

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 13th day of November, 2018 and that an agenda of said meeting was posted at the place of such meeting at 2:10 p.m. on the 5th day of July, 2019.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF July 9, 2019 AT 6:00 PM, Roscoe J. Hatfield Council Chambers, 300 West Evergreen, Durant, Oklahoma

CALL TO ORDER

Mayor Grube called the meeting to order at 6:02 p.m.

INVOCATION/FLAG SALUTE

Fire Chief Roger Joines provided the invocation. City Manager Tim Rundel led the flag salute.

ROLL CALL

Present: Council Member Mike Morris	City Manager Tim Rundel
Council Member Danny Sherrer	City Attorney Tom Marcum
Council Member Jerry Tomlinson	City Clerk Cynthia J. Price
Vice Mayor Steve Brittingham	
Mayor Oden Grube	

Absent: None

(*denotes partial attendance)

Mayor Grube declared a quorum.

1. Presentations

a. Presentation of Employee Service Awards for 2nd Quarter 2019

The following employees received employee service awards for 2nd Quarter 2019:

FIVE YEARS:

Chris Coder, Durant Multi Sports Complex, Certificate, Pin, \$50
Ryan Jones, Street Department, Certificate, Pin, \$50

TEN YEARS

Miles Gooding, Police Department, Certificate, Pin, \$100

FIFTEEN YEARS

Marie Goolsby, IT, Certificate, Pin, \$150

TWENTY YEARS

Phillip Hightower, Water Treatment Plant, Certificate, Pin, \$200

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 June 11, 2019
 - b. Consider Approval of Special Called Meeting Minutes of June 17, 2019
 - c. Consider Approval of Special Called Meeting Minutes of June 27, 2019
 - d. Consider Approval of Claims - June 2019
 - e. Consider Approval of Budget Adjustments for FY 19-20
 - f. Consider Approval of Special Event Permit Application by Durant Boys and Girls Club for the 2nd Annual Color Run (SEP-2019-08)
 - g. Consider Approval of Year 3 of 5 Years Ricoh Master Lease Agreement (C-2018-40) Year 2 of 5 Year (C-2017-53) +
 - h. Consider Approval of Tyler Technologies Yearly Renewal for Tyler Technologies " Municipal and Accounting Software"
 - i. Consider Approval of Two Z930 John Deere Mowers in the Amount of \$17,315.76 from United Ag and Turf for the Durant Multi Sports Complex and of Three Z930 John Deere Mowers in the Amount of \$25,973.64 from United Ag and Turf for the Parks Department (State Contract SW0190)
 - j. Consider Approval to Purchase 2020 Ford F350 Cab Chassis in the Amount of \$37,847.00 from Bob Moore Ford LLC for the Parks Department (State Contract SW035)
 - k. Consider Approval of an Easement to OG&E for Adding Facilities on the Road Right of Way Located at Cemetery Road
 - l. Consider Approval of an Easement to OG&E for Adding Facilities on the Road Right of Way Located at Country Club Road
- Approved

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve consent items as presented.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

3. Consider Items Removed from Consent

4. Information Items

- a. Airport Manager Monthly Report - June 2019
- b. City Clerk Report - June 2019
- c. Community Development Monthly Report - June 2019

Including requested information regarding outdoor seating downtown.

Community Development Director Danielle Barker addressed council and provided requested information regarding outdoor seating at downtown establishments. Ms. Barker stated she reviewed the ADA (Americans with Disabilities Act) federal guidelines as well as the ABLE (Alcohol, Beverage Laws Enforcement) state guidelines. The primary issue is the size of the sidewalk needed to meet the guidelines.

- d. Emergency Management Report - June 2019
- e. Financial Statements May 2019 & Sales Tax July 2019
- f. Fire Department Monthly Report - June 2019

Fire Chief Roger Joines introduced the new Deputy Fire Chief, Jeff Langford.

- g. Grants Department Report - June 2019
- h. Landfill Information and Reports - June 2019
- i. Library Report for June 2019
- j. Parks Department Monthly Report - June 2019
- k. Planning Commission Minutes of May 21, 2019
- l. Police Department Monthly Report - May 2019

- m. Solid Waste Department Monthly Report - June 2019
- n. Street Department report June 2019
- o. Utility Department Monthly Report - June 2019
- p. Water Treatment Plant Operation Reports - June 2019

5. Administration

- a. Consider, Discuss and Approve Collective Bargaining Agreement FY 2019-20 between the City of Durant and IAFF Local 3061 or Take Any Other Appropriate Action
Approved

City Manager Tim Rundel addressed council and stated there were two key changes to the FY 2019-2020 Collective Bargaining Agreement. The wage table will be adjusted to the 1.5% Cost of Living Allowance (COLA) and the promotion policy will remain open and in continued negotiation.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Collective Bargaining Agreement FY 2019-20 between the City of Durant and IAFF Local 3061.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- b. Consider Approval of Resolution # 2019-19 Establishing the Durant Senior Citizens Advisory Committee for the City of Durant
Approved

City Manager Tim Rundel addressed council and provided an overview of the guidelines for the committee and participating committee members. City Manager Rundel stated the meetings will be held at the Ron Cross Activity Center on Chuckwa Drive. The application form for boards and committees can be found on the City of Durant website.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Resolution 2019-19 establishing the Durant Senior Citizens Advisory Committee for the City of Durant.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- c. Consider Approval of Agreement with Arledge and Associates PC, for FY 18-19 Annual Auditing Services and Single Audit.

Approved

Judy Siemens, Finance Director and Acting City Treasurer, addressed council and stated this is the second year of a three year commitment from Arledge & Associates.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve agreement with Arledge and Associates PC. for FY 19-20 Annual Auditing Services and Single Audit.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- d. Consider Approval of Request from Durant Industrial Authority for Reimbursement from Economic Development Sales Tax Fund 110 for Costs of Assisting Tubacex Durant in Establishing Tax Increment Financing District No. 3 for Project Development Costs

Approved

Interim Executive Director of the Durant Industrial Authority Paul Buntz addressed council and stated the Durant Industrial Authority unanimously approved this request at their July 8, 2019 meeting and requests reimbursement of legal costs for the creation of the Tax Incremental Financing (TIF) District that provides financing for the Tubacex Project. The monies would come from Fund 110 which is funded by the quarter cent economic development sales tax.

Motion was made by Mike Morris and seconded by Danny Sherrer to approve request from Durant Industrial Authority for reimbursement from Economic Development Sales Tax Fund 110 for costs of assisting Tubacex Durant in establishing Tax Increment Financing District No. 3 for Project Development Costs.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- e.
 - 1. Consider Approval of Contract # 2019-36 and Award of Bid for Overland Corporation in the Amount of \$645,446.70 for the Larkspur Lane Extension Contingent Approval of a Change Order #1
 - 2. Consider Approval of Change Order #1 to Reduce the Overall Cost of this Project from \$645,446.70 Down to \$585,015.70 as a Part of Contract # 2019-36
- Approved

e.1.

Public Works Director Marty Cook addressed council and stated this is a budgeted project. Mr. Cook stated the city will be saving approximately \$60,000 by renegotiating and doing some of the work with city crews.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Contract 2019-36 and award of bid to Overland Corporation in the amount of \$645,446.70 for the Larkspur Lane Extension contingent upon approval of Change

Order #1.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

e. 2.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Change Order #1 to reduce the overall cost of the Larkspur Lane Extension Project from \$645,446.70 to \$585,015.70 as a part of Contract 2019-36.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- f. 2018 Community Development Block Grant - Economic Development Infrastructure Finance Grant Award 17488 CDBG-ED 18 In The Amount Of \$ 939,366 For Water and Wastewater Infrastructure Improvements (C-2019-32) Benefitting Tubacex Durant, Inc. Facility To Create New Jobs At 362 Country Club Road.

1. Consideration To Approve The Residential Anti-Displacement And Relocation Assistance Plan Relating To the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 17488 CDBG-ED 18.

2. Consideration To Approve The Statement Of Compliance To Ensure Compliance With Specific Grant Award Conditions Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 17488 CDBG-ED 18.

3. Consideration To Approve Resolution No. 2019-20 Relating To The Tubacex Durant, Inc. Job Creations Benefitted By The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 17488 CDBG-ED 18.

4. Consideration To Approve Ordinance No. 1883 Relating To The Tubacex Durant, Inc. Job Creations Benefitted By The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 17488 CDBG-ED 18.

5. Consideration To Authorize The Mayor To Sign Documents Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 17488 CDBG-ED 18.

Grants Coordinator Rebecca Collins addressed council and stated all parts of this agenda item relate to the Tubacex Grant Award which the council accepted on June 17, 2019. Ms. Collins stated Tubacex has committed to create 126 jobs within the three year time frame. Ms. Collins further stated the Tubacex Project will not displace any residents.

Approved

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Items 5.(f)(1), 5(f)(2), and 5(f)(5).

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Item 5(f)(3) - Resolution 2019-20 relating to the Tubacex Durant, Inc. Job Creations benefited by the Community Development Block Grant - Economic Development Infrastructure Finance (CDBG-ED) Award 17488 CDBG-ED 18.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Item 5(f)(4) - Ordinance 1883, Sections 1 and 2 relating to the Tubacex Durant, Inc. Job Creations Benefited by the Community Development Block Grant - Economic Development Infrastructure Finance (CDBG-ED) Award 17488 CDBG-ED 18.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Item 5(f)(4) - Ordinance 1883, Section 3 - emergency clause.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

6. Public Hearings

- a. Consideration PC2019-10 - Ordinance 1881 Rezoning Request at 724 W Texas from R-3 to C-3

Approved

City Manager Tim Rundel and Council Member Mike Morris recused themselves from this public hearing. Community Development Director Danielle Barker addressed council

and stated the Planning Commission voted unanimously for approval. No comments from the public have been received.

Public hearing opened.

Call for comment three times. No comments.

Public hearing closed.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Ordinance 1881, Section 1.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Sherrer, Tomlinson

Abstain: Morris

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Ordinance 1881, Section 2 emergency clause.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Sherrer, Tomlinson

Abstain: Morris

7. Citizen Comments on Non-Agenda Items

There were no public comments.

8. New Business

There was no new business.

ADJOURNMENT

Motion was made by Steve Brittingham and seconded by Danny Sherrer to adjourn meeting.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson