Out the Project Plan; Ratifying and Confirming the Actions, Recommendations and Findings of the Review Committee and the Planning Commission; Identifying and Establishing a New Increment District to be Identified as "Increment District 2, City of Durant" and Designating an Effective Date; Designating and Adopting the Increment District Boundaries and the Project Area Boundaries;

Adopting Certain Findings; Reserving to the City of Durant the Authority to Make Minor Amendments to the Project Plan; Designating and Authorizing the City and the Durant Tax Increment Finance Authority as the Public Entities to Carry Out and Administer the Project Plan; Establishing a Tax Apportionment Fund; Declaring Apportioned Funds to be Funds of the Durant Tax Increment Finance Authority; Authorizing the Durant Tax Increment Finance Authority to Issue Bonds and Notes to

Carry Out Provisions of the Project Plan; Authorizing Directions for Prospective Apportionment of Tax Increments and Authorizing the Durant Tax Increment Finance Authority to Pledge the Apportioned Tax Increments to Repayment of Debt; Authorizing the Use of Ad Valorem Tax Increment Revenues and Other Available Resources for the Payment of Project Costs and to Pay Debt Issued to Finance Project Costs; Providing for Severability; and Containing Other Provisions Related Thereto

Approved

This Ordinance officially creates the Tax Increment Finance District to become effective March 9, 2016.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance 1789, Sections 1-15. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance 1789, Section 16. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

k. Consideration and Action on Resolution 2016-02 Accepting Beneficial Interest in the Durant Tax Increment Finance Authority Created by a Trust Indenture for and on Behalf of the City of Durant, Oklahoma, in All Respects in Accordance with the Terms of Said Trust Indenture Appointing the City Councilmembers to Serve as Trustees of the Authority

Approved

Attorney Stuart England, Bond Counsel for Commercial Metals Company Project, presented this item. This resolution is to establish a new city trust authority (Durant Tax Increment Finance Authority) in which the city council members would serve as trustees, the city treasurer would serve as treasurer, and the city clerk would serve as secretary in order to facilitate the bond issuance under the project.

Motion was made by Bill Orr and seconded by Jerry Tomlinson to approve Resolution 2016-02 accepting beneficial interest in the Durant Tax Increment Finance Authority. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

l. Consider Confirmation of Mayoral Appointments to Parks and Recreation Advisory Board in Accordance with Section 32.060 of the Durant City Code

Approved

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to confirm five mayoral appointments to Parks and Recreation Advisory Board as follows: Matt Gregory, Jimmy Grube, James Robinson, Dr. Michael Simulescu, Christopher Webber. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

5. Public Hearings

a. Consideration: Ordinance No. 1788 Annexing and Zoning of Property Owned by DURANTPAC, LLC Located on US. Business Highway 70 East

Approved

City Attorney Phelps stated that DurantPac submitted a request in writing to be annexed into the city with appropriate zoning. A copy of this request was included in the agenda packet and is available for online viewing. City Attorney Phelps recommended approval of Ordinance 1788. There were no public comments.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance No. 1788 Sections 1-6. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve Ordinance No. 1788, Section 7. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

6. Information Items

a. HR Department Report February 2016

b. Street Department Report for February 2016

c. Community Development Report Feb 2016

d. Fire Department Monthly Report Feb. 2016

e. Police Department Monthly Report - Jan 2016

f. Financial Statements - January 2016

g. Parks/Durant Multi-Sport Complex Department Monthly Report - February 2016

h. Monthly Emergency Management Report- February 2016

Information Items

i. Grants Department Status Report Feb 2016

j. Library Report for Feb 2016

7. 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.

There were no citizen comments.

8. Executive Session

a. Consider Entering into Executive Session as Authorized by Title 25 O.S. Section 307 B(1) to Discuss Annual Performance and Compensation of City Treasurer

Approved

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

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

Motion was made by Bill Orr and seconded by Chad Hitchcock to return from executive session and re-enter regular session. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

b. Consider Action Pursuant to Agenda Item 8.a. Compensation of City Treasurer

Approved

Motion was made by Stewart Hoffman and seconded by Jerry Tomlinson to increase City Treasurer salary to $65,000.00 with additional paid vacation days at discretion of city manager.. Motion Passed with the following vote:

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A

9. New Business

There was no new business.

ADJOURNMENT

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

Ayes: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman, A