

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 12th day of November, 2019 and that an agenda of said meeting was posted at the place of such meeting at 2:30 p.m. on the 10th day of July, 2020.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF July 14, 2020 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 6:03 p.m.

INVOCATION/FLAG SALUTE

Michael Clements provided the invocation. Council Member Morris led the flag salute.

ROLL CALL

Present: Council Member Mike Morris	City Manager John Dean
Council Member Danny Sherrer	City Clerk Cynthia J. Price
Council Member Jerry Tomlinson	
Vice Mayor Steve Brittingham	
Mayor Oden Grube	

City Attorney Tom Marcum appeared remotely via Zoom.

Absent: None (*denotes partial attendance)

Mayor Grube declared a quorum.

1. Presentations

a. Presentation of Proclamation to Asian Gourmet Chinese Restaurant

Mayor Grube was joined by Council Member Morris, Council Member Sherrer, Council Member Tomlinson, Vice Mayor Brittingham and City Manager John Dean as she presented a Proclamation to Wu Ye, owner of Asian Gourmet Chinese Restaurant, in appreciation for the generous donation of personal protective equipment and hand sanitizer to first responders.

b. Presentation of Employee Service Awards for 2nd Quarter 2020

Mayor Grube was joined by Council Member Morris, Council Member Sherrer, Council Member Tomlinson, Vice Mayor Brittingham and City Manager John Dean as she

presented the employee service awards for a combined 145 years of dedicated service to the City of Durant!

FIVE YEARS:

Paige Laprise, Utility Department, Certificate, Pin, \$50

Raven Swigart, 911 Dispatch, Certificate, Pin, \$50

TWENTY YEARS:

Lieutenant Christopher Marcy, Police Department, Plaque, Certificate, Pin, \$200;

Lieutenant Jesse Petty, Police Department, Plaque, Certificate, Pin, \$200;

Robert Gibson, Water Treatment Plant, Plaque, Certificate, Pin, \$200

TWENTY-FIVE YEARS:

Michael Stinson, Utility Line Maintenance, Plaque, Certificate, Pin, \$250;

Lieutenant Stacey Loper, Fire Department, Plaque, Certificate, Pin, \$250;

Battalion Chief Steven Wilson, Fire Department, Plaque, Certificate, Pin, \$250.

c. Steve Kelso - Retirement

Fire Chief Roger Joines introduced Steve Kelso who recently retired from the City of Durant after 27 years of dedicated service. Mr. Kelso addressed the council to express his appreciation and offer words of support for 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 June 9, 2020

b. Consider Approval of Special Called Meeting Minutes of June 16, 2020

c. Consider Approval of Special Called Meeting Minutes of June 30, 2020

- d. Consider Approval of Payroll Claims - June 2020
- e. Consider Approval of Durant, OK- VX Migration Quote. Tyler Technologies to Migrate to Incode 10 Web Hosted Solution.
- f. Consider Approval of Budget Amendment 2020-14

Approved

Motion was made by Steve Brittingham and seconded by Mike Morris 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. City Clerk Monthly Report - June 2020
- b. City Manager Monthly Report - June 2020
- c. Community Development Monthly Report - June 2020
- d. Economic Development Monthly Report - June 2020
- e. Emergency Management Monthly Report - June 2020
- f. Financial Statements and Sales Tax Breakdown
- g. Fire Department Monthly Report - June 2020
- h. Human Resources Report June 2020
- i. Library Monthly Report - June 2020
- j. Parks Department Monthly Report - July 2020
- k. Planning Commission Minutes from June 2020

- I. Police Department Monthly Report - May 2020
- m. Street Department Monthly Report - June 2020

5. Administration

- a. Consider Approval for Permanent Memorial Marker for Hunter Ford, Jack Sarver, Fernando Flores and Kaleb Foster
Approved

Police Chief David Houser provided a description of the proposed memorial marker for Hunter Ford, Jack Sarver, Fernando Flores and Kaleb Foster who lost their lives as victims of a drunk driving accident on May 25, 2020. The proposed location of the permanent memorial marker is at the site of the temporary memorials. Police Chief Houser stated a rendering of the proposed memorial marker would be provided but was not available at the time of his presentation. Police Chief Houser further stated the families of Hunter Ford, Jack Sarver, Fernando Flores and Kaleb Foster requested the City of Durant waive any permit fees in connection with the installation of the proposed permanent memorial marker. Rick Ford, parent of Hunter Ford, addressed council and spoke in favor of the memorial.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve a permanent memorial marker for Hunter Ford, Jack Sarver, Fernando Flores and Kaleb Foster and approve request for waiver of any city fees related to its installation.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- b. Consider Acceptance of Motorola Public Safety Systems Computer Aided Dispatch Systems and Service Agreement in the Amount of \$195,433 (C-2020-44)
Approved

Police Chief Houser stated the current computer aided dispatch (CAD) system is antiquated and in need of replacement. City Council previously approved a grant application to purchase a new CAD system at a cost of \$195,000. The remainder of the cost not covered by grant funds would be paid from fire tax monies. This is a twelve month project. Police Chief Houser circulated among council a copy of an Addendum to Exhibit B to be included with the contract. The IT Director and City Attorney Marcum have reviewed the contract. Police Chief Houser recommends approval.

Motion was made by Mike Morris and seconded by Steve Brittingham to accept Motorola Public Safety Systems Computer Aided Dispatch Systems and Service Agreement in the amount of \$195,433 (C-2020-44).

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- c. Consider Approval of Resolution 2020-29 to Rename Sections of Old Highway 70

Approved

Economic Development Director Lisa Taylor addressed council and stated it has been brought to their attention by local companies that there has been confusion relating to addressing for companies and residences ever since the bypass was constructed. The proposal asks that the section of Old Highway 70 between First Street and the Highway 70 Bypass be renamed Magnolia Street; and the section of Old Highway 70 between McLean Road and the Highway 70 Bypass be named East Main Street effective November 1, 2020. Ms. Taylor stated the Oklahoma Department of Transportation has recommended approval.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Resolution 2020-29 to rename old sections of Highway 70 as recommended.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- d. Consider, Discuss and Approve Collective Bargaining Agreement FY 2020-21 between the City of Durant and IAFF Local 3061 or Take Any Other Appropriate Action

Approved

Human Resources Supervisor Kari Jones addressed council and stated the following changes were made to the proposed agreement: Section 3 of Article 18 was changed to read negotiations would re-open if non-uniformed employees receive an across-the-board living increase; Section 4 was changed to read if a driver, lieutenant or captain come in and work in a higher pay classification then they will receive an additional \$20 for the shift as long as they've worked in that position for longer than 10 hours; an adjustment was made to the last step of the pay scale for lieutenants, captains and crew chiefs to make room for at minimum a 5% increase if someone is promoted. The agreement, if approved, would be effective July 1, 2020.

Motion was made by Steve Brittingham and seconded by Jerry Tomlinson to approve Collective Bargaining Agreement FY 2020-2021 between the City of Durant and IAFF Local 3061 to be effective July 1, 2020.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- e. Consider Approval of Resolution 2020-28 extending the state of emergency due to the COVID-19 pandemic until August 12, 2020.

Approved

The proposed resolution would extend the State of Emergency to August 12, 2020 at 10:00 a.m.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Resolution 2020-28 to extend the State of Emergency due to the COVID-19 Pandemic; establishing public meeting practices for city council, authorities, trusts, commissions, advisory boards and committees of the City of Durant; directing the city manager to not issue permits for events with certain limitations; authorizing the city manager to adjust operations and services in response to COVID-19 as necessary; and follow the State Open Up and Recover Safely Three-Phase Approach.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- f. Consider Approval to Support a Proposal for Additional Lighting in the Downtown Business District.

Approved

Curtis Armor addressed council and provided an overview of a proposed project for additional lighting in the downtown business district. Mr. Armor stated "this is tourism" and "one of our few options to get people to come to town from the casino". City Manager John Dean stated the street department could maintain the LED bulbs. Mr. Armor further stated he presented this same proposal to the Durant Tourism Economic Development Authority at their meeting last week and will present an expanded proposal at their August 2020 meeting. Mr. Armor stated the Durant Tourism Economic Development Authority Tourism tabled the proposal pending a legal opinion regarding the lighting project.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to support a proposal for additional lighting in the Downtown Business District.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- g. Consider Approval of Ordinance 1910 Amending the Code of Ordinances of the City of Durant, Section 110.018, Expiration; Collection; License Issued and Declaring an Emergency

A. Consider SECTION 1. ENACTMENT.

B. Consider SECTION 2. EMERGENCY CLAUSE.

Approved

City Manager John Dean addressed council and stated the city code currently allows for a business license with an annual expiration date of May 31. City Manager Dean stated the city would like to put the business license requirement into practice. City Manager Dean proposes extending the annual deadline to December 31st to carry through to the end of the calendar year and start on January 1.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Ordinance 1910, Section 1, amending the Code of Ordinances of the City of Durant, Section 110.018, Expiration; Collection; License Issued.

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 Ordinance 1910, Section 2, emergency clause.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- h. Consideration To Approve Professional Services Agreement No. DU-19-03b To Wall Engineering Firm (C-2020-41) For Engineering Services Related To The U.S. Department of Interior-Bureau of Reclamation WaterSMART Water and Energy Efficiency Grant (WEEG) Program R19AP00124 for a City-Wide AMR Smart Meter Conversion and Advanced Metering Infrastructure Project (C-2020-18) Contingent Upon Legal Counsel Review

Approved

Public Works Director Marty Cook addressed council and stated he advertised for a letter of interest from engineers. Three letters of interest were received in response. A request for qualifications was sent out. Two statements of qualifications were received in response. An interview committee was formed consisting of Mr. Cook, Utility Billing Supervisor Stephanie Barfield and Water and Sewer Line Maintenance Senior Crew Leader Randy Cantrell. The committee selected and recommends Wall Engineering.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Professional Services Agreement No. DU-19-03b to Wall Engineering Firm (C-2020-41) for engineering services related to the U.S. Department of Interior - Bureau of Reclamation WaterSMART Water and Energy Efficiency Grant (WEEG) Program R19AP00124 for a City-Wide AMR Smart Meter Conversion and Advanced Metering Infrastructure Project (C-2020-18) contingent upon legal counsel review.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

6. Public Hearings

- a. Consideration of PC2020-10 Ordinance Number 1904. Rezoning for Property Near the Intersection of Hwy. 70 Bypass and Cemetery Road
Approved

Community Development Director Danielle Barker addressed council and stated the Planning Commission recommended denial of the rezoning request. Ms. Barker stated staff recommends denial of the rezoning request.

Public Hearing opened.

Call for comment three times.

No public comment.

Public hearing closed.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to deny Ordinance 1904 rezoning for property near the intersection of Highway 70 Bypass and Cemetery Road.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

7. New Business

Police Chief David Houser presented a rendering of the proposed permanent memorial marker for Hunter Ford, Jack Sarver, Fernando Flores and Kaleb Foster which was discussed under Agenda Item 4(a) and just now provided to him.

ADJOURNMENT

Motion was made by Steve Brittingham and seconded by Mike Morris to adjourn meeting.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson