

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 5:40 p.m. on the 3rd day of October, 2020. An amended agenda was posted at the place of such meeting at 4:50 p.m. on the 12th day of October, 2020.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF October 13, 2020 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 6:00 p.m.

INVOCATION/FLAG SALUTE

Assistant City Manager James Dalton provided the invocation. Council Member Mike Morris led the flag salute.

ROLL CALL

Present: Council Member Mike Morris	City Manager John Dean
Council Member Danny Sherrer	City Attorney Tom Marcum
Council Member Jerry Tomlinson	City Clerk Cynthia J. Price
Mayor Oden Grube	

Absent: Vice Mayor Steve Brittingham (*denotes partial attendance)

Mayor Grube declared a quorum.

1. Presentations

a. Presentation of Employee Service Awards for 3rd Quarter 2020

The following employee service awards were presented:

TEN YEARS:

Richard Layton, Fire Department, Certificate, Pin, \$100;

Kenneth Cooper, Landfill, Certificate, Pin, \$100;

FIFTEEN YEARS:

Sgt. James Brian Chavez, Police Department, Certificate, Pin, \$150;

Jeremy McBride, Water Treatment Plant, Certificate, Pin, \$150;

TWENTY YEARS:

Carl Meade, Sanitation Department, Plaque, Certificate, Pin, \$200;

- b. Presentation by Oklahoma Municipal Assurance Group (OMAG) of \$10,000 Grant Award to City of Durant for the Purchase of Police Officer Body Worn Video Cameras

Police Chief David Houser introduced Kevin McCullough, Law Enforcement Specialist with Oklahoma Municipality Assurance Group (OMAG). Mr. McCullough presented Chief Houser with a check in the amount of \$10,000 which represented a grant award to the City of Durant from OMAG for the Purchase of Police Officer Body Worn Video Cameras.

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 8, 2020
- b. Consider Approval of Payroll Claims - September 2020
- c. Consider Approval of Resolution 2020-35 Adopting 2020 Bryan County Emergency Operations Plan (EOP)
- d. Consider Approval of Budget Amendments
 - A. BA 2021-01 FY 19-20 PROJECTS ROLLOVER
 - B. BA 2021- 02 COVID IMPACT PROJECTS
 - C. BA 2021-03 FY 20-21 BUDGET AMENDMENT

Approved

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve consent items as presented.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

3. Consider Items Removed from Consent

4. Information Items

- a. City Clerk Report - September 2020
- b. City Manager Monthly Report - September 2020
- c. Community Development Monthly Report - September 2020
- d. Economic Development Monthly Report - September 2020
- e. Emergency Management Monthly Report - September 2020
- f. Financial Statements and Sales Tax Breakdown-August 2020
- g. Fire Department Monthly Report - September 2020
- h. Human Resources Monthly Report - September 2020
- i. Library Report - September 2020
- j. Police Department Monthly Report - August 2020
- k. Street Department Monthly Report - September 2020

5. Administration

- a. Discussion on the Renaming of Magnolia Street
No Action Taken

Mayor Grube allowed members of the audience to step forward and address council with their comments regarding the renaming of Magnolia Street.

Ronnie Aldridge - spoke in opposition.

Brady Miller - spoke in opposition.

Deanna Bunch - spoke in opposition.

Brianna Sherman - spoke in opposition.

Mayor Grube stated council would take it under consideration and respond back in a week.

- b. Consider Approval of Ordinance 1917 Amending Section 159.10(C) of the Durant Code of Ordinances Regarding Murals
 - (1) Ordinance 1917 Section 1
 - (2) Ordinance 1917 Section 2 (Emergency Clause)

Approved

5.(b)(1) Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Ordinance 1917, Section 1, Amending Section 159.10(C) Regarding Prohibited Signs of the Code of Ordinances of the City of Durant, Oklahoma.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

5.(b)(2) Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Ordinance 1917, Section 2, emergency clause.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- c. Consider Approval of Resolution 2020-38 Establishing a Special Event Permit and Fee

Approved

City Manager John Dean addressed council and stated there is a special event permit application in place however there was not an associated resolution approved by council. City Manager Dean stated the proposed resolution requires the application be submitted 30 days prior to the event date. The applicant would also be required to pay a \$25 fee upon submission of their application to offset the cost of city services rendered in connection with the event.

Motion was made by Jerry Tomlinson and seconded by Mike Morris to approve Resolution 2020-38 Establishing a Special Event Permit and Fee.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- d. Consider Approval of Resolution 2020-36 Extending the State of Emergency Until November 11th, 2020 Due to the COVID-19

Pandemic

Approved

The Resolution would remain in effect within the City of Durant until 10:00 a.m. on Wednesday, November 11, 2020.

Motion was made by Jerry Tomlinson and seconded by Mike Morris to approval of Resolution 2020-36 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: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- e. Consider Approval of Resolution 2020-37 Establishing a Highland Cemetery Chapel Use Fee

Approved

City Clerk/Cemetery Administrator Cynthia Price addressed council and stated there had not been a chapel fee in the past. The chapel has recently undergone approximately \$7,000 in much needed interior and exterior renovations which include new flooring, repairs to the interior woodwork, sealing of the exterior of the building, and interior painting. The roof will be replaced within the next month. Ms. Price stated it was the practice in the past not to keep the utilities on if the building was not being used however after the renovations the building will be heated and cooled to a minimal degree to protect this recent investment. Due to the COVID-19 Pandemic, it was necessary to have the chapel cleaned and disinfected after each use to protect the public. The proposed fee would be applied to the professional cleaning fee and the utility costs.

Motion was made by Mike Morris and seconded by Jerry Tomlinson to approve Resolution No. 2020-37 to Establish a Use Fee for the Highland Cemetery Chapel for the City of Durant.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- f. Consider Award of Financing in the Amount of \$500,000 for a 2020 Spartan Fire Truck

Approved

Finance Director and Treasurer AnChen Lai addressed the council and stated she sent out financial requests to eight lending institutions and six responded. Ms. Lai recommends

American Nation Bank be awarded financing bid in the amount of \$500,000 for a 2020 Spartan Fire Truck.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve award of financing bid in the amount of \$500,000 to American Nation Bank for a 2020 Spartan Fire Truck.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- g. Consider Approval of Loan from Durant City Utilities Authority to City of Durant in the Amount of \$181,000 for Oklahoma LED Light Upgrade to be Paid on the first Day of Each Month for Forty-Two (42) Months with Interest at the Rate of 0.25% (C-2020-69)

Approved

Assistant City Manager James Dalton addressed council and stated this loan would be for city facilities not already under the Durant City Utilities Authority (DCUA). Mr. Dalton stated the interest rate would be more favorable to the city than what commercial lenders could offer. Mr. Dalton recommends approval of this loan from the DCUA.

Motion was made by Mike Morris and seconded by Jerry Tomlinson to approve loan from Durant City Utilities Authority to the City of Durant in the amount of \$181,000 for Oklahoma LED Light Upgrade to be paid on the first day of each month for forty-two (42) months with interest at the rate of 0.25% (C-2020-69).

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- h. Consider Relief of Building Permit Fees for the Durant ISD on the New Elementary School

Approved on 2nd Motion

Durant Independent School District Superintendent Duane Meredith Supt. addressed council and stated the building permit fees are connected to the construction of the new elementary school.

Motion was made by Jerry Tomlinson to approve relief of building permit fees for the Durant Independent School District on the new elementary school to amount owed by school district not to exceed \$6000. Motion Failed for lack of second.

Motion was made by Jerry Tomlinson and seconded by Mike Morris to approve relief of building permit fees for the Durant Independent School District on the new elementary school to amount owed by school district not to exceed \$8000.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- i. FY2020 Community Development Block Grant (CDBG) Small Cities Grant Award 17980 CDBG 20 For Upgrading the Electrical and Controls System Infrastructure Improvements Supporting the City-Owned Water Treatment Plant. (C-2020-68)
 1. Consideration to Accept the 2020 Community Development Block Grant (CDBG) Small Cities Grant Award 17980 CDBG 20 from Oklahoma Department of Commerce in the Amount of \$ 152,222.00 for Upgrading the Electrical and Controls System Infrastructure Improvements Supporting the City-Owned Water Treatment Plant. (C-2020-68)
 2. Consideration to Adopt the Residential Anti-Displacement and Relocation Assistance Plan Relating to the 17980 CDBG 20 project.
 3. Consider Authorization for Mayor to Sign Related Grant Award Documents for the 17980 CDBG 20 Project.

Approved

Rebecca Payne, Grants Coordinator, addressed council and stated the City of Durant is eligible for this grant on an annual basis. There is a 1-1 match however the project will exceed that amount.

5.(i)(1) Motion was made by Mike Morris and seconded by Jerry Tomlinson to accept the 2020 Community Development Block Grant (CDBG) Small Cities Grant Award 17980 CDBG 20 from the Oklahoma Department of Commerce in the amount of \$152,222.00 for upgrading the electrical and controls systems infrastructure improvements supporting the city-owned water treatment plant (C-2020-68).

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

5.(i)(2) Motion was made by Jerry Tomlinson and seconded by Mike Morris to adopt the Residential Anti-Displacement and Relocation Assistance Plan relating to the 17980 CDBG 20 project.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

5.(i)(3) Motion was made by Mike Morris and seconded by Danny Sherrer to authorize mayor to sign related grant award documents for the 17980 CDBG 20 project.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- j. U.S. Dept of Interior Bureau of Reclamation WaterSMART Water and Energy Efficiency Grant Program (WEEG) R19AP00124 (C2020-18).

- 1. Consideration to Approve Construction Contract Agreement (C-2020-18CC) to Core & Main LP in the Amount of \$ 3,514.078.00 Related to the U.S. Department of Interior Bureau of Reclamation WaterSMART Water and Energy Efficiency Grant Program (WEEG) R19AP00124 for the City-Wide AMI / AMR Meter Improvements Project (C-2020-18).

- 2. Authorize Mayor and City Attorney to Sign all Related Construction documents for R19AP00124 related to the City-Wide AMI / AMR Meter Improvements Project (C-2020-18).

Approved

Rebecca Payne, Grants Coordinator, addressed council and stated the pre-construction meeting was held today.

5(j)(1) Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Construction Contract Agreement (C-2020-18CC) to Core & Main LP and OWRB Funding in the amount of \$3,514,078.00 related to the U.S. Department of Interior Bureau of Reclamation WaterSMART Water and Energy Efficiency Grant Program (WEEG) R19AP00124 for the City-Wide AMI/AMR Meter Improvements Project (C-2020-18).

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

5.(j)(2)

Motion was made by Jerry Tomlinson and seconded by Mike Morris to authorize mayor and city attorney to sign all related construction documents for R19AP10024 related to the City-Wide AMI/AMR Meter Improvements Project and OWRB funding (C-2020-18). Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- k. FAA Airport Improvement Program (AIP) Grant Agreement DUASWG-3-40-0025-014-2020 Construction Contract (C-2020-61CC) for the Install NAVAID Wind Cone Project (C-2020-60)

- 1. Consideration to Approve Construction Contract (C-2020-61CC) to Electric Power Solutions, LLC in the Amount of \$17,500 Related to the FAA Airport Improvement Program (AIP) Grant Agreement DUASWG-3-40-0025-014-2020 (C-2020-60) for the Install NAVAID Wind Cone Project for Improvements at Durant Regional Airport – Eaker Field. (C-2020-61)

2. Authorize Mayor and City Attorney to Sign all Related Construction Documents Related to DUA-SWG-3- 40-0025-014-2020. (C-2020-60)

Approved

Rebecca Payne, Grants Coordinator, addressed council and stated the bid was awarded in September 2020 and the city attorney has already approved the contract.

5.(k)(1) Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve construction contract (C-2020-61CC) to Electric Power Solutions, LLC in the amount of \$17,500 related to the FAA Airport Improvement Program (AIP) Grant Agreement DUASWG-3-40-0025-014-2020 (C-2020-60) for the Install NAVAID Wind Cone Project for improvements at Durant Regional Airport - Eaker Field (C-2020-61).

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

5.(k)(2) Motion was made by Mike Morris and seconded by Jerry Tomlinson to authorize mayor and city attorney to sign all related construction documents related to DUA-SWG-3-40-0025-014-2020 (C-2020-60).

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- I. U.S. Department of Commerce Economic Development Administration (EDA) Public Works Grant No. 08- 01- 05284 (C-2019-22) Construction Contract (C-2019-22CC) Related to Wastewater Treatment Plant Facility Improvements.

1. Consideration to Approve Construction Contract (C-2019-22CC) to Wynn Construction Co. Inc. of Oklahoma City, OK in the Amount of \$1,699,000.00 Related to EDA Public Works Grant Award No. 08- 01- 05284 (C-2019-22) for Wastewater Treatment Plant Facility Improvements - Contingent Upon all Required Documentation Approved by U.S. Department of Commerce Economic Development Administration (EDA).

2. Authorize Mayor and City Attorney to Sign all Related Construction documents for EDA Public Works Grant Award No. 08- 01- 05284 (C-2019-22)

Approved

Rebecca Payne, Grants Coordinator, addressed council and stated the contract has also been sent to the US Department of Commerce who will complete their review by the end of the week.

5.(l)(1) Motion was made by Jerry Tomlinson and seconded by Mike Morris to approve Construction Contract (C-2019-22CC) to Wynn Construction Co. Inc. of Oklahoma City, OK in the amount of \$1,699,000.00 related to EDA Public Works Grant Award No. 08-01-05284 (C-2019-22) for Wastewater Treatment Plant Facility Improvements contingent upon all required documentation being approved by the U.S. Department of Commerce Economic Development Association (EDA) and the city attorney.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

5.(l)(2) Motion was made by Mike Morris and seconded by Jerry Tomlinson to authorize mayor and city attorney to sign all related construction documents for EDA Public Works Grant Award No. 08-01-05284 (C-2019-22).

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

6. Public Hearings

- a. Consideration of PC2020-17 Final Plat for Property on Cemetery Road near Rodeo Road
 - (1) Public Hearing
 - (2) Consideration and action on PC2020-17 Final Plat

Approved

Danielle Barker, Community Development Director, addressed council and stated since there was no infrastructure needed, the preliminary plat was skipped and proceeded on to the final plat. Ms. Barker stated this is a 30 acre plot to be divided into 6 lots of 5 acres each. All requirements at this time are met. The Planning Commission and staff recommend approval.

Brad Aycock, realtor, stepped forward on behalf of the property owners who were unable to attend.

Public Hearing Opened.

Call for comment three times.

There was no public comment.

Public Hearing Closed.

6.(a)(2) Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve PC2020-17 final plat for property on Cemetery Road near Rodeo Road.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

- b. Consideration of Ordinance 1573A to Update the Public Hearing Process for the Platting Process
 - (1) Public Hearing
 - (2) Consider Action on Ordinance 1573 A Section 1
 - (3) Consider Action on Ordinance 1573 A Section 2 (Emergency Clause)
- Approved

Danielle Barker, Community Development Director, addressed council and stated there currently there is no public hearing process for preliminary, final plats or sketch plats.

6.(b)(2) Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Ordinance 1573A, Section 1 Updating the Preliminary and Final Plat Public Process.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

6.(b)(3) Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Ordinance 1573A, Section 2 - Emergency Clause and amend ordinance short title to read 'An Ordinance Updating the Preliminary and Final Plat Notification Process and Declaring an Emergency'. Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham

7. New Business

There was no new business.

ADJOURNMENT

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to adjourn meeting.

Motion Passed with the following vote:

Ayes: Grube, Morris, Sherrer, Tomlinson

Absent: Brittingham