

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 5:01 p.m. on the 7th day of July, 2017.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF July 11, 2017 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

James Dalton provided the invocation. Deputy Fire Chief Marc Hall led the flag salute.

ROLL CALL

Present: Council Member Oden Grube	City Attorney Pat Phelps
Council Member Destry Hawthorne	City Manager Tim Rundel
Vice-Mayor Chad Hitchcock	City Clerk Cynthia J. Price
Mayor Jerry Tomlinson	(*denotes partial attendance)

Absent: None

Mayor Tomlinson declared a quorum.

1. Presentations

- a. Presentation of Employee Service Awards for 2nd Quarter 2017

A combined 120 years of service!

FIVE YEARS:

Deanna Kuykendall, Utilities Department, Certificate, Pin, \$50
Pamela Adair, Accounts Payable/Utilities Department, Certificate, Pin, \$50
Travis T. Dill, Police Department, Certificate, Pin, \$50
Jared McCreary, Police Department, Certificate, Pin, \$50
Dennis Taylor, Street Department, Certificate, Pin, \$50

TEN YEARS

James Lynn, Fire Department, Certificate, Pin, \$100

FIFTEEN YEARS

Carrie Wyrick, Police Department, Certificate, Pin, \$150

TWENTY YEARS

David Owens, Durant Multi Sports Complex, Plaque, Certificate, Pin, \$200

TWENTY FIVE YEARS

Laura Hider, Police Department, Plaque, Certificate, Pin, \$250

David Houser, Police Department, Plaque, Certificate, Pin, \$250

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 Special Called Meeting Minutes of June 13, 2017
- b. Consider Approval of Regular Meeting Minutes of June 13, 2017
- c. Consider Approval of Claims for June 2017
- d. Consider Acceptance of Easements for Street Scape 5
- e. Consider Acceptance of the Oklahoma Homeland Security Grant #850.065 for Satellite Bandwidth Service on the RDT 2 Communications Trailer for FY 2017-2018
- f. Consider Acceptance of the Oklahoma Homeland Security Grant #850.067 for Cellular Service on the RDT 2 Communications Trailer for FY 2017-2018
- g. Consider Approval of Lease Agreement with Stahl/Scott Fetzer Company (C-2017-23)
- h. Consider Approval of Contract Services Agreement for City Attorney Services

Approved

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

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

3. Consider Items Removed from Consent

4. Administration

- a. Consider Approval of Ordinance 1829 Amending the Durant Code of Ordinances Modifying the Requirements for Tattoo, Body Piercing and Body Painting Studios

Approved

Marty Cook, Community Development Manager, addressed council. He said he has received some inquiries. Mr. Cook said that the proposed Ordinance relaxes the current location regulations but is still more strict than the current state regulations.

Motion was made by Oden Grube and seconded by Destry Hawthorne to approve Section 1 and Section 2 of Ordinance 1829 amending the Durant Code of Ordinances modifying the requirements for tattoo, body piercing and body painting studios. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Motion was made by Oden Grube and seconded by Destry Hawthorne to approve Section 3 of Ordinance 1829 - emergency clause. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- b. Consideration To Approve Grant Application Items For 2017 Community Development Block Grant For Publicly-Owned Market Square Improvements.

1. Consideration To Approve Application Resolution 2017-010 For The 2017 Community Development Block Grant (CDBG) Small Cities Application Requesting Funding For Publicly-Owned Market Square Improvements.

2. Consideration To Approve Leverage Resolution 2017-011 Committing The Required 1:1 Cash Match For The Community Development Block Grant (CDBG) Small Cities Project For Publicly-Owned Market Square Improvements.

3. Consideration To Authorize Mayor To Sign Relevant CDBG Application Documents For The 2017 Community Development Block

Grant (CDBG) Small Cities Application For Publicly-Owned Market Square Improvements.

Approved

(The Public Hearing - Item 5(c) was heard out of order immediately prior to this agenda item.)

Rebecca Collins, Grant Administrator, addressed council.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Application Resolution 2017-010 for the 2017 Community Development Block Grant (CDBG) Small Cities Application Requesting Funding for Publicly-Owned Market Square Improvements. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Rebecca Collins, Grants Coordinator, addressed council.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Leverage Resolution 2017-011 Committing the Required 1:1 Cash Match for the Community Development Block Grant (CDBG) Small Cities Projects for Publicly-Owned Market Square Improvements. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Rebecca Collins, Grants Coordinator, addressed council.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to authorize Mayor to Sign Relevant CDBG Application Documents for the 2017 Community Development Block Grant (CDBG) Small Cities Application for Publicly-Owned Market Square Improvements. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- c. Consider Approval of Ordinance 1831 Providing For Permit Fees, Annual Licensing and Mandatory Landfill Use for Construction and Demolition Materials

Approved

City Manager Tim Rundel addressed council and stated the proposed Ordinance would provide for a \$25 permit fee to be required for each rolloff

and current permit displayed; all construction debris would be required to be taken to the city landfill. Council Member Grube thanked Mr. Blackburn for his involvement in the creation of the proposed ordinance. City Attorney Pat Phelps stated there was an error on the ordinance and the words 'Annual Licensing' should be stricken from the title.

Motion was made by Destry Hawthorne and seconded by Oden Grube to approve Ordinance 1831, Section 1 through 6, providing for permit fees and mandatory landfill use for construction and demolition materials and striking the words 'Annual Licensing' from the title. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance 1831, Section 7 - Emergency Clause. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- d. Consider Approval of Ordinance 1832 Amending Chapter 51 "Garbage System and Facilities' Section 51.01, Definitions of the Durant City Code, Defining Roll Off Container

Approved

City Attorney Pat Phelps addressed council. Jacque Wilson, Public Works Director, addressed council and recommended that any reference in the proposed ordinance to tons be stricken and replaced with reference to yards.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance 1832, Sections 1 and 2, amending Chapter 51 'Garbage System and Facilities' Section 51.01, Definitions of the Durant City Code, Defining Roll Off Container and striking any reference to tons and replace with '10 yards or above'. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance 1832, Section 3 - Emergency Clause. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

5. Public Hearings

- a. Consideration of PC2017-05 - Planned Unit Development for Property Located in the 4200 Block of University

Marty Cook, Community Development Manager, addressed council and stated on May 22, 2017, Randall Percell filed an application requesting approval of a Planned Unit Development (PUD) R-3 General Residential District for property located in the 4200 block of University Boulevard, Durant, OK. Mr. Cook stated that all drainage plans will be designed by a professional engineer according to a 100 year flood plan. These duplexes will mirror the existing duplexes on the adjacent property. This is a phased project. Mr. Cook further stated this request met all of the requirements of the City of Durant Zoning Code. The Community Development office has not received any letters or phone calls pertaining to this case. The Planning Commission recommended the approval of this PUD with a unanimous vote in its most recent meeting.

Hearing opened to the public.

Randall Percell and Alan Hobbs stepped forward and answered questions from council.

Ronnie Burns addressed council as a member of the public.

Public hearing closed.

Engineer Brandon Wall addressed council and stated the estimated cost several years ago of an area wide drainage study was \$200,000. This type of study would require the services of an outside hydrologist.

Tim Rundel recommended a drainage study in partnership with the county for the reason that its land surrounds the subject area.

Bryan County Commission Ron Boyer addressed council and stated the issue is more involved than just the drainage study.

Lindsey Knight addressed council as a member of the public.

Motion was made by Oden Grube to table. Motion withdrawn by Oden Grube.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve PC2017-05 - Planned Unit Development for property located in the 4200 block of University. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Tomlinson
Nays: Grube

- b. Consideration of Ordinance # 1830 Requesting a Zoning Change from R-2 Two Family Residential to C-3 General Commercial for Property Located Near 219 N Washington

Approved

Marty Cook, Community Development Manager, addressed council and stated the Planning Commission approved this zoning change request at their last meeting with a unanimous vote.

Hearing opened to public.

No public comment.

Public Hearing Closed

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Ordinance 1830, Section 1 requesting a zoning change from R-2 Two Family Residential to C-3 General Commercial for property located near 219 N. Washington. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Ordinance 1830, Section 2 - Emergency Clause. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- c. Public Hearing: 2017 Community Development Block Grant (CDBG) Small Cities Application Requesting Funding For Market Square Improvements

No Action Taken

**(THIS PUBLIC HEARING WAS HEARD OUT OF ORDER
IMMEDIATELY PRIOR TO AGENDA ITEM 4(b)).**

Rebecca Collins, Grants Coordinator, addressed council and stated this is a grant that the City of Durant has applied for every year since 2008. Ms. Collins passed around sign-in sheets. The Small Cities Grant is allocated based upon population and poverty levels. This year the city is eligible for \$91,114 which requires a 1:1 cash match. The funding for the cash match has been budgeted. The grant funds would be used at Market Square to install new

ADA restrooms to replace the portable toilets, install canopies over parking, upgrade lighting, install additional electric outlets, and crosswalks. A household survey was conducted to determine the poverty levels and that survey is now complete and did achieve the required 51% low to moderate income level,

The hearing was opened to the public.

One question from the public as to timeline.

Public hearing closed.

6. Information Items

- a. Police Department Monthly Report - May 2017 (TO BE PRESENTED)
- b. Planning Commission - Draft Meeting Minutes of June 20, 2017
- c. Community Development Monthly Report - June 2017 (TO BE PRESENTED)
- d. Solid Waste Collection Monthly Report - June 2017 (TO BE PRESENTED)
- e. Parks/Durant Multi Sports Complex Monthly Report - July 2017 (TO BE PRESENTED)
- f. Water Plant Monthly Report - June 2017 (TO BE PRESENTED)
- g. Water Plant End of Year Report (TO BE PRESENTED)
- h. Emergency Management Report - June 2017 (TO BE PRESENTED)
- i. May 2017 Financial Statements and June 2017 Sales Tax Breakdown
- j. Street Department Monthly Report - June 2017
- k. City Clerk Monthly Report - June 2017
- l. Fire Department Monthly Report - June 2017

m. Library Monthly Report - June 2017

n. Grants Department Report June 2017

7. Citizen Comments on Non-Agenda Items

Edna Tidwell - Parking on 100 block of North 2nd, improper left turns on city streets, cemetery, mowing grass into street.

Council Member Oden Grube stated the City of Durant needs to give its employees tools and manpower to do their jobs. Ms. Grube stated there were some superintendents who need workers and cannot get workers and some superintendents who cannot get rid of workers. Ms. Grube further stated the problem needs to be figured out to help the morale in the city.

8. New Business

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: Grube, Hawthorne, Hitchcock, Tomlinson