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 10th day of November, 2015 and that an agenda of said meeting was posted at the place of such meeting at 4:00 p.m. on the 8th day of July, 2016.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF July 12, 2016 AT 6:00 PM, Roscoe J. Hatfield Council Chambers, Durant City Hall

CALL TO ORDER

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

INVOCATION

Invocation was provided by Tommy Kramer.

ROLL CALL

Present:	Council Member Chad Hitchcock	City Attorney Pat Phelps
	Council Member Billy L. Orr	Acting City Manager Donnalla Miller
	Council Member Jerry Tomlinson	City Clerk Cynthia J Price
	Vice-Mayor Destry Hawthorne	
	Mayor Stewart Hoffman	(*denotes partial attendance)
Absent:	None	

1. Presentations

a. Presentation of Employee Service Awards

Mayor Hoffman presented the Employee Service Awards:

FIVE YEARS
Michelle Hall/Treasurer's Office/Certificate, Lapel Pin, $50
Roberta Patterson/Library/Certificate, Lapel Pin, $50
TEN YEARS
Gina Brown/ Library/Certificate, Lapel Pin, $100
Ricky Ford/Police Department/Certificate, Lapel Pin, $100
Bryan Moore/Police Department/Certificate, Lapel Pin, $100
Shane Walker/Police Department/Certificate, Lapel Pin, $100
FIFTEEN YEARS
Jesse Burk/Wastewater Treatment Plant/Certificate, Lapel Pin, $150
Alex Davison/Fire Department/Certificate, Lapel Pin, $150
TWENTY YEARS
Jennifer Gibson/Finance Department/Certificate, Plaque, Lapel Pin, $200
James Hicks/Fire Department/Certificate, Plaque, Lapel Pin, $200

John Ross/Water Treatment Plant/Certificate, Plaque, Lapel Pin, $200

THIRTY YEARS

Zefe Laborico/Landfill/Certificate, Plaque, Lapel Pin, $300

James Young/Street Department/Certificate, Plaque, Lapel Pin, $300

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 Minutes of June 14, 2016

b. Consider Approval of Special Called Minutes of June 29, 2016

c. Consider Approval of Claims - June 2016

d. Consider Acceptance of The Office of Attorney General 2016 Safe Oklahoma Grant Program Contract

1. Accept/Decline Grant Award in the amount of $52,081.81
2. Approve/Deny The Office of Attorney General 2016 Safe Oklahoma Grant Program Contract

e. Consider Approval of Resolution No. 2016-18 Authorizing An Agreement Between The State Of Oklahoma And The City Of Durant For Disposal Of Surplus Property

f. Consider Approving Lease Agreement (C-2016-50) With STAHL/SCOTT FETZER COMPANY For A 24,000 Square Foot Building on Waldron Drive for a Term of One Year

g. Consideration To Approve Request For Authorization To Purchase RFAP # 2016-102 ENG For Engineer Services (Work Order DU-16-01) Necessary For Water And Sewer Improvements To Serve The Commercial Metals Company Facility Relating To The Community Development Block Grant Economic Development (CDBG-ED) Project.

h. Request Approval To Enter Into an Interlocal Cooperative Agreement Between The City Of Durant And The Oklahoma Department Of Capital Asset Management C-2016-57

Approved

Council Member Tomlinson asked that Items 2(a); 2(d) 1 and 2; and 2(f) be removed for further discussion.

Council Member Orr asked that Item 2(h) be removed for further discussion.

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Stewart Hoffman and seconded by Chad Hitchcock to rescind previous motion to approve the remaining consent items as presented. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Council Member Tomlinson asked that Items 2(b); 2(d) 1 and 2; and 2(f) be removed for further discussion.

Council Member Orr asked that Item 2(h) be removed for further discussion.

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

3. Consider Items Removed from Consent

Item 3(b) - Council Member Tomlinson asked that a sentence be revised for clarification purposes.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to correct minutes to read 'Ms. Collins stated the Oklahoma Shakespearean Festival

verbally committed to raising $25,000 match funds through fundraising events.'. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

3(d)(1) - Council Member Tomlinson removed item to specifically accept or decline item.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to accept grant award in the amount of $52,081.81. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

3(d)(2) - Council Member Tomlinson removed item to specifically accept or decline item.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve the Office of Attorney General 2016 Safe Oklahoma Grant Program Contract. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

3(f) - City Attorney Pat Phelps stated all terms and conditions are identical to the previous contract with Stahl/Scott Fetzer Company.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve lease agreement (C-2016-50) with Stahl/Scott Fetzer Company for a 24,000 Square Foot Building on Waldron Drive for a Term of One Year. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

3(h) Fire Chief Joines confirmed this is an annual contract.

Motion was made by Bill Orr and seconded by Chad Hitchcock to approve Interlocal Cooperative Agreement between the City of Durant and the Oklahoma Department of Capital Asset Management (C-2016-57). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

4. Administration

a. Consider Recommendation from Oklahoma Municipal Assurance Group (OMAG) Regarding Tort Claim Made by Kody Milligan and Take Possible Action

Approved

Motion was made by Jerry Tomlinson and seconded by Bill Orr to follow recommendation of the Oklahoma Municipal Assurance Group and deny tort claim made by Kody Milligan. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

b. Consider Approval of Request for Authorization to Purchase Oklahoma Municipal League Membership Dues and Services Fees for FY 2016-2017 (RFAP #2016-100)

Approved

Donnalla Miller addressed council and provided an overview of the benefits offered through Oklahoma Municipal League membership. Ms. Miller stated this is a budgeted item and recommended approval.

Motion was made by Jerry Tomlinson and seconded by Bill Orr to approve Request for Authorization to Purchase Oklahoma Municipal League Membership Dues and Services Fees for FY 2016-2017 (RFAP#2016-100). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

c. Consider Finance Committee Recommendation for Approval of Award of Contract for Financial Accounting and Consulting Services for FY 2015-2016 (C-2016-41) (RFQ No. C-2016-41R) and Authorize Acting City Manager to Execute the Agreement

Approved

Finance Manager Earlene Walker addressed council. Ms. Walker provided an overview of the financial accounting and consulting services requested. Ms. Walker stated these services went out for bid in June 2016 but did not receive enough exposure. These services then went out for bid a second time. An invitation to bid was sent to seven firms. Three bid packet packets were sent out. Two responses were received. The Finance Committee scored Crawford

& Associates highest. The proposal from Crawford & Associates is for an amount not to exceed $60,000.00. The City of Durant has retained Crawford & Associates for several years in the past with an average cost of $48,000 per year. The Finance Committee recommends award of contract for financial accounting and consulting services for FY 2015-2016 to Crawford & Associates.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to award contract for financial accounting and consulting services for FY 2015-2016 to Crawford & Associates (C-2016-41) (RFQ No. C-2016-41R) and authorize Acting City Manager to execute the agreement. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

d. Consider Finance Committee Recommendation for Approval of Award of Contract for Auditing Services for FY 2015-2016 (C-2016-42) (RFQ No. C-2016-42R) and Authorize Acting City Manager to Execute the Agreement

Approved

Finance Manager Earlene Walker addressed council. Ms. Walker stated these services also went out for bid a second time. An invitation to bid was sent to five firms. Two responses were received. One of those responses stated that particular firm was not able to submit a proposal at this time. The Finance Committee recommends award of contract for audit services for FY 2015-2016 to Arledge and Associates. The proposal from Arledge and Associates is for an amount not to exceed $32,500.00.

Motion was made by Bill Orr and seconded by Destry Hawthorne to award contract for auditing services for FY 2015-2016 to Arledge and Associates (C-2016-42) (RFQ No. C-2016-42R) and authorize Acting City Manager to execute the agreement. Motion Passed with the following vote:

e. Consider Approval of Supplement to Trust Indenture of Durant Industrial Authority to Modify Residency Requirement for One Non-Ex Officio Trustee

No Action Taken

f. Consider Appointment as Recommended by City of Durant Mayor to Fill Durant Industrial Authority Trustee Position Vacated by Fran Mickle

Approved

Mayor Hoffman stated he recommends Billy Blackburn to fill vacated Durant Industrial Authority Trustee position. Mayor Hoffman further stated for the record that he recommends the two non-voting seats be filled by Southeastern Oklahoma State University President Sean Burrage and Tammye Gwin, Senior Director of Business Development with the Choctaw Nation of Oklahoma.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to Motion. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

g. 2016 Community Development Block Grant (CDBG) Small Cities Application Requesting Funding For Residential Street Improvements

1. Consideration To Approve Application Resolution 2016-014 For The 2016 Community Development Block Grant (CDBG) Small Cities Application Requesting Funding For Residential Street Improvements

2. Consideration To Approve Leverage Resolution 2016-015 Committing The Required 1:1 Cash Match For The Community Development Block Grant (CDBG) Small Cities Project For Residential Street Improvements

3. Consideration To Authorize Mayor To Sign Relevant Application Documents For The Community Development Block Grant (CDBG) Small Cities Application For Residential Street Improvements

Approved

Rebecca Collins, Grants Coordinator, addressed council and stated this is an annual grant through the Community Development Block Grant Small Cities Program. The public hearing was held on June 29, 2016. At least 51% of residences in the targeted area must be low income to moderate income to meet eligibility guidelines. Ms. Collins has been conducting door to door surveys which are ongoing. Ms. Collins stated she will insure that we meet or exceed the 51% mark before submitting the grant application.

Motion was made by Destry Hawthorne and seconded by Bill Orr to approve Application Resolution 2016-014 for the 2016 Community Development Block Grant (CDBG) Small Cities Application requesting funding for residential street improvements. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

The grant amount is $85,707.00. This resolution is for city to commit to the minimum 1:1 cash match to complete the project successfully.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Leverage Resolution 2016-15 committing the required 1:1 cash match for the Community Development Block Grant (CDBG) Small Cities Project for Residential Street Improvements. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to authorize the mayor to sign relevant application documents for the Community Development Block Grant (CDBG) Small Cities Application for residential street improvements. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

h. United States Department Of Economic Development (EDA) Grant 08-01-05038 For The US Hwy 69 Bypass On / Off Ramps To Serve The Commercial Metals Company Facility

1. Consideration to Void Contract C-2015-43 With Southern Oklahoma Development Association For Grant Administrative Services Relating To The Awarded US Department of Economic Development (08-01-05038) Project For The US Hwy 69 Bypass On / Off Ramps Serving The Commercial Metals Company facility.

2. Consideration To Approve Contract C-2016-56 With Southern Oklahoma Development Association For Grant Administrative Services Relating To The Awarded US Department of Economic Development (08-01-05038) Project For The US Hwy 69 Bypass On / Off Ramps Serving The Commercial Metals Company facility.

Tabled

Jacque Wilson, Projects Manager, addressed council and recommended this item be tabled.

i. Consider Approval of Former Employee's Application for Lump Sum Distribution from the Oklahoma Municipal Retirement Fund (Defined

Benefits)

Approved

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to to approve former employee's application for lump sum distribution from the Oklahoma Municipal Retirement Fund (Defined Benefits). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

j. Consider Approval of the BrucePac Forgivable Loan in the Amount of $700,000

Approved

Tommy Kramer, Executive Director of the Durant Industrial Authority, addressed council. Mr. Kramer stated this loan was part of a local recruitment incentive to BrucePac from the City of Durant and the Durant Industrial Authority. This $700,000 forgivable loan is out of the Job Creation 110 Account. The loan documents for this loan do meet the criteria of the ballot for the usage of these funds. The Durant Industrial Authority will be monitoring employee wages each quarter for the next seven years to insure that BrucePac is in compliance.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve BrucePac Forgivable Loan in the amount of $700,000.00. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

k. Consideration And Action Upon Resolution 2016-17 Authorizing And Approving The Incurring Of Indebtedness By The Durant Tax Increment Finance Authority (herein the “Authority”) To Be Accomplished By The Issuance Of Lease Revenue Bonds, Bonds, Notes Or Other Evidences Of Indebtedness In One Or More Series On A Tax-Exempt Or Taxable Basis, At A Premium Or Discount, In The Aggregate Principal Par Amount Of Not To Exceed Twenty-Four Million and No/100 Dollars ($24,000,000.00) For The Purpose Of Financing Certain Project Costs Authorized Under The Project Plan Adopted By The City Of Durant, Oklahoma, With Regard To The Commercial Metals Company Mill Site (collectively, the “Project”); Establish A Reserve Fund, If Any, Capitalize Interest, If Any, And Pay Costs Of Issuance; And All Matters Related Thereto, Including But Not Limited To The Waiver Of Competitive

Bidding Thereof; And Declaring An Emergency

Approved

Stuart England, Tax Increment Finance Attorney for the Durant Industrial Authority, addressed council. Mr. England explained that the city council has the final approval over any action taken by the Durant Tax Increment Finance Authority.

Motion was made by Bill Orr and seconded by Chad Hitchcock to approve Resolution 2016-17 authorizing and approving the incurring of indebtedness by the Durant Tax Increment Finance Authority (herein the "Authority") to be accomplished by the issuance of lease revenue bonds, bonds, notes or other evidences of indebtedness in one or more series on a tax-exempt or taxable basis, at a premium or discount, in the aggregate principal par amount of not to exceed Twenty-Four Million and No/100 Dollars ($24,000,000.00) for the purpose of financing certain Project Costs authorized under the Project Plan adopted by the City of Durant, Oklahoma, with regard to the Commercial Metals Company mill site (collectively, the "Project"); establish a reserve fund, if any, capitalize interest, if any, and pay costs of issuance; and all matters related thereto, including but not limited to the waiver of competitive bidding thereof; and declaring an emergency.. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

5. Information Items

a. Financial Statements May 2016

b. Police Department Monthly Report - May 2016

c. Street Department Monthly Report June 2016

d. Fire Department Monthly Report - June 2016

e. Community Development Monthly Report - June 2016

f. Library Report for June 2016

g. Emergency Management Monthly Report - June 2016

h. Grants Department Monthly Report - June 2016

i. City Pool Report - June 2016

j. Parks Monthly Report - June 2016

6. Citizen Comments on Non-Agenda Items

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.

There were no citizen comments.

7. Executive Session

a. Consider Entering into Executive Session as Authorized by Title 25, Section 307 B(7) of the Oklahoma State Statutes to Discuss Health Related Information as it Pertains to Henry Patterson's Application for a Disability Retirement Pension

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to enter into executive session as authorized by Title 25, Section 307 B(7) of the Oklahoma Statutes to discuss health related information as it pertains to Henry Patterson's application for a disability retirement pension and as authorized by Title 25 O.S. Section 307 B(1) to discuss the hiring of a city manager. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

b. Consider Action Pursuant to Agenda Item 7(a) To Discuss Health Related Information As it Pertains to Henry Patterson's Application For A Disability Retirement Pension

Approved

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to authorize the Acting City Manager on city council's behalf to approve Henry Patterson's application for a disability retirement pension. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

c. Consider Entering into Executive Session As Authorized By Title 25 O.S. Section 307 B(1) To Discuss The Hiring Of A City Manager

d. Consider Action Pursuant To Agenda Item 7(c) To Discuss The Hiring Of A City Manager

No Action Taken

8. New Business

There was no new business.

ADJOURNMENT

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to Motion. Motion with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson