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 5:55 p.m. on the 9th day of August, 2019. An amended agenda was posted at the place of such meeting at 5:15 p.m. on the 12th day of August, 2019.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF August 13, 2019 AT 6:00 PM, Roscoe J. Hatfield Council Chambers, 300 West Evergreen, Durant, Oklahoma AMENDED

CALL TO ORDER

Mayor Grube called the meeting to order at 6:01 p.m.

INVOCATION/FLAG SALUTE

Interim City Manager Paul Buntz provided the invocation. Council Member Danny Sherrer led the flag salute.

Mayor Grube welcomed Paul Buntz as Interim City Manager and James Dalton as Interim Assistant City Manager. Mayor Grube also welcomed Tim and Brandy Rundel who were in the audience.

ROLL CALL

Present: Council Member Mike Morris	Interim City Manager Paul Buntz
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. 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 July 9, 2019

b. Consider Approval of Special Called Meeting Minutes of July 22, 2019

c. Consider Approval of Special Called Meeting Minutes of July 30, 2019

d. Consider Approval of Special Called Meeting Minutes of August 2, 2019

e. Consider Approval of Special Called Meeting Minutes of August 6, 2019

f. Consider Approval of Claims - July 2019

g. Consider Approval of Budget Adjustments for FY 19-20

h. Consider Approval of Oklahoma Municipal League Services Fees for FY 2019-2020 in the Amount of $19,758.78

i. Consider Approval of Special Event Permit Application by Southeastern Oklahoma State University for Tailgate Alley for Savage Storm Home Football Games (SEP-2019-09)

j. Consider Approval of Special Event Permit Application by Utica First Baptist Church for 1st Annual Gospel Festival (SEP-2019-10)

k. Consider Approval of Special Event Permit Application by Crisis Control Center for Candle Light Vigil (SEP-2019-11)

l. Consider Approval of Special Event Permit Application by Durant Band Booster Club for Pride of Durant Marching Band for 2019 Football Season (SEP-2019-12)

m. Consider Approval of Special Event Permit Application by Durant Area Chamber of Commerce for 2019 Parades (SEP-2019-13)

n. Consider Approval of Contract with GTS Technology Solutions for Rugged Extreme Tablets and Havis Mounting for New Patrol Vehicles

o. Consider Appointment of Mike Davis to the Board of Adjustment

p. Consider Approval to Designate Kari Jones, Human Resources Supervisor, as the City of Durant's OMRF Authorized Agent

q. Consider Approval of Contract # 2019-46 with Mike Ward to Perform the Task of Lake Ranger at Lake Durant

r. Consider Approval of Contract # 2019-47 for a Lease Agreement with Trussworks, LLC. for the Lease of a Structure Located at 92 Waldron Rd.

s. Consider Declaring Excess Thirty Two Approximately 15 Foot Long Pews from the New Senior Center to be Disposed of by a Sealed Bid.

t. Consider Accepting a Donation of Three Batting Cage Nets, Artificial Turf, and Two L-Screens from the Monterrey

u. Consider Approval of School Resource Officer Contract Between Durant Police Department and Durant Independant School District

v. Consider Approval of Memorandum of Agreement Between the City of Durant and Bryan County for Housing and Care of Municipal Inmates Approved

Mayor Grube requested that Item 1(q) be removed for further discussion.

Council Member Tomlinson requested that Item 1(t) be removed for further discussion.

Vice Mayor Brittingham requested that Item 1(n) be removed for further discussion.

City Attorney Tom Marcum requested that Item 1(v) be stricken.

Motion was made by Steve Brittingham and seconded by Mike Morris to approve consent items with the exception of Items 1(n)(q)(t) which were removed for further discussion and Item 1(v) which was stricken.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

2. Consider Items Removed from Consent

2(n) - Marie Goolsby stated the requested tablets and mounting were to be installed in the 17 new leased Chevrolet Tahoe police vehicles. Ms. Goolsby confirmed only 10 of the vehicles have been received by the Police Department to date. JD Rowell, Sales Representative with GTS Technology Solutions, stepped forward. Vice Mayor Brittingham asked if Mr. Rowell if he would be agreeable to purchasing 10 of the tablets and mounts now and purchasing the remaining seven tablets and mounts at a later date. Mr. Rowell stated he was in agreement. Interim City Manager Buntz recommended this payment arrangement.

Motion was made by Steve Brittingham and seconded by Jerry Tomlinson to approve contract with GTS Technology Solutions for ten (10) rugged extreme tablets and Havis mounting for (10) new patrol vehicles with the remaining seven (7) rugged extreme tablets and Havis mounting to be purchased at a later date.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

2(q) - Public Works Director Marty Cook addressed council and requested that the second sentence of Item 2(I) of proposed Contract 2019-46 be stricken. Mr. Cook stated the Lake Access Area is open year round and the Lake Ranger should be compensated for his services in December and January just as the rest of the year.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Contract #23019-46 with the condition that Item 2(I) 2nd sentence be stricken.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

2(t) - Public Works Director Marty Cook stated the three batting cage nets, artificial turf and two L-screens will be utilized at Plyler Park.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to accept donation of three batting cage nets, artificial turf and two L-screens from the Monterrey.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

3. Information Items

a. City Clerk Report - July 2019

b. Community Development Monthly Report - July 2019 Including requested additional information regarding outdoor seating

Community Development Director Danielle Barker addressed council and stated she took measurements of sidewalks in front of various restaurants in the downtown business districts. Ms. Barker will be meeting with merchants in the next few weeks to discuss outdoor seating and get their feedback.

c. Durant Industrial Authority Monthly Report - July 2019

d. Emergency Management Monthly Report - July 2019

e. Financial Statements June 2019 & Sales Tax August 2019

f. Fire Department Monthly Report - July 2019
g. Grants Department Report - July 2019

h. Landfill Information and Reports - July 2019

i. Library Monthly Report - July 2019

j. Parks Department Monthly Report- July 2019

k. Planning Commission Minutes of June 18, 2019

l. Police Department Monthly Report - June 2019

m. Solid Waste Department Monthly Report - July 2019

n. Street Department Monthly Report - July 2019

o. Utility Department Monthly Report - July 2019

p. Utility Line Maintenance Report- July 2019

q. Water Treatment Plant Monthly Reports- July 2019

r. Waste Water Treatment Plant and Lab Report - July 2019

s. Blue Zones Project and Clean Streets Ordinance

Imagine Durant Executive Director Kara Byrd and Lesa Curry with TSET Healthy Living Program of Bryan County addressed council with a presentation regarding the Blue Zones Project. The Blue Zones Project is a community well-being initiative designed to unite everyone to make healthy choices easier. Ms. Curry presented a draft of a Complete Streets ordinance for possible consideration by council in the future.

4. Administration

a. 4(a)(1) Consider Granting of Waiver of Bid and Approval of Service Agreement with Texas Cemetery Restoration LLC for Ground Penetrating Radar Survey In The Amount Of $33,000

4(a)(2) Consider Approval of Budget Supplement #001799
Approved

4(a)(1) Cemetery Administrator Cynthia Price addressed council and stated the earliest records of Highland Cemetery are incomplete. Ms. Price stated the ground penetrating survey is necessary to identify all unmarked and unused burial spaces. Once all the unused spaces are identified, City Attorney Tom Marcum will take this matter before Bryan County District Court to request abandoned spaces be reverted back to the city subject to notification to the public. Rusty Brenner with Texas Cemetery Restorations addressed council and provided a powerpoint presentation and overview of the services he would provide. Ms. Price stated there are no other companies located within a 150 mile radius that provide ground penetrating radar services for cemeteries.

Motion was made by Jerry Tomlinson and seconded by Mike Morris to approve waiver of bid and approve service agreement with Texas Cemetery Association LLC for ground penetrating radar survey in the amount of $33,000.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

Treasurer Judy Siemens stepped forward to address the budget supplement requirement.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Budget Supplement #001799.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

b. Consider Approval/Denial of Recommendation from Oklahoma Municipal Assurance Group (OMAG) to Deny Tort Claim of Bill Coleman

Approved

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve recommendation from Oklahoma Municipal Assurance Group (OMAG) to deny tort claim of Bill Coleman.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Sherrer, Tomlinson

Abstain: Morris

c. Consider Approval of Collective Bargaining Agreement with Fraternal Order of Police (FOP), Local 113 for Fiscal Year 2019-20 and Authorize the Mayor to Sign Agreement, or Take Any Other Appropriate Action

Approved

Human Resources Supervisor Kari Jones addressed council and stated Greg Buckley participated in negotiations. Ms. Jones stated the majority of changes were clean-up from the year before. The only monetary change was adding a step to the pay scale in lieu of a 1.5% cost of living allowance.

Motion was made by Jerry Tomlinson and seconded by Mike Morris to approve Collective Bargaining Agreement with Fraternal Order of Police (FOP), Local 113 for Fiscal Year 2019-20 and authorize the Mayor to sign agreement.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

d. Consider Appointment of Seven (7) Members to Senior Citizen Advisory Committee

Approved

Interim City Manager Paul Buntz addressed council and said seven individuals applied however the application of Rebecca Collins must be pulled because she does not live within the city limits. Instead, Interim City Manager Buntz will ask Ms. Collins to serve as the designated staff support person. Interim City Manager Buntz recommends the appointment of the other six applicants.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve appointment of Gay Cunningham, Theresa Hrncir, Ann Moore, Judy Polson, Linda Shelton and Anthony Williams to the Senior Citizen Advisory Committee with the seventh member to be named at a later date and Rebecca Collins being designated as staff support person.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

e. Consideration to Approve Wall Engineering, LLC. Agreement for Professional Services (C-2019-51) in the Amount of $ 256,378 for the Wastewater Treatment Plant Belt Filter Press Improvements Engineer Services Partially Funded by the U.S. Department Of Commerce Economic Development Administration (EDA) Public Works Grant Award No. 08-01-05284 (C-2019-22) and Choctaw Nation Match Contribution.

Approved

Grants Coordinator Rebecca Grant stated the City of Durant received $1.5 Million Dollars from the U.S. Department of Commerce Economic Development Administration (EDA) and $700,000 from the Choctaw Nation for a total budget of $2.2 Million Dollars for this project. The allowed expense for engineering is included in the EDA budget. No city match is required. There was a full solicitation process with one engineer responding. The submittal and proposed engineering contract has been approved by EDA.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Wall Engineering, LLC. Agreement for Professional Services (C-2019-51) in the amount of $256,378 for the Wastewater Treatment Plant Belt Filter Press Improvements Engineer Services partially funded by the U.S. Department of Commerce Economic Development Administration (EDA) Public Works Grant Award No. 08-01-05284 (C-2019-22) and Choctaw Nation Match Contribution.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

f. Consider Approval of Ordinance 1884 Amending the City of Durant Code of Ordinances by Adding a Section Providing for the Collection of Insurance Proceeds; Providing for a Repealer; and Declaring An Emergency

   Approved

City Attorney Tom Marcum and Fire Chief Roger Joines addressed council and stated the proposed ordinance would allow the city to bill liability insurers of the at-fault party for city emergency services.

Motion was made by Mike Morris and seconded by Jerry Tomlinson to approve Ordinance 1884, Sections 1-3.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

Motion was made by Mike Morris and seconded by Jerry Tomlinson to approve Section 4 - emergency clause.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

g. Consider Approval of Request to Increase Crawford & Associates Service Agreement (C-2019-15) For Amount Not to Exceed $52,000 for Additional FY 18-19 Financial Services and Bank Reconciliation

   Approved

Finance Director AnChen Lai addressed council and stated the City of Durant already has a contract with Crawford & Associates and is asking to raise the contract amount for additional FY 2018-19 financial services and bank reconciliation.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve request to increase Crawford & Associates Service Agreement (C-2019-15) for amount not to exceed $52,000 for additional FY 18-19 Financial Services and Bank Reconciliation.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

5. Public Hearings

a. Consideration of PC2019-11, Ordinance #1882 a Rezoning Request from A-1 Agriculture to R-1 Single-Family Residential for 1003 Rodeo Road

Disapproved

Community Development Director Danielle Barker addressed council and stated the Planning and Zoning Commission recommended denial. A question/answer period with council followed.

Hearing opened to public.

Call for comment three times.

No public comment.

Public hearing closed.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to deny PC2019-11, Ordinance #1882, a rezoning request from A-1 Agriculture to R-1 Single-Family Residential for 1003 Rodeo Road.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

6. Citizen Comments on Non-Agenda Items

There were no citizen comments.

7. New Business

There was no new business.

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