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 14th day of November, 2017 and that an agenda of said meeting was posted at the place of such meeting at 5:10 p.m. on the 6th day of April, 2018.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF April 10, 2018 AT 6:00 PM, Roscoe J. Hatfield Council Chambers, 300 West Evergreen, Durant, Oklahoma

CALL TO ORDER

Mayor Tomlinson called the meeting to order at 6:08 p.m.

INVOCATION/FLAG SALUTE

Roger Joines provided the invocation. Council Member Oden Grube led the flag salute.

ROLL CALL

Present: Council Member Destry Hawthorne
Council Member Oden Grube
Council Member Mike Dills
Vice-Mayor Chad Hitchcock
Mayor Jerry Tomlinson
City Attorney Tom Marcum
City Manager Tim Rundel
City Clerk Cynthia J. Price

Absent: None (*denotes partial attendance)

Mayor Tomlinson declared a quorum.

1. Presentations

a. Presentation of Employee Service Awards for 1st Quarter 2018

Mayor Tomlinson, Vice Mayor Chad Hitchcock, Council Member Dills, Council Member Grube, Council Member Hawthorne and City Manager Tim Rundel presented the following employee service awards:

FIVE YEARS -
Shawn Melton - Street Department - $50, Pin, Certificate;
Jonathan Brown - Fire Department - $50, Pin, Certificate;
Christopher Bryant - Fire Department - $50, Pin, Certificate.

TEN YEARS -
Jay Bergner - Fire Department - $100, Pin, Certificate;
Keith Cook - Fire Department - $100, Pin, Certificate;
Reba Titsworth - Library - $100, Pin, Certificate.

TWENTY YEARS -
Jeff Langford - Fire Department - $200, Pin, Certificate;
Linnie Stinson - Fire Department - $200, Pin, Certificate.

b. Proclamation Declaring April 8-14, 2018 National Telecommunicators Week In The City of Durant

Mayor Tomlinson read the proclamation declaring April 8 - 14, 2018 National Telecommunicator Week in the City of Durant. The proclamation was accepted by Lacy Dillingham, 911 Coordinator on behalf of the 911 Dispatchers stationed at the Durant Police Department.

c. Fair Housing Proclamation Recognizing April 2018 As Fair Housing Month

Mayor Tomlinson read the Fair Housing Proclamation Recognizing April 2018 as Fair Housing Month. Rebecca Collins, Grants Coordinator, accepted the proclamation.

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 Regular Meeting Minutes of March 13, 2018

b. Consider Approval of Special Called Minutes of April 4, 2018

c. Consider Approval of Claims for March 2018

d. Consider Approval of Request for Authorization to Purchase for Oklahoma Municipal League Membership Dues and Service Fees for FY 2018-2019 in the Amount of $19,232.94 (RFAP # 2018-147)

e. Consider Approval of Special Event Application from Durant Main Street for Magnolia Festival After-Glow Party (SEP #2018-07)

f. Consider Approval of Special Event Application from Durant Main Street for Boots & BBQ Concert (SEP #2018-08)

g. Consider Approval of Special Event Application from Magnolia Festival for Magnolia Run - 5K and One Mile Fun Run (SEP #2018-09)

Approved

Council Member Grube requested Item 2(d) be removed for further discussion.

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

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

3. Consider Items Removed from Consent

Council Member Grube questioned how the membership fees and services fees were calculated. Discussion followed.

Motion was made by Oden Grube and seconded by Mike Dills to approve Request for Authorization to Purchase for Oklahoma Municipal League Membership Dues and Services Fees for FY 2018-2019 in the amount of $19,232,94 (RFAP #2018-147). Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

4. Administration

a. Consider Approval of Ordinance 1849 Amending Section 35.20 of Chapter 35 - Municipal Court, Title III of The City of Durant Code of Ordinances Providing For Salaries of Judges and Alternate Judges, and Declaring an Emergency

Approved

Greg Buckley, Administrative Services Director, addressed council and stated the current ordinance provided for the municipal judge to be paid on a salary basis as a city employee. This change converts the position of municipal judge to a contract position. Mr. Buckley stated the associate judge never had a contract. Mr. Buckley further stated the terms of office for the municipal judge and alternate judge does not change.

Motion was made by Chad Hitchcock and seconded by Mike Dills to approve Ordinance 1849, Section 1, Amending Section 35.20 of Chapter 35 - Municipal Court, Title III of the City of Durant Code of Ordinances Providing for Salaries of Judges and Alternate Judges. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Ordinance 1849, Section 2 - Emergency Clause. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

b. Consider Approval of Contract Services Agreement For Judge Services with Ken Rainbolt (C-2018-16)

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Contract Services Agreement for Judge Services with Ken Rainbolt (C-2018-16). Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

c. Consider Approval of Contract Services Agreement For Alternate Judge Services with Matt Mickle (C-2018-15)

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Contract Services Agreement for Alternate Judge Services with Matt Mickle (C-2018-15). Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

d. Consider Approval of Resolution No. 2018-04 Establishing Fees and Schedule for Carl Albert Swimming Pool

Approved

Marty Pope, Parks Superintendent, addressed council and stated the only changes are that the pool will be open on the July 4th holiday. There is no change in fees. There is no change to the open/close times. Splash Day is May 26, 2018. Mayor Tomlinson asked that there be consideration for opening on weekends after the 2018-2019 school year begins in the event of excessive heat as long as it does not interfere with Phase II construction on the pool.

Motion was made by Destry Hawthorne and seconded by Mike Dills to approve Resolution No. 2018-04 establishing fees and schedule for Carl Albert Swimming Pool. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

e. Discussion and Information Regarding Contract with Independent Auditor; Consider Directing Staff to Request Proposals from Qualified Independent Auditors

Approved

Council Member Grube addressed council and stated her position that every 3-4 years we should change auditors. Council Member Grube recommended that the City send out proposals to get a different auditor. Council Member Hawthorne stated he was in favor of putting the request for qualifications out every 3-4 years not necessarily to seek a change in auditors but rather to instill confidence in the system and provide that opportunity. Mayor Tomlinson concurred with Council Member Hawthorne and stated until it goes out for bid, we will not know who is the best bid and most qualified - it may be someone different or the same. City Manager Rundel stated the last bid was in 2016. Mayor Tomlinson stated it should be an advertising open to all firms who may want to respond or not.

Motion was made by Oden Grube and seconded by Destry Hawthorne to direct city staff to advertise a request for qualifications for municipal auditing services. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

f. Discuss and Review of Community Survey

No Action Taken

Greg Buckley, Administrative Services Director, addressed council and stated the City recently conducted a Community Survey. ETC Institute created and conducted the survey and compiled the results. The city only received the compiled results. Responses were anonymous. 2000 surveys were sent out. 508 responses were received. Mr Buckley provided an overview of the survey results. Streets were the number one priority. City Manager Rundel stated the community survey results will be posted in their entirety on the city website.

g. Consider Approval of Items Related To Professional Engineer Services Necessary For The Water And Wastewater Infrastructure Improvements To Support The SteelFab, Inc. Project - Grant No. 17166 CDBG-ED 87 Project (C-2018-17)

1. Consider Approval of RFAP 2018-149 ENG For Engineering Service Expenditures Related To The Water And Wastewater Infrastructure Improvements To Support The SteelFab, Inc. Project - Grant No. 17166 CDBG-ED 87 (C-2018-17).

2. Consider Approval of Wall Engineering Work Order DU-17-02 For Engineering Services Related To The Water And Wastewater Infrastructure Improvements To Support The SteelFab, Inc. Project (C-2018-18) - Grant No. 17166 CDBG-ED 87 (C-2018-17).

Approved

Item 4.g.(1). Rebecca Collins, Grants Coordinator, addressed council and stated council accepted the grant award at the April 4, 2018 meeting. This RFAP is in the amount of $111,407.18 and is covered under the grant budget. There is no cost to the city.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve RFAP 2018-149 ENG in the amount of $111,407.18 for engineering service expenditures related to the water and wastewater infrastructure improvements to support the SteelFab, Inc. Project - Grant No. 17166 CDBG-ED 87 (C-2018-17). Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

Item 4.g.(2). Rebecca Collins, Grants Coordinator, addressed council and stated staff recommends Wall Engineering to perform the professional engineer services.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve items related to professional engineer services necessary for the water and wastewater infrastructure improvements to support the SteelFab, Inc. Project (C-2018-18) - Grant No. 17166 CDBG-ED 87 (C-2018-17). Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

h. Consider Rescission of Motion Approved On April 4, 2018 Special Council Agenda Item No. 4 Regarding Asphalt Materials On State Contract SW081 - Grant Project No. 16802 CDBG-ED 16

Approved

Rebecca Collins, Grants Coordinator, addressed council.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to rescind Motion approved on April 4, 2018 Special Council Agenda No. 4 regarding asphalt materials on State Contract SW081 - Grant Project No. 16802 CDBG-ED 16. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

i. Consider Approval of Award Of Asphalt Materials To Overland Corporation On State Contract SW081 For Street Repairs Related To Grant Project No. 16802 CDBG-ED 16

Approved

Rebecca Collins, Grants Coordinator, addressed council.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve award of asphalt materials to Overland Corporation on State Contract SW081 for Street Repairs related to Grant Project No. 16802 CDBG-ED 16. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

j. CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF DURANT, OKLAHOMA, ON TUESDAY, JUNE 26, 2018, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF SAID CITY THE QUESTION OF THE ISSUANCE OF THE REGISTERED BONDS OF SAID CITY IN THE SUM OF TWENTY MILLION DOLLARS ($20,000,000) TO BE ISSUED IN ONE OR MORE SERIES, TO PROVIDE FUNDS FOR THE PURPOSE OF RECONSTRUCTING, REPAIRING, AND REHABILITATING EXISTING STREETS, ROADS, AND INTERSECTIONS, INCLUDING LIGHTING, SIDEWALKS, LANDSCAPING, RELATED DRAINAGE IMPROVEMENTS, DRIVEWAY RECONSTRUCTION, SIGNALIZATION, AND OTHER RELATED COSTS AND IMPROVEMENTS, TO BE COMPLETED WITH OR WITHOUT THE USE OF OTHER FUNDS, AND LEVY AND COLLECT AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AS IT FALLS DUE, AND ALSO TO CONSTITUTE A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL THEREOF WHEN DUE; AND PROVIDING FOR ELECTION PROCEDURES; AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES AGREEMENTS; AND PROVIDING FOR SEVERABILITY.

Approved

City Manager TIm Rundel addressed council and provided a brief history of how the city obtains its revenues. Chris Gander, Bank of Oklahoma Securities, addressed council and provided an overview of how General Operation (GO) Bonds work and reviewed the proposed plan. Brandon Wall of Wall Engineering addressed council and provided a breakdown and synopsis of city streets which have been given priority status. A question/answer period followed. City Attorney Tom Marcum reminded council that they

are not voting to raise taxes or not raise taxes. They are voting to send the measure to the voters.

Allan Brooks, The Public Finance Law Group PLLC, addressed council regarding wording on the ballot. Question and answer period followed.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approval of Resolution No. 2018-09 authorizing the calling and holding of a Special Election in the City of Durant, Oklahoma, on Tuesday, June 26, 2018, for the purpose of submitting to the registered, qualified voters of said city the question of the issuance of the registered bonds of said city in the sum of Twenty Million Dollars ($20,000,000) to be issued in one or more series, to provide funds for the purpose of reconstructing , repairing, and rehabilitating existing streets, roads, and intersections, including lighting, sidewalks, landscaping, related drainage improvements, driveway reconstruction, signalization, and other related costs and improvements, to be completed with or without the use of other funds and levy and collect an annual tax, in addition to all other taxes, upon all the taxable property in said city sufficient to pay the interest on said bonds as it falls due, and also to constitute a sinking fund for the payment of the principal thereof when due; and providing for election procedures; authorizing the execution of professional services agreements; and providing for severability. Motion Passed with the following vote:

Ayes: Dills, Hawthorne, Hitchcock, Tomlinson
Nays: Grube

k. CONSIDER APPROVAL OF ORDINANCE 1851 OF THE CITY OF DURANT, OKLAHOMA (THE “CITY”), AMENDING ORDINANCE NO. 1317 OF THE CITY, BY ELIMINATING THE TERMINATION DATE FOR THE COLLECTION OF THE EXCISE TAX (SALES TAX) LEVIED PURSUANT TO SAID ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE AND TERMINATION DATE; PROVIDING REMAINDER OF ORDINANCE REMAIN UNCHANGED; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE ARE CUMULATIVE AND IN ADDITION TO ANY AND ALL TAXING PROVISIONS OF OTHER CITY ORDINANCES; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Approved

City Manager Tim Rundel addressed counsel and gave an overview of the current debt service. City Attorney Tom Marcum answered questions from council.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance 1851 amending Ordinance No. 1317 of the City, by eliminating the termination date for the collection of the excise tax (sales tax) levied pursuant to said ordinance;

providing for the effective date and termination date; providing remainder of ordinance remain unchanged; providing that the provisions of this ordinance are cumulative and in addition to any and all taxing provisions of other city ordinances; providing for severability of provisions; and containing other provisions related thereto. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

l. CONSIDER APPROVAL OF RESOLUTION 2018-08 AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION IN THE CITY OF DURANT, OKLAHOMA, ON THE 26th DAY OF JUNE, 2018, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF DURANT, OKLAHOMA, THE QUESTION OF AMENDING ORDINANCE NO. 1317 OF THE CITY, BY ELIMINATING THE TERMINATION DATE FOR THE COLLECTION OF THE EXCISE TAX (SALES TAX) LEVIED PURSUANT TO SAID ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE AND TERMINATION DATE; PROVIDING REMAINDER OF ORDINANCE REMAIN UNCHANGED; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE ARE CUMULATIVE AND IN ADDITION TO ANY AND ALL TAXING PROVISIONS OF OTHER CITY ORDINANCES; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

   Approved

Motion was made by Oden Grube and seconded by Mike Dills to approve Resolution No. 2018-08 authorizing the calling and holding of an election in the City of Durant, Oklahoma, on the 26th day of June, 2018, for the purpose of submitting to the qualified electors of the City of Durant, Oklahoma, the question of amending Ordinance No. 1317 of the City, by eliminating the termination date for the collection of the excise tax (sales tax) levied pursuant to said Ordinance; providing for the effective date and termination date; providing remainder of ordinance remain unchanged; providing that he provision of this ordinance are cumulative and in addition to any and all taxing provision of other city ordinances; providing for severability of provisions; and containing other provisions related thereto. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

5. Public Hearings

a. 2015 Community Development Block Grant 16436 CDBG 15 For Water System Improvements (C-2015-56)

1. Becca will conduct Closeout Public Hearing for 16436 CDBG 15 - no council action required.

2. Consideration To Approve Closeout Documentation For 16436 CDBG 15 For The SCADA And Altitude Valves Project. (C-2015-56) Approved

Rebecca Collins, Grants Coordinator, addressed council and stated the project was successfully completed. The city met the required 1-1 match to successfully complete the project. Part of the grant requirements is to conduct a public hearing to allow anyone to speak. Because of the project low to moderate income survey conducted back in 2010, it allowed us to have this project that benefited our entire community.

Hearing opened to public. Three calls for comment. No comment. Public hearing closed.

Motion was made by Chad Hitchcock and seconded by Oden Grube to approve closeout documentation for 16436 CDBG 15 for the SCADA and Altitude Valves Project (C-2015-56). Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

6. Information Items

a. Airport Manager's Monthly Report - March 2018

b. City Clerk Monthly Report - March 2018

c. Community Development Monthly Report - March 2018

Matt Nahrstedt, Community Service Director and City Planner, provided a brief presentation on Off Street Parking Requirements, Sign Regulations and False Alarms. Mr. Nahrstadt compared the Durant City Code relating to each of the three topics to the respective city codes currently in effect in Midwest City, Ada and Ardmore.

d. Emergency Management Report - March 2018

e. Financial Reports Febuary, 2018, and Sales Tax Breakdown, March, 2018

f. Fire Department Monthly Report March 2018

g. Grants Department Report - March 2018

h. Landfill Information & Reports - March 2018

i. Library Report - March 2018

j. Parks and General Services Report - March 2018

k. Police Department Monthly Report - February 2018

l. Public Works Director Monthly Projects Report - March 2018

m. Solid Waste Department Monthly Report - March 2018

n. Street Department Report - March 2018

o. University Speed Survey

Captain Cisco of the Durant Police Department addressed council regarding excessive speed from 49th Avenue to the Remington Hills area going east and west. A survey project was set up. Captain Cisco reviewed the survey project results.

p. Waste Water Treatment Plant and Lab Monthly Reports - March 2018

q. Water Treatment Plant Monthly Reports - March 2018

7. Citizen Comments on Non-Agenda Items

Pat Brown - City Animal Shelter

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: Dills, Grube, Hawthorne, Hitchcock, Tomlinson