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 5:20 p.m. on the 7th day of April, 2017.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF April 11, 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 6:09 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	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. Presentation of Employee Awards for 1st Quarter 2017

The following employees received service awards:

5 years of service - Certificate, Lapel Pin, $50 Check

Royce Hendricks - Durant Multi Sports Complex
Chris Rose - Durant Multi Sports Complex
Philip Walston - Landfill

10 years of service - Certificate, Lapel Pin, $100 Check

Christopher Shane Harkey
Kelly Hawthorne - Utilities
Timothy Henson - Street Department

b. Presentation of Proclamation Honoring Mike Metheny as NCAA Division 2 Winningest Coach All-Time by Victories

Mayor Hoffman presented the proclamation to Mike Metheny prior to the meeting but praised Mr. Metheny for his career accomplishment as NCAA Division 2 Winningest Coach All-Time by Victories.

c. Presentation of Proclamation Declaring April as Fair Housing Month in the City of Durant

Mayor Hoffman read aloud the proclamation declaring April as Fair Housing Month in the City of Durant.

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 14, 2017

b. Consider Approval of Special Called Meeting Minutes of March 23, 2017

c. Consider Approval of Claims - March 2017

d. Budget Amendment 2017-05

e. Consider Approval of Special Event Permit Application for 'Magnolia Bike Tour' Event Sponsored by Durant Rotary Club (SEP #2017-11)

f. Consider Approval of Special Event Permit Application for 'Colton's Main Street Run' Event on October 21, 2017 - Sponsored by Durant Main Street (SEP #2017-10)

g. Consider Approval of Special Event Permit Application for 'Courthouse Centennial Celebration' Event on July 15, 2017 - Sponsored by Three Valley Museum (SEP #2017-09)

Approved

Council Member Hitchcock asked that Item 2(g) be removed for further discussion.

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

3. Consider Items Removed from Consent

3(g) - Council Member Hitchcock invited Bryan County Commissioner Ron Boyer to the podium. Commissioner Boyer addressed council and spoke about the Courthouse Centennial Celebration scheduled for July 15, 2017 and sponsored by the Three Valley Museum.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Special Event Permit Application for 'Courthouse Centennial Celebration' Event on July 15, 2017 (SEP #2017-09). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

4. Administration

a. Consider Recommendation of Oklahoma Municipal Assurance Group Regarding Tort Claim Made By Nancy and Bruce Johnson and Take Possible Action

Approved

Motion was made by Jerry Tomlinson and seconded by Stewart Hoffman to accept liability and approve full payment of tort claim made against City of Durant by Nancy and Bruce Johnson in the amount of $2,226.95 against recommendation of Oklahoma Municipal Assurance Group. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

b. Consider Award of Bid for City Garage Addition (RFB # 2017-033)

Approved

Marty Pope addressed council and stated this is an 18' by 26' addition to the

city garage and would contain two offices, restroom, and break room. There were two bids - Daniel Construction - $41,462.00; and Elite Six - $65,550.00. Mr. Pope recommended the bid be awarded to the lowest bidder, Daniel Construction. Mr. Pope stated this is a budgeted item and has come in under budget.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve award of bid for city garage addition to Daniel Construction in the amount of $41,462.00 contingent upon review and approval of bids by city attorney. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

c. Consider Approval of Independent Contractor Agreement for City Garage Addition (C-2017-15)

Approved

City Clerk Price stated the proposed contract has been reviewed and approved by the city attorney.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve Independent Contractor Agreement for City Garage Addition (C-2017-15). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

d. Consider Award of Bids for Lawn & Grounds Maintenance Services (RFB #2017-030)

Approved

Marty Pope addressed council and stated there were five bids with one being disqualified for failure to provide proof of workers compensation insurance. Mr. Pope recommended and the city manager agreed to have city crews mowing the library grounds as it was otherwise cost prohibitive due to the high dollar amount of bids received for that location. Mr. Pope further recommended that True Grit Works be awarded Group 1 - City Hall, Group 3 - Airport, Group 4 - Drug Task Force Unit, Group 5 - Clover Leaf Group 1, Group 6 - Clover Leaf Group 2. Mr. Pope further recommended that Glover Mowing and Landscaping be awarded Group 7 - Median Group #1.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to award bid to True Grit Works for Group 1 - City Hall, Group 3 - Airport, Group 4 - Drug Task Force Unit, Group 5 - Clover Leaf Group 1, Group 6 - Clover Leaf Group 2 and award bid to Glover Mowing and Landscaping for Group 7 -

Median Group #1. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Orr, Tomlinson

Abstain: Hoffman

e. Consider Approval of Contract for Lawn & Grounds Maintenance Services (C-2017-13)

Approved

City Clerk Price stated city attorney has reviewed and approved contract.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve contract for Lawn & Grounds Maintenance Services (C-2017-13) to be assigned to True Grit Works and Glover Mowing and Landscaping in accordance with award of bids. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

f. Consider Award of Bid for 2017 Growing Season Parks Maintenance Services (RFB # 2017-029)

Approved

Marty Pope addressed council and stated there were five bids with one being disqualified for failure to provide proof of workers compensation insurance. Mr. Pope recommended True Grit Works as the lowest bidder on all categories of the bid.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to award bid to True Grit Works for 2017 Growing Season Parks Maintenance Services (RFB #2017-029). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Orr, Tomlinson

Abstain: Hoffman

g. Consider Approval of Request for Authorization to Purchase for 2017 Growing Season Parks Maintenance Services (RFAP# 2017-029)

Approved

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve Request for Authorization to Purchase for 2017 Growing Season Parks Maintenance Services (RFAP #2017-029). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

h. Consider Approval of Contract for 2017 Growing Season Parks Maintenance Services (C-2017-14)

Approved

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve contract for 2017 Growing Season Parks Maintenance Services (RFAP #2017-029) to be assigned to True Grit Works in accordance with award of bid. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

i. Consider Approval of Resolution No. 2017-04 Establishing Fees and Schedule for Carl Albert Swimming Pool

Approved

Jacque Wilson, Deputy City Manager of Operations, addressed council and stated the fee schedule is in line with the 2016 fee schedule. Mr. Wilson stated May 27, 2017 will be 'Splash Day' and have free admission to the pool. City Manager Rundel said this is the last year the existing pool liner can be utilized.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Resolution No. 2017-04 establishing fees and schedule for Carl Albert Swimming Pool. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

j. Consider Approval of Request to Declare Items Surplus and Authorize Sale of Items at Auction

Approved

Marty Pope addressed council and stated a city auction has been scheduled for April 22, 2017 at 10:00 a.m. at 1021 NE Second, Durant, OK.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve request to declare items surplus and authorize sale of items at auction. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

k. Consideration To Accept The 2016 Land And Water Conservation Grant (LWCF) Award # 40-01229 From The Oklahoma Department of Tourism And Recreation In The Amount Of $ 182,900 For Park Improvements At Carl Albert Park. (C-2016-78)

Approved

Rebecca Collins, Grants Coordinator, addressed council and stated this item was initially presented to council in September 2016 and the official letter was received in March 2017.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to accept the 2016 Land and Water Conservation Grant (LWCF) Award #40-01229 from the Oklahoma Department of Tourism and Recreation in the amount of $182,900 for park improvements at Carl Albert Park (C-2016-78). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

l. Consider Approval of Request for Authorization to Purchase for Water Leak Detection Study (RFAP# 2017-051)

No Action Taken

This item was placed on this agenda in error and will be heard under the Durant City Utilities Authority agenda.

m. Consider Approval of Work Order for Professional Services - Water Leak Detection Study (Work Order # DU-17-02) (C-2017-16)

No Action Taken

This item was placed on this agenda in error and will be heard under the Durant City Utilities Authority agenda.

n. Consider Approval of Retail Incentive Agreement Between Provident Realty Advisors, Inc. and City of Durant (C-2017-11)

Tabled

City Manager Rundel recommended that this item be tabled. Mr. Rundel stated he felt it would be in the best interest of the city and the residents if we had a series of town hall meetings to discuss this issue. Mr. Rundel proposed the dates of April 25, 2017 from 6:00 p.m. - 8:00 p.m. and April 26, 2017 from 8:30 a.m. - 10:00 for town hall meetings to be held at the Donald W. Reynolds Library. Mr. Rundel said the developer will be in attendance to answer questions with regard to the incentives and infrastructure improvements he is recommending. Residents may also submit questions in advance by accessing the city website (www.durant.org) and emailing the city manager or

any other city staff.

Motion was made by Chad Hitchcock and seconded by Jerry Tomlinson to table Item 4(n). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

5. Public Hearings

a. Consideration Ordinance # 1823, Planning Commission Case 2017-04 an Application of Re-Zoning from the A-1 Agriculture District to the R-3 General Residential District for property located near the 2000 Block of West Mississippi St.

Approved

Marty Cook, Community Development Manager, addressed council and stated the Planning and Zoning Commission did make two changes to adjust the zoning map to correct an overhang and to include an additional zoning map which defines the area of the property which is in a flood plain. Mr. Cook said he did not receive any letters either in support of or against this zoning change. Denny Hall, owner of the property, approached the podium and answered questions from council. Hearing opened to public. No public comment. Hearing closed.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance #1823, Section 1, rezoning from A-1 Agriculture District to R-3 General Residential District for property located near the 2000 Block of West Mississippi Street. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance #1823, Section 2 (emergency clause). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

6. Information Items

a. February, 2017 Financial Statements (WILL BE PRESENTED)

b. Street Department Report March 2017 (WILL BE PRESENTED)

c. Grants Department Report March 31 2017 (WILL BE PRESENTED)

d. City Clerk Monthly Report - March 2017 (WILL BE PRESENTED)

e. Library Report - March 2017 (WILL BE PRESENTED)

f. Fire Department Monthly Report March 2017 (WILL BE PRESENTED)

g. Landfill Information & Reports - March 2017 (WILL BE PRESENTED)

h. Waste Water Treatment Plant Monthly Report - March 2017 (WILL BE PRESENTED)

i. Waste Water Treatment Plant Lab Monthly Report - March 2017 (WILL BE PRESENTED)

j. Community Development Monthly Report for March 2017

k. Planning Commission Meeting Minutes

l. Parks/Durant Multi-Sports Complex Monthly Report - March 2017

m. Durant Police Department Monthly Report - February 2017

n. Emergency Management Report March 2017

o. City Website Redesign Reveal

7. Citizen Comments on Non-Agenda Items

Three citizens addressed council:
Randy Sullivan
James Thorpe
Sharon Morrison

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.

8. Executive Session

a. Consider Executive Session for Confidential Communication with Attorney Concerning a Possible Claim Against City (This Executive Session Authorized by Title 25, Section 307 B (4) 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 Chad Hitchcock and seconded by Destry Hawthorne to re-enter regular session. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

b. Consider Action Pursuant to 8(a) Above

No Action Taken

c. Consider Executive Session to Discuss International Association of Firefighters Collective Bargaining Agreement (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 enter into executive session. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

d. Consider Action Pursuant to 8(c) Above

No Action Taken

9. 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