

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF NOVEMBER 10, 2015 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 4:19 p.m. by Mayor Stewart Hoffman.

INVOCATION

Invocation was delivered by Tommy Kramer, Executive Director of the Durant Industrial Authority.

ROLL CALL

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

Absent: None

Mayor Hoffman stated that they did have a quorum.

ORDER OF BUSINESS

Mayor Hoffman stated that he would like to move to Item #3.a. – Update on Recent Efforts to Improve Citizen Engagement & Transparency – because part of this item addresses the fact that the Citizen Comments section has been moved to the end of the meeting. He pointed out that there was a sign-up sheet at the back of the room for citizens wishing to address the council. Citizens wishing to address the council must sign in no later than 5 minutes prior to the scheduled starting time of the meeting

Mayor Hoffman also mentioned the *Durant Diners, Districts and Dialogues* Event, which will be hosted by the Durant Area Chamber of Commerce and Imagine Durant and presented by the Oklahoma Municipal League. This event will be held on December 16 at 6 p.m. at the Donald W. Reynolds Library and Community Center. The public is invited to attend to learn the unique funding challenges faced by Oklahoma municipalities.

Mayor Hoffman stated that it was being proposed in the Consent Items that the council meeting times be changed from the traditional time of 4pm to 6pm.

Regarding City Hall Council Chamber upgrades, in the course of negotiations to renew the City's contract with Rise Broadband for use of the City water towers, the company agreed to pay for technology equipment and installation in the council chambers as partial payment. There have also been arrangements made with KLBC to provide live video streaming of city council meetings, which will be provided free of charge and can be found on klbcfm.com.

Mayor Hoffman stated that city staff is working on revitalizing the City's website.

Mayor Hoffman asked that they move to Item 4.c. at this time because Mr. Leaird with the Southern Oklahoma Rural Transit System (SORTS) had to be at another engagement soon.

4. Administration

- c. Consider Approval of Contract with Big Five Community Services/Southern Oklahoma Rural Transportation System (C-2015-62) for Transportation Services in the Amount of \$22,000 for Fiscal Year 2015-16

Council Member Tomlinson asked about financial reporting from Big Five and Interim City Manager Sarah Sherrer stated that there is a clause in the proposed contract which requires Big Five to furnish their financial reports to the City on a quarterly basis prior to receiving any payment from the City. Council Member Tomlinson stated that historically the City Council has representation on the boards that we support financially. He said he felt that this would be a part of our due diligence and good stewardship that someone from the City Council have a seat on their Board of Directors.

Motion made by Council Member Tomlinson and seconded by Vice-Mayor Hawthorne to approve the contract with Big Five Community Services/Southern Oklahoma Rural Transportation System (C-2015-62) for Transportation Services in the Amount of \$22,000 for Fiscal Year 2015-16. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman
Nay: None Abstain: None

- b. Consider Approval of Budget Amendment (BA-2016-02) to Fund Big Five Community Services/ Southern Oklahoma Rural Transportation System (C-2015-62) for Transportation Services in the Amount of \$22,000 for Fiscal Year 2015-16

Motion made by Council Member Orr and seconded by Council Member Tomlinson to approve Budget Amendment (BA-2016-02) to Fund Big Five Community Services/ Southern Oklahoma Rural Transportation System (C-2015-62) for Transportation Services in the Amount of \$22,000 for Fiscal Year 2015-16. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman
Nay: None Abstain: None

- d. Consider Approval of Request for Authorization to Purchase (RFAP# 2015-140) to Spend Funds in the Amount of \$22,000 for Transportation Services Provided by Big Five Community Services/ Southern Oklahoma Rural Transportation System

Motion made by Vice-Mayor Hawthorne and seconded by Council Member Hitchcock to approve RFAP #2015-140 in the amount of \$22,000 for transportation services provided by Big Five Community Services/ Southern Oklahoma Rural Transportation System. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman
Nay: None Abstain: None

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 Minutes
 - i. Special Council Meeting of October 9, 2015
 - ii. Regular Council Meeting of October 13, 2015
 - iii. Special Council Meeting of October 23, 2015
 - iv. Special Council Meeting of October 29, 2015
- b. Consider Approval of October 2015 Claims

- c. Consider Approval of Regular Meeting Schedule of the Following Boards and Authorities for Calendar Year 2016
 - i. Durant City Utilities Authority (DCUA)
 - ii. Durant Airport Authority (DAA)
 - iii. Durant Development Authority (DDA)
 - iv. Durant Airport Advisory Board v. Board of Adjustment (BOA)
 - vi. Durant Community Facilities Authority (DCFA)
 - vii. Durant Industrial Authority (DIA)
 - viii. Durant Economic Development Council
 - ix. Cemetery Advisory Board
 - x. Municipal Planning Commission
 - xi. Donald W. Reynolds Community Center & Library Board
 - xii. Keep Durant Beautiful
 - xiii. Parks and Recreation Advisory Board
 - xiv. Organized Sports Committee
- d. Consider Approval of Regular Meeting Schedule of Durant City Council for Calendar Year 2016
- e. Consider Approval of 2016 City of Durant Holiday Schedule
- f. Consider Approval of 2015 Annual Employee Bonus Proposed in the Amount of \$74,900
- g. Consider Acceptance of Corrected Easement from Durant Industrial Authority for Construction of Country Club Road Improvements
- h. Consider Acceptance of Temporary Drainage Easement from the Durant Industrial Authority to Direct Drainage Water from Country Club Roadway
- i. Consider Approval of Updated Agreement with Oklahoma Tax Commission for Administration of Sales & Use Taxes for the City of Durant Including Reduced Retention Fees
- j. Consider Approval of Request for Authorization to Purchase (RFAP # 2015-137) to Purchase Materials for Westside Drive Street Repair in the Amount up to \$40,000
- k. Consider Approval of Request for Authorization to Purchase (RFAP#2015-144) to Pay for Labor and Materials Necessary for Ongoing Crack Sealing and Patching of City Streets in the Amount of \$240,000
- l. Consider Approval of BUDGET AMENDMENT 2016-03 Amending the Fiscal Year 2015-16 Budget to Adjust Budgeted Revenue and Make Corrections
- m. Consider Approval of Proposed Oklahoma Municipal League By-Law Amendments
- n. Consider Acceptance of Donation from XTO Energy in the Amount of \$1,000.00
- o. Consideration to Accept Technical Support from the 2016 Rivers, Trails and Conservation Assistance (RTCA) Program of the National Park Service to Create a Trail Master Plan within the City of Durant
- p. Consider Authorization to Apply for Federal Emergency Management Administration (FEMA) 2015 Assistance to Firefighters Grant (AFG) for Fire Department Equipment

Council Member Hitchcock asked to remove 1.f. and 1.l. from the Consent Docket, Mayor Hoffman requested that Items *d*, *k*, and *j* be removed, and Vice-Mayor Hawthorne asked to remove Item 1.o. from the Consent Docket.

Motion made by Vice-Mayor Hawthorne and seconded by Council Member Hitchcock to approve Consent Items *a*, *b*, *c*, *e* - *i*, *m*, *n* and *p* be approved as presented. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

2. Consider Items Removed from Consent

- d. Consider Approval of Regular Meeting Schedule of Durant City Council for Calendar Year 2016

Mayor Hoffman stated that this item was pulled from the consent docket simply to make the citizens aware of the time change in council meetings. Due to numerous requests by the citizens,

the Regular City Council meetings will start at 6:00pm rather than 4:00pm, beginning with the January, 2016 council meeting.

Motion made by Vice-Mayor Hawthorne and seconded by Council Member Hitchcock to approve the Regular Meeting Schedule of the Durant City Council for calendar year 2016. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

f. Consider Approval of 2015 Annual Employee Bonus Proposed in the Amount of \$74,900

Council Member Hitchcock expressed his concern of spending \$74,900 on employee bonuses due to the financial situation the City is currently in. He asked Ms. Sherrer is there was anything she could do to possibly restructure the bonuses to save the City some money. It was noted, however, that the employee bonuses were included in this year's budget.

Ms. Sherrer stated that since they knew that there could possibly be reduced revenue from the loss of certain sales tax, they were actually able to decrease the actual salary costs from fiscal year 2013-2014 over to the next fiscal year by almost \$1 million. We could then carry forward more money as a cushion to absorb some of the losses. The employees have really put forth an effort in making this work with less help. There are a lot of people who depend on the employee bonuses for their holiday spending. She also said that the City has a lot of very good, dedicated employees who are very worthy of a bonus.

Motion made by Council Member Tomlinson and seconded by Vice-Mayor Hawthorne to approve the proposed 2015 annual employee bonus in the amount of \$74,900. Motion carried with the following vote:

Aye: Orr, Tomlinson, Hawthorne, Hoffman

Nay: Hitchcock Abstain: None

j. Consider Approval of Request for Authorization to Purchase (RFAP #2015-137) to Purchase Materials for Westside Drive Street Repair in the Amount up to \$40,000

Mayor Hoffman stated this is the area on Westside Drive, right in front of Taco Bell, between Braum's and the Kwik Chek where the concrete is really busted up. This is an RFAP to purchase materials to repair this section of the street and address some of the drainage issues at that location.

Motion made by Council Member Tomlinson and seconded by Council Member Hitchcock to approve RFAP #2015-137 to purchase materials for Westside Drive street repair. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

k. Consider Approval of Request for Authorization to Purchase (RFAP #2015-144) to Pay for Labor and Materials Necessary for Ongoing Crack Sealing and Patching of City Streets in the Amount of \$240,000

No action taken at this time; will be considered at the next council meeting.

l. Consider Approval of BUDGET AMENDMENT 2016-03 Amending the Fiscal Year 2015-16 Budget to Adjust Budgeted Revenue and Make Corrections

Motion made by Council Member Hitchcock and seconded by Council Member Tomlinson to approve Budget Amendment #BA2016-03. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

- o. Consideration to Accept Technical Support from the 2016 Rivers, Trails and Conservation Assistance (RTCA) Program of the National Park Service to Create a Trail Master Plan Within the City of Durant

Vice-Mayor Hawthorne stated that he wanted to thank all those involved with this grant to create a Trail Master Plan.

Motion made by Vice-Mayor Hawthorne and seconded by Council Member Orr to accept the technical support from the 2016 Rivers, Trails and Conservation Assistance (RTCA) Program of the National Park Service to Create a Trail Master Plan within The City of Durant. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

At this time, Mayor Hoffman stated that there are six individuals from Leadership Durant who are present in the audience this evening and he wanted to recognize them for what they do.

3. Information Items

- a. Update on Recent Efforts to Improve Citizen Engagement & Transparency

Mayor Hoffman stated council had already discussed this item earlier in the meeting so they would continue with the remaining Information Items.

- b. September 2015 Financial Statements
- c. September 2015 Police Monthly Report
- d. Fire Department October 2015 Report
- e. October 2015 Library Statistics
- f. October 2015 Street Department Monthly Report
- g. Durant Community Development Monthly Activity Report – October, 2015

This was information on the monthly reports so no action was necessary.

Mayor Hoffman stated they would now move to the Presentations and Public Hearings section of the agenda since it was now 5:00pm

PRESENTATIONS, PUBLIC HEARINGS, AND CITIZEN REQUESTS – 5:00PM

5. Presentations

There were no presentations this month.

6. Public Hearings

- a. PC2015-11 – Consideration Ordinance No. 1770, Requesting a Zoning Change from Medium Industrial (I-2) District to the Highway Commercial and Commercial Recreation (C-2) District for Property Located Between Big Lots Parkway and Enterprise Boulevard

Motion made by Council Member Tomlinson and seconded by Council Member Hitchcock to Approve Ordinance No. 1770, Section 1. Motion carried with the following:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

Motion made by Council Member Tomlinson and seconded by Council Member Hitchcock to Approve Ordinance No. 1770, Section 2. Motion carried with the following:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

b. Consider Ordinance No. 1771 Annexation to City, Establishing Zoning and a Service Plan

City Attorney Pat Phelps stated that the Council passed Ordinance No. 1765 last month which annexed several acres to the City on behalf of Commercial Metals Company for their new plant. However, it was later noted that some of the intended acreage was omitted from the ordinance. Therefore, it is necessary to now pass Ordinance No. 1771 which will include the omitted property. Mr. Phelps also stated that this ordinance sets details of the Service Plan and zones the property Medium Industrial District (I-2).

Motion made by Council Member Tomlinson and seconded by Vice-Mayor Hawthorne to approve Ordinance No. 1771, Sections 1 – 5. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

Motion made by Council Member Tomlinson and seconded by Vice-Mayor Hawthorne to approve Ordinance No. 1771, Section 6. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

c. Public Hearing for Resolution 2015-38 to Adjust the Utility Rate Structure Adopted by Resolution 2015-24 and Suspend Scheduled Utility Rate Increases for the Fiscal Years 2016-17 and 2017-18

Interim City Manager Sarah Sherrer presented Resolution 2015-38 stating that this resolution would only provide for a rate increase for one year instead of the previous resolution which provided for rate increases for three consecutive years. She stated that the previous resolution provided for percentage increase across the board and the resolution presented this evening would be based on the profit/loss of each service offered by the City.

Ms. Sherrer explained the proposed adjusted utility rate structure to council members in detail.

Mayor Hoffman asked if there were any comments from the public concerning this issue and if so, they could do that now. Several citizens came forward to voice their concerns or opinions regarding the water rates.

Council Member Tomlinson stated that due to some technical glitches, he has not had sufficient time to study the proposed resolution and therefore he recommended suspending the January 1, 2016 rate for further consideration by the Acting City Manager and/or the new city manager once one has been hired.

Motion made by Mayor Hoffman and seconded by Vice-Mayor Hawthorne to table Resolution No. 2015-38. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

4. Administration

a. Consider Authorization to Contract with InterAct (Harris) for Geographic Information System (GIS) Services to Provide 911 Addressing & Mapping for the City of Durant and Bryan County in the Amount of \$24,000 per Year

Motion made by Council Member Hitchcock and seconded by Council Member Orr to approve the contract with InterAct (Harris) in the amount of \$24,000 per year. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

- e. Consideration to Accept Economic Development Administration (EDA) Grant Award 08-01-05038 In the Amount of \$1.5 Million to be utilized towards Construction of By-Pass On / Off Ramps Supporting the Commercial Metals Company Necessary to Create New Jobs (C-2015-65)

Becca Collins, Grants Coordinator for the City of Durant, stated that the City has received the grant from the United States Department of Commerce which is an Economic Development Administration (EDA) grant, partnered with the Oklahoma Department of Transportation, to construct the on/off ramps at Old East Main that will benefit the CMC Project.

Motion made by Council Member Tomlinson and seconded by Council Member Hitchcock to approve acceptance of this grant. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None

7. Citizen Comments on Non-Agenda Items

Ms. Tussing spoke regarding SORTS.

8. Executive Session

None

9. New Business

Any matter not known or which could not have been reasonably foreseen prior to the time of posting the Agenda in accordance with Sec. 311.9, Title 25, Oklahoma State Statutes.

No New Business at this time.

ADJOURNMENT

Motion made by Council Member Orr and seconded by Council Member Hitchcock to adjourn. Motion carried with the following vote:

Aye: Hitchcock, Orr, Tomlinson, Hawthorne, Hoffman

Nay: None Abstain: None