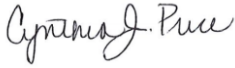


This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 8th day of November, 2022 and that an agenda of said meeting was posted at the place of such meeting at 3:00 p.m. on the 10th day of February, 2023. An amended agenda was posted at the place of such meeting at 2:50 p.m. on the 13th day of February, 2023.



Cynthia J. Price, City of Durant

**MINUTES OF THE MEETING OF DURANT CITY COUNCIL
February 14, 2023 AT 6:00 PM
Roscoe J. Hatfield Council Chambers
300 West Evergreen
Durant, Oklahoma**

CALL TO ORDER

Acting Mayor Danny Sherrer called the meeting to order at 6:06 p.m.

INVOCATION/FLAG SALUTE

Police Chaplain Brent Smith provided the invocation. Council Member Steve Brittingham led the flag salute.

ROLL CALL

Present:
Council Member Steve Brittingham
Council Member Humphrey Miller
Council Member Curtis Morris
Acting Mayor Danny Sherrer
City Attorney Tom Marcum
City Manager Lisa Taylor
City Clerk Cynthia J. Price

Absent:
None

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 Called Meeting Minutes of January 10, 2023
- b. Consider Approval of Special Called Meeting Minutes of January 20, 2023
- c. Consider Approval of Budget Supplements BA 23-9
- d. Consider Action on Appointment of Municipal Court Judge and Alternate Municipal Court Judge
- e. Consider Approval of Security Systems Service and Maintenance Agreement with Secure Oklahoma (C-2023-11)
- f. Consider Approval of Memorandum of Agreement Between the Choctaw Nation of Oklahoma and City of Durant, Oklahoma for Sunnyside Road Project (C-2023-08)

Motion To: Approve Consent Items as Presented

Motion By: Humphrey Miller

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

- a. City Clerk Monthly Report - January 2023
- b. City Manager Report - January 2023
- c. Community Development Monthly Report - January 2023
- d. Economic Development Monthly Report-January 2023
- e. Emergency Management Monthly Report - January 2023
- f. Finance Monthly Reports - December 2022 and January 2023 Sales Tax Reports
- g. Fire Department Monthly Report - January 2023
- h. Grants Department - January 2023 Report

- i. Human Resources Monthly Report- January 2023
- j. Library Monthly Report - January 2023
- k. Neighborhood Services Monthly Report - January 2023
- l. Parks and Rec Monthly Report-January 2023
- m. Police Department Monthly Report - December 2022
- n. Street Department Monthly Report - January 2023

4. Administration

- a. Discussion, Consideration, and Possible Action to Consider Approval of the Project Maintenance, Financing, and Right-Of-Way Agreement for the Phase 5 Durant Downtown Enhancement Project No. STP-107E (176) EH State Job No.: 28808(04)(05) Related to the Streetscape V Project. (C-2023-10 Streetscape V)

Motion To: Approve Project Maintenance, Financing, and Right-of-Way Agreement for the Phase 5 Durant Downtown Enhancement Project No. STP-107E (176) EH State Job No.: 28808(04)(05) Related to the Streetscape V Project (C-2023-10 Streetscape V)

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

- b. Discussion, Consideration, and Possible Action to Consider Award of Bid for Generator and Installation at the Donald W. Reynolds Library Funded by 18114 CDBG-CR 20 Grant Contingent Upon Legal Review and OK Department of Commerce Approval. (C-2021-19 GEN LIBRARY)

No action.

- c. Discussion, Consideration and Possible Action on Ordinance O-2023-01, a Request to Vacate and Close a Portion of N. 9th Avenue of University Boulevard Between Block Nine (9) and Block (8) in Twin Oaks, an Addition to the City of Durant, Oklahoma.
 - (1) Ordinance O-2023-01. Sections 1-3.
 - (2) Ordinance O-2023-XX. Section 4. Emergency Clause.

Motion To: Approve Ordinance O-2023-01, Sections 1-3

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Motion To: Approve Ordinance O-2023-01, Section 4, Emergency Clause

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

- d. 1. Consider Award of Bid for Former Country Club Agricultural Hay Lease;
- 2. Consider Approval of Agricultural Hay Lease for Former Country Club (C-2023-03).

Motion To: Award Bid for Former Country Club Agricultural Hay Lease to Rex Williams III in the Amount of \$2,000.00 Annually

Motion By: Steve Brittingham

Seconded By: Curtis Morris

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Motion To: Approve Agricultural Hay Lease for Former Country Club Between City of Durant and Rex Williams III (C-2023-03)

Motion By: Steve Brittingham

Seconded By: Curtis Morris

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

- e.
 - 1. Consider Award of Bid for Durant Multi Sports Complex Agricultural Hay Lease;
 - 2. Consider Approval of Durant Multi Sports Complex Agricultural Hay Lease (C-2023-04).

Motion To: Award Bid for Durant Multi Sports Complex Agricultural Hay Lease to Michael Forbis in the Amount of \$2,685.00 Annually

Motion By: Steve Brittingham

Seconded By: Curtis Morris

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Motion To: Approve Durant Multi Sports Complex Agricultural Hay Lease Between City of Durant and Michael Forbis (C-2023-04i)

Motion By: Steve Brittingham

Seconded By: Curtis Morris

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

- f.
 - 1. Consider Award of Bid for Lake Durant Agricultural Hay Lease;
 - 2. Consider Approval of Agricultural Hay Lease for Lake Durant (C-2023-05).

Motion To: Award Bid for Lake Durant Agricultural Hay Lease to Rex Williams III in the Amount of \$3,800.00 Annually

Motion By: Curtis Morris

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Motion To: Approve Agricultural Hay Lease for Lake Durant Between City of Durant and Rex Williams III (C-2023-05)

Motion By: Curtis Morris

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

- g. 1. Consider Award of Bid for Durant Regional Airport Agricultural Hay Lease;
2. Consider Approval of Agricultural Hay Lease for Durant Regional Airport (C-2023-06).

Motion To: Award Bid for Durant Regional Airport Agricultural Hay Lease to Rex Williams III in the Amount of \$20,000.00 Annually

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Motion To: Approve Agricultural Hay Lease for Durant Regional Airport Between the City of Durant and Rex Williams III (C-2023-06)

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

- h. 1. Consider Award of Bid for Durant Multi Sports Complex Parking Lot Resealing;
2. Consider Approval of Durant Multi Sports Complex Parking Lot Resealing Contract (C-2023-09).

Motion To: Award Bid for Durant Multi Sports Complex Parking Lot Resealing to J & L Paving LLC in the Amount of \$366,485.96

Motion By: Curtis Morris

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

Motion To: Approve Durant Multi Sports Complex Parking Lot Resealing Contract Between City of Durant and J & L Paving LLC (C-2023-09)

Motion By: Curtis Morris

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

- i. Consider Action on the Expenditure of Economic Development Sales Tax Funds in the Amount of \$80,000 to United Manufacturing and Distribution, LLC for the Remediation of Property owned by Durant Industrial Authority at 68 Waldron Road.

Motion To: Approve Expenditure of Economic Development Sales Tax Funds in the Amount of \$80,000 to United Manufacturing and Distribution, LLC for the Remediation of Property Owned by Durant Industrial Authority at 68 Waldron Road

Motion By: Curtis Morris

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

- j. Consider Approval of Resolution R-2023-03 Establishing an Annual Fee for Local Businesses Operating as Mobile Boutiques at Special Events; Adding to Fee Schedule

Motion To: Approve Resolution R-2023-03 Establishing an Annual Fee for Local Businesses Operating as Mobile Boutiques at Special Events; Adding to Fee Schedule

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

- k. Consider Approval of Resolution R-2023-02 Amending Certain Fees on the Fee Schedule; Directing Posting

Motion To: Approve Resolution R-2023-02 Amending Certain Fees on the Fee Schedule; Directing Posting

Motion By: Steve Brittingham

Seconded By: Humphrey Miller

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

EXECUTIVE SESSION

- 1. Consider Executive Session for Confidential Communication with Attorney Concerning Pending Litigation Involving the City of Durant Where Disclosure Will Impair the Ability of the Public Body to Discuss and Analyze the Litigation: Hammond v. City of Durant (In the District Court of Bryan County, Case No. CJ-2022-165); (This Executive Session Authorized by Title 25, Section 307 B(4) of the Oklahoma State Statutes).

Motion To: Enter Into Executive Session

Motion By: Humphrey Miller

Seconded By: Steve Brittingham

Ayes: Brittingham, Miller, Morris, Sherrer

Nays: None

Abstain: None

2. Consider Action Pursuant to Executive Session Item 1

No action.

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

Nays: None

Abstain: None