

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 4:50 p.m. on the 6th day of September, 2019.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF September 10, 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 6:00 p.m.

INVOCATION/FLAG SALUTE

Interim City Manager/Emergency Management Services Director James Dalton provided the invocation. Council Member Tomlinson led the flag salute.

ROLL CALL

Present: Council Member Mike Morris
Council Member Danny Sherrer
Council Member Jerry Tomlinson
Vice Mayor Steve Brittingham
Mayor Oden Grube

Interim City Manager Paul Buntz
City Attorney Tom Marcum
City Clerk Cynthia J. Price

Absent: None

(*denotes partial attendance)

Mayor Grube declared a quorum.

1. Presentations

- a. Employee Recognition Award for Value Added Presented to Teresa Taylor

Interim City Manager Paul Buntz and Human Resources Supervisor Kari Jones presented Teresa Taylor with an Employee Recognition Award and a check for \$1000 for her initiative with the Insure Oklahoma Program. Her hard work and dedication resulted in the City of Durant receiving \$471,000 through this program.

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 August 13, 2019
- b. Consider Approval of Special Called Meeting Minutes of August 21, 2019
- c. Consider Approval of Claims - August 2019
- d. Consider Approval of Budget Adjustments for FY 19-20
- e. Consider Approval of C-2018-50A an Addendum to Agreement # C-2018-50 Between the Choctaw Nation of Oklahoma and the City of Durant with Regards to the Choctaw Wetland Site
- f. Consider Approval of Agreement # C-2019-57 Between the City of Durant and Rural Water and Sewer District #5 for the Fire Service to a Property Located at 1220 Waldron Dr.
- g. Consider to Declare Excess a Used 2012 Kubota Mower Model # RCK72R-F36 Serial # 11763
- h. Consider Approval and Acceptance of Oklahoma Highway Safety Grant #AL-20-03-08-17 In The Amount Of \$50,200
- i. Consider Approval of Contract (C-2019-48A and 48B) Amendment for Leasing of Police Vehicles from Enterprise Fleet Management
- j. Consider Approval of Memorandum of Agreement (C-2019-52) Between the City of Durant and Bryan County for Housing and Care of Municipal Inmates
- k. Consider Approval of Special Event Permit Application by Durant Main Street for Trick or Treat on Main Street (SEP-2019-14)
- l. Consider Approval of Special Event Permit Application by Durant Main Street for Downtown Game Night (SEP-2019-15)
- m. Consider Approval of Special Event Permit Application by Durant Main Street for Texoma Brew Fest (SEP-2019-16)
- n. Consider Approval of Special Event Permit Application by Durant Main Street and Imagine Durant for Art in the Alley (SEP-2019-17)

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 - August 2019
- b. City Clerk Report - August 2019
- c. Community Development Monthly Report - August 2019
- d. Durant Industrial Authority Monthly Report - August 2019
- e. Emergency Management Report - August 2019
- f. Financial Statements July 2019 & Sales Tax Report August 2019
- g. Fire Department Monthly Report - August 2019
- h. Grants Department Report - August 2019
- i. Landfill Information and Reports - August 2019
- j. Library Monthly Report - August 2019
- k. Parks Department Monthly Report - August 2019
- l. Planning Commission Minutes of July 16, 2019 and Special Meeting of August 6, 2019
- m. Police Department Monthly Report - July 2019
- n. Police Department Information Item - In Car and Body Camera Equipment
- o. Solid Waste Department Monthly Report - August 2019
- p. Utility Department Monthly Report - August 2019
- q. Utility Line Maintenance Report- August 2019
- r. Waste Water Treatment Plant Monthly Report - August 2019

- s. Water Treatment Plant Monthly Reports- August 2019

5. Administration

- a. Consider Adopting by Resolution # 2019-022, the Durant / Bryan County Emergency Operations Plan (EOP)

Approved

Emergency Management Services Director James Dalton addressed council and stated each year the Emergency Operations Plan (EOP) is updated. The Bryan County Commissioners adopted the EOP on September 9, 2019. Mr. Dalton recommended adoption of the same EOP for the City of Durant.

Motion was made by Jerry Tomlinson and seconded by Mike Morris to adopt Resolution #2019-22, the Durant/Bryan County Emergency Operations Plan (EOP).

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- b. Request Authorization to Apply and Accept the FY 2020 Emergency Management Performance Grant (EMPG)

Approved

Emergency Management Services Director James Dalton addressed council and stated each year the City of Durant has been receiving an Emergency Management Performance Grant (EMP) from the State of Oklahoma. It is actually FEMA funds that pass through the state. The funds are used to offset Mr. Dalton's salary and the costs that are incurred through the city. There is no cash outlay required.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to authorize application for and acceptance of the FY 2020 Emergency Management Performance Grant.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- c. Consideration to Modify Resolution 2019-19 to Re-Phrase Item 8.a. and Correct the Name of "Ron Cross Activity Senior Center" to the "Ron Cross Senior Activity Center" .

Approved

Grants Coordinator Rebecca Collins addressed council and stated the amendment was necessary to correct the following: 1) name of the center from Ron Cross Activity Senior Center to Ron Cross Senior Activity Center,; 2) rephrase Item 8(a) to read 'Identifying the needs of Durant's senior residents and provide awareness of these needs to the Durant citizens.'; and 3) amend Paragraph 1 to read 'WHEREAS, the Durant City Council directs that a Senior Citizen Advisory Committee be formed and is hereby created; and'.

Motion was made by Steve Brittingham and seconded by Jerry Tomlinson to approve Resolution 2019-19 as amended. Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- d. Consideration to Accept The Bureau of Reclamation 2018 Small-Scale Water Efficiency Project (SWEP) Grant Agreement R18AP00217 in the Amount of \$73,724.04 for the Initial 300 Automated Meter Reader Equipment. (C-2019-58)

Approved

Grants Coordinator Rebecca Collins addressed council and stated the amount of the grant was \$75,000 however the Bureau of Reclamation deducted the amount of their environmental bringing the final amount to \$73,724.04 for the initial 300 Automated Meter Reader Equipment, The funds will be advanced and the City of Durant will need to track its in-kind labor and expenses. There is no cash match. The City of Durant match is city labor and equipment.

Motion was made by Mike Morris and seconded by Steve Brittingham to accept the Bureau of Reclamation 2018 Small-Scale Water Efficiency Project (SWEP) Grant Agreement R18AP00217 in the amount of \$73,724.04 for the initial 300 automated meter reader equipment (C-2019-58).

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- e. Consideration To Award Or Reject Construction Bid No. 2019-32B From W. Brown Enterprises, Inc. In The Amount of \$ 661,357.00 For Utility Extensions Related To The Tubacex Durant, Inc. Project 17488 CDBG-ED 18 (C-2019-32) Upon Completion Of All Grant Requirements And Legal Counsel Approval.

Approved

Grants Coordinator Rebecca Collins addressed council and stated the grant amount was \$939,366. The recommended bid award is under budget. City Attorney Tom Marcum reviewed and gave his approval. There is no city match.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to award Construction Bid No. 2019-32B to W. Brown Enterprises, Inc. in the amount of \$661,357.00 for utility extensions related to the Tubacex Durant, Inc. Project 17488 CDBG-ED 18 (C-2019-32).

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

6. Public Hearings

- a. Consideration PC2019-12 a Preliminary Plat and Planned Unit Development for Linden Woods Phase 4 located near the 2800 Block of North 1st
Approved

Community Development Director Danielle Barker addressed council and stated this is a town home/apartment type structure. Ms. Barker stated the plans have been reviewed by engineers, public works and the fire marshal who approve the preliminary plat as it is. The Planning Commission approved dependent upon the department heads approving the preliminary plat.

Hearing opened to public.

Call for comment three times.

No public comment.

Public hearing closed.

Motion was made by Steve Brittingham and seconded by Jerry Tomlinson to approve PC2019-12, a preliminary plat and planned unit development for Linden Woods Phase 4 located near the 2800 block of North 1st.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

7. Citizen Comments on Non-Agenda Items

There were no citizen comments.

8. Executive Session

- a. Consider Executive Session for Confidential Communication with Attorney Concerning Pending Claim Against the City of Durant: Tort Claim of Dempsey Keach Ballard; (This Executive Session Authorized by Title 25, Section 307 B(4) of the Oklahoma State Statutes)

Approved

Motion was made by Danny Sherrer and seconded by Steve Brittingham to enter into executive session.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

Motion was made by Steve Brittingham and seconded by Mike Morris to re-enter regular session.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- b. Consider Action Pursuant to 8(a) Above
No Action Taken

9. New Business

There was no new business.

ADJOURNMENT

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to adjourn meeting.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson