

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 4:40 p.m. on the 6th day of October, 2017.

**MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF October 10, 2017 AT 6:00 PM, Roscoe J. Hatfield Council Chambers, 300 West Evergreen, Durant, Oklahoma**

**CALL TO ORDER**

**INVOCATION/FLAG SALUTE**

**ROLL CALL**

|                                          |                             |
|------------------------------------------|-----------------------------|
| Present: Council Member Destry Hawthorne | City Attorney Tom Marcum    |
| Council Member Oden Grube                | City Manager Tim Rundel     |
| Council Member Mike Dills                | City Clerk Cynthia J. Price |
| Vice-Mayor Chad Hitchcock                |                             |
| Mayor Jerry Tomlinson                    |                             |

Absent: None (\*denotes partial attendance)

Mayor Tomlinson declared a quorum.

**1. Presentations**

- a. Present Proclamation Declaring the Month of October as Domestic Violence Awareness Month in the City of Durant
- b. Presentation of Employee Service Awards for Third Quarter 2017

**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 September 12, 2017
- b. Consider Approval of Special Called Meeting Minutes of October 4, 2017
- c. Consider Approval of Special Called Meeting Minutes of October 9,

2017

- d. Consider Approval of Claims for September 2017
- e. Consider Approval of Budget Amendment 2018-01
- f. Consider Approval of Special Event Permit Application for Halloween - Remington Hills Sponsored by Remington Hills Home Owners (SEP-2017-33)
- g. Consider Approval of Special Event Permit Application for Be a Hero 5K Sponsored by Bryan County United Way (SEP-2017-35)
- h. Consider Acceptance Of The Office Of Attorney General 2017 Safe Oklahoma Grant Program Contract In The Amount Of \$53,844.14
- i. Consider Acceptance of the 2018 Emergency Management Performance Grant

Approved

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

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

### **3. Consider Items Removed from Consent**

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve acceptance of the 2018 Emergency Management Performance Grant. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

### **4. Administration**

- a. Consider Approval of Request to Accept Match Funds From Durant Trails And Open Space, A Local Community Partner, To Be Utilized Specifically Towards The Cash Match Requirement For The 2016 Transportation Alternative Project (TAP) Rails To Trails Phase 1 Grant Award TAPS-2983-(004)TP State Job No. 32983 (04) From The OK Department Of Transportation In The Amount Of \$ 396,630. (C-2017-25)

No Action Taken

- b. 2017 Community Development Block Grant (CDBG) Small Cities Grant Award 17031 CDBG 17 For Market Square Improvements. (C-2017-65)

1. Consideration To Accept The 2017 Community Development Block Grant (CDBG) Small Cities Grant Award 17031 CDBG 17 From Oklahoma Department Of Commerce In The Amount of \$ 91,114 For City-Owned Market Square Improvements At 123 N. 1st Avenue. (C-2017-65)

2. Consideration to Approve The Residential Anti-Displacement And Relocation Assistance Plan Relating To the 17031 CDBG 17 project.

Approved

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve request to accept the 2017 Community Development Block Grant (CDBG) Small Cities Grant Award 17031 CDBG 17 from Oklahoma Department of Commerce in the amount of \$91,114 for City Owned Market Square Improvements at 123 N. 1st Avenue (C-2017-65). Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve the Residential Anti-Displacement and Relocation Assistance Plan relating to the 17031 CDBG 17 Project. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

- c. Consider Recommendation of Oklahoma Municipal Assurance Group to Deny Tort Claim

Approved

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve recommendation from Oklahoma Municipal Assurance Group to deny tort claim. Motion Passed with the following vote:

Ayes: Dills, Hawthorne, Hitchcock, Tomlinson

Nays: Grube

- d. Consider Approval of Request for Authorization to Purchase RFAP # 2018-071 in the amount of \$560,000 for the Larkspur Lane Street Extension.

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve

Request for Authorization to Purchase RFAP #2018-071 in the amount of \$560,000 for the Larkspur Lane Extension. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

- e. Consider Approval of Contract # C-2017-63 For Professional Services of Barker and Associates to Engineering, Design, Bidding, and Construction Administration of Larkspur Lane Street Extension

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Contract # C-2017-63 for professional services of Barker and Associates to engineering, design, bidding and construction administration of Larkspur Lane extension. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

- f. Consider Approval of Request for Authorization to Purchase RFAP # 2018-072 in the amount of \$305,000 for the Carl Albert Pool Rehabilitation Phase 1.

Approved

Motion was made by Destry Hawthorne and seconded by Mike Dills to approve Request for Authorization to Purchase RFAP #2018-072 in the amount of \$305,000 for the Carl Albert Pool Rehabilitation Phase 1. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

- g. Consider Approval of Contract # C-2017-64 For Professional Services of Wall Engineering to Engineer, Design, Bid, and Construction Administration for Phase 1 of the Carl Albert Pool Rehabilitation Project

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Contract # C-2017-64 for professional services of Wall Engineering to engineer, design, bid and construction administration for Phase 1 of the Carl Albert Pool Rehabilitation Project. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

## **5. Public Hearings**

- a. Consideration Ordinance # 1834 - A Request for Rezoning from A-1

Agriculture to R-1 Single Family Residential for Property Located South of US 70 Bypass and on the West Side of Cemetery Road

Approved

Motion was made by Oden Grube and seconded by Mike Dills to approve Ordinance 1834 rezoning from A-1 Agriculture to R-1 Single Family Residential for property located South of US 70 Bypass and on the West side of Cemetery Road. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

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

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

- b. Consideration Ordinance # 1836 - A Request for Rezoning from General Residential to Highway Commercial for Property Located at 3509 W. Arkansas

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance # 1836 rezoning from General Residential to Highway Commercial for property located at 3509 W. Arkansas. Motion Passed with the following vote:

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

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

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

## **6. Information Items**

- a. Airport Manager's Monthly Report - September 2017
- b. City Clerk Monthly Report - September 2017
- c. Community Development Monthly Report for September 2017
- d. Emergency Management Report - September 2017

- e. Fire Department Monthly Report September 2017
- f. Grants Department Report September 2017
- g. Landfill Monthly Information & Reports - September 2017
- h. Library Monthly Report - September 2017
- i. Planning Commission Meeting Minutes
- j. Police Department Monthly Report - August 2017
- k. Solid Waste Monthly Collection Report - September 2017
- l. Street Department Report September 2017
- m. Treasurer - August Financial Statements and September Sales Tax Breakdown
- n. Utility Office Monthly Summary Report - August 2017
- o. Wastewater Treatment Plant Monthly Reports - September 2017

**7. Citizen Comments on Non-Agenda Items**

**8. Executive Session**

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

Approved

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

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

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

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson

b. Consider Action Pursuant to 8(a) Above

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to direct city attorney and city manager to defend and attempt to resolve the claim. Motion Passed with the following vote:

Ayes: Dills, Hawthorne, Hitchcock, Tomlinson

Abstain: Grube

## **9. New Business**

### **ADJOURNMENT**

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

Ayes: Dills, Grube, Hawthorne, Hitchcock, Tomlinson