

Agenda posted on Durant City Hall Entry Door at 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 10th day of November, 2015 and that an agenda of said meeting was posted at the place of such meeting at 3:30 p.m. on the 4th day of November, 2016.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF November 8, 2016 AT 6:00 PM, Roscoe J. Hatfield Council Chambers, Durant City Hall

CALL TO ORDER

Mayor Hoffman called the meeting to order at 6:06 p.m.

INVOCATION

James Dalton provided the invocation.

ROLL CALL

Present: Council Member Chad Hitchcock	City Attorney Pat Phelps
Council Member Billy L. Orr	City Manager Tim Rundel
Council Member Jerry Tomlinson	City Clerk Cynthia J Price
Vice-Mayor Destry Hawthorne	
Mayor Stewart Hoffman	(*denotes partial attendance)

Absent: None

Mayor Hoffman declared a quorum.

Mayor Hoffman welcomed new City Manager Tim Rundel.

1. Presentations

- a. Present Certificate of Recognition from the Oklahoma Municipal League to Marc Hall, Deputy Fire Chief, for 25 Years of Service in Municipal Government

Mayor Hoffman and City Manager Tim Rundel presented a Certificate of Recognition from the Oklahoma Municipal League to Marc Hall, Deputy Fire Chief, for 25 years of municipal service.

- b. Present Proclamation Proclaiming November 2016 as National Family Caregivers Month

Mayor Hoffman presented a proclamation proclaiming November 2016 as National Family Caregiver Month in the City of Durant.

- c. Present Proclamation In Appreciation of Veterans and Active Duty Military Service Members

Mayor Hoffman presented a proclamation honoring veterans and active duty service members. Mayor Hoffman asked all members of the council and audience who are veterans or active duty service members to step forward and be recognized.

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 Special Called Meeting Minutes of October 11, 2016
- b. Consider Approval of Regular Called Meeting Minutes of October 11, 2016
- c. Consider Approval of Special Called Meeting Minutes of October 21, 2016
- d. Consider Approval of Special Called Meeting Minutes of October 24, 2016
- e. Consider Approval of Special Called Meeting Minutes of October 26, 2016
- f. Consider Approval of Claims for October 2016
- g. Consider Approval of Budget Amendment 2017-02
- h. Consider Approval of 2017 Meeting Schedules
- i. Consider Approval of Special Event Permit Application by Hot Shots Coffee for 5K Run on December 3, 2016 to Benefit Toys for Tots (SEP-2016-038)
- j. Consider Approval of Special Event Permit Application for Trooper Nicholas Dees Memorial Run on January 28, 2017 (SEP-2016-36)

- k. Consider Approval of Permanent Electric Utility Line Easement Parcel 36
- l. Consider Authorization to Accept 2017 Emergency Management Performance Grant
- m. Consider Approval of Corrective Utility Easement Between City of Durant and CMC Steel Oklahoma, LLC as Successor-in-Interest to Commercial Metals Company
- n. Consideration To Amend The Listed Request(s) For Authorization To Purchase (RFAP) Relating To The Identified Grant Projects

RFAP 2012-081: For The Regional Emergency Operations Center - Grant No. EMW-2011-EO-00027 (390.000)

RFAP 2013-137: For The Recreational Trail At Multi-Sports Complex - Grant No. NRT-2012 (100) 12-07

RFAP 2014-155R: For The Slaton Park Improvements - Grant No. HCIG-2014-Durant-CI-00011

RFAP 2015-036: For The Country Club Engineer Services and Road Construction - Grant No. 16246 CDBG-ED 14

RFAP 2016-014 ENG: For The SCADA Project Engineer Services - Grant No. 16436 CDBG 15

RFAP 2016-014 EQP: For The SCADA System Project - Grant No. 16436 CDBG 15

RFAP 2016-102 ENG: For The Engineer Services Relating To The CDBG-EDIF Water and Sewer Infrastructure Project Serving Commercial Metals Company - Grant No. 16802 CDBG-ED 16

Approved

Council Member Tomlinson asked that Items 1(k) and 1(m) be removed for further discussion.

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

3. Consider Items Removed from Consent

Item 3(k) - Jacque Wilson, Projects Manager, clarified the location of the Permanent Electric Utility Line Easement Parcel 36 in response to inquiry by Council Member Tomlinson.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Permanent Electric Utility Line Easement Parcel 36. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Item 3(m) - Pat Phelps, City Attorney, stated he is satisfied the easement is correct. Jacque Wilson, Projects Manager, stated there is no impact to the city as a result of this corrective easement.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve Corrective Utility Easement between City of Durant and CMC Steel Oklahoma, LLC as Successor-in-Interest to Commercial Metals Company. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

4. Administration

- a. Consider Recommendation from Oklahoma Municipal Assurance Group (OMAG) Regarding Tort Claim Made by Charlotte Stephens and Take Possible Action

Approved

Cynthia Price, City Clerk, addressed council.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to follow recommendation from Oklahoma Municipal Assurance Group (OMAG) and deny tort claim made by Charlotte Stephens. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- b. Consider Approval of Request for Authorization to Purchase for Durant Main Street Board of Directors for Fiscal Year 2016-2017 (RFAP #2016-184)

Approved

Jacque Wilson, Projects Manager, addressed council and stated the contract for the Durant Main Street Board of Directors for Fiscal Year 2016-2017 was approved by city council at the October 11, 2016 regular meeting.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Request for Authorization to Purchase for Durant Main Street Board of Directors for Fiscal Year 2016-2017 (RFAP #2016-184). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- c. Consider Approval of Contract with Big Five Community Services Inc. for Public Transportation System (SORTS) (C-2016-87)

Approved

Donnalla Miller, Human Resources Director, addressed council and stated the terms of the contract with Big Five Community Services Inc. for Public Transportation Program (SORTS) were approved at the October 11, 2016 regular city council meeting. Ms. Miller stated while the contract amount has changed from the previous fiscal year, the reporting requirements are the same.

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- d. Consider Approval of Request for Authorization to Purchase for Big Five Community Services Inc. Public Transportation Program (SORTS) (RFAP #2016-183)

Approved

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve Request for Authorization to Purchase for Big Five Community Services Inc. Public Transportation Program (SORTS) (RFAP #2016-183). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- e. Consider Appointment of New Planning Commission Member to Fill Vacant Seat for Unexpired Term

Approved

Marty Cook, Director of Community Development, addressed council and stated there was a resignation on the Planning Commission Board. Mr. Cook recommended that Clent Horner be appointed to fill the vacant seat for the unexpired term.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to appoint Clent Horner as new Planning Commission member to fill vacant seat for unexpired term. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- f. Consider Approval Ordinance 1814 Amending Title XV Section 159.08 of the Durant City Code, Creating an Exception to the Sign Restriction

Approved

Marty Cook, Director of Community Development, addressed council and reviewed the definition of city code regarding signs. Mr. Cook stated that under the proposed amendment, the mural creator would be required to submit an application which would then be presented to city council for approval on a case by case basis.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance 1814 Section 1 amending Title XV Section 159.08 of the Durant City Code creating an exception to the sign restriction. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance 1814, Section 2 (emergency clause). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- g. Consider Approval of 2016 Holiday Checks in the amount of \$88,730

Approved

Donnalla Miller, Human Resources Director, addressed council and stated this is budgeted item at \$350 per employee and subject to payroll tax and retirement contribution. There are currently 217 employees (211 full time and 6 part time).

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to

approve 2016 Holiday Checks in the total amount of \$88,730.. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- h. Consider Approval of a Blanket Request for Authorization to Purchase RFAP (# 2016-182) Computer Desktops, Laptops And Other Hardware in the Amount of \$40,000

Approved

Marie Goolsby, IT Department, addressed council and stated the reason for the blanket request is to enable her department to purchase in bulk for cost savings.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approval Blanket Request for Authorization to Purchase (RFAP #2016-182) Computer Desktops, Laptops and Other Hardware in the amount of \$40,000. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

5. Public Hearings

- a. Consideration Ordinance # 1808 Requesting Approval of a Zoning Change from Multi-Family Residential R-3 District to Two Family Residential R-2 District for Property Located North of University Blvd and West of 49th Street.

Approved

Community Development Director Marty Cook addressed council and clarified the different zoning classifications. Derek Brewer, property owner, addressed council and answered their questions. Hearing opened to public. No public comment. Hearing closed.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance #1808, Section 1, for zoning change from Multi-Family Residential R-3 District to Two Family Residential R-2 District for property located North of University Boulevard and West of 49th Street. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance #1808, Section 2 (emergency clause). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- b. Consideration Ordinance # 1809 Requesting Approval of a Zoning Change from Agriculture A-1 to Light Industrial I-1 District for Property Located off of Westside Dr. near Washington.

Approved

Community Development Director Marty Cook addressed council and stated Planning Commission recommended re-zoning of property. Hearing opened to public. No comment. Hearing closed.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance #1809, Section 1, for zoning change from Agriculture A-1 to Light Industrial I-1 District for property located off of Westside Drive near Washington. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance #1809, Section 2 (emergency clause). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- c. Consideration Ordinance # 1810 Requesting Approval of a Zoning Change from Agriculture A-1 to Two Family Residential R-2 District for Property Located in the 2500 Block of Rodeo Road

Approved

Community Development Director Marty Cook addressed council and stated he received two letters against R-2 but those individuals have agreed to R-1.

Mr. Cook stated the Ordinance will need to be corrected to reflect R-1 instead of R-2. Justin Smith, property owner, has agreed with R-1 zoning classification. Hearing opened to public. Rod McLaren commented that R-1 is satisfactory. Hearing closed.

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance #1810, Section 1, for zoning change from Agriculture A-1 to Single Family Residential R-1 District for property located in the 2500 Block of Rodeo Road. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Ordinance #1810, Section 2 (emergency clause). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- d. Consideration Approval of the Preliminary Plat for Property Located North of University Boulevard and West of 49th Street

Approved

Community Development Director Marty Cook addressed council and stated no letters or calls have been received regarding the preliminary plat. Planning Commission has recommended approval of preliminary plat. Hearing opened to public. No comment. Hearing closed.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve preliminary plat for property located North of University Boulevard and West of 49th Street. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

6. Information Items

- a. Financial Statements - September 2016
- b. Police Department Monthly Report - September 2016
- c. Cemetery Report - October 2016
- d. Planning Commission Meeting Minutes - September 20, 2016
- e. Community Development Monthly Report - October 2016
- f. Fire Department Monthly Report - October 2016
- g. Park Report - October 2016
- h. Human Resources Department Report - Oct 2016

- i. Library Report - October 2016
- j. Grants Department Report Oct 31 2016
- k. Emergency Management Report - October 2016
- l. Street Department Report - October 2016
- m. Projects Manager Report - Presentation

JJ, City Manager, Brandon Wall,

- n. Discuss Matters Relating to the Drafting of an Ordinance Providing for a Sales/Use Tax on Hotel Accommodations Within the City

Mayor Hoffman spoke to council and provided the available election dates for early 2017. Vice Mayor Hawthorne and Council Member Tomlinson stated they would be willing to team up with the city manager on this initiative.

7. Citizen Comments on Non-Agenda Items

Citizens wishing to address the council regarding matters which are not listed on the agenda will be required to sign up no later than 5 minutes prior to the scheduled starting time of the meeting. The sign-in sheet will contain space for citizen's name, address, phone number, and topic to be discussed. In this way, city staff will be able to follow-up on any issues presented if necessary.

Tim Boatman and Kara Hendrickson addressed council and spoke on behalf of the Imagine Durant Trail Committee regarding Trail Nowa Oka.

8. New Business

There was no new business.

ADJOURNMENT

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson