

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 1:45 p.m. on the 6th day of November, 2020.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF November 10, 2020 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 6:04 p.m.

INVOCATION/FLAG SALUTE

Disabled American Veterans (DAV) Commander Don 'Pappy' Papin provided the invocation and 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
Vice Mayor Steve Brittingham	
Mayor Oden Grube	

Absent: None (*denotes partial attendance)

Mayor Grube declared a quorum.

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 Regular Meeting Minutes of October 13, 2020
- b. Consider Approval of Special Called Meeting Minutes of October 29, 2020
- c. Consider Approval of Budget Amendment 2021-04

- d. Consider Approval of 2021 Meeting Schedules of Durant City Council and Durant Development Authority
- e. Consider Approval of 2021 Holiday Schedule
- f. Consider Approval of Mayoral Recommendation for Appointment of Kyle Thomas to the Airport Advisory Board
- g. Consider Approval of Agreement with Dell for Azure Stack HCI AX-640 ProDeploy Data Migration Services for Storage

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

2. Consider Items Removed from Consent

3. Information Items

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

k. Street Department Monthly Report - October 2020

4. Administration

- a. Discussion and Possible Action on the Renaming of Oil Mill Avenue
Approved

City Manager John Dean addressed council and stated this item was requested through Council Member Jerry Tomlinson after Mr. Tomlinson was approached by the son of the property owner. There are two properties located on Oil Mill Avenue which are owned by the same individual. No other property owners would be affected by the address change. City Manager Dean stated staff had no objection.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve renaming of Oil Mill Avenue to Leonard Wallace Way.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Sherrer, Tomlinson

Nays: Morris

- b. Consider Approval of Resolution 2020-39 Directing Staff and Legal Counsel to Take Action Regarding Abandoned Cemetery Plots
Approved

City Attorney Thomas Marcum addressed council and stated the first phase of the ground penetrating radar project is complete. There are over one thousand cemetery spaces that either have no owner of record, incomplete records and/or no activity within the plot for over one hundred years. In the interest of efficient use of the cemetery, the council is being asked to approve the process to reclaim those lots and resell them so that they can be used in an efficient manner. The city ordinances do not provide a method by which to do this so it would be necessary to go through district court for approval.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Resolution 2020-39 directing staff and legal counsel to take action regarding abandoned cemetery plots.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- c. Consider Approval of Resolution 2020-40 Extending the State of Emergency Until December 9th, 2020 Due to the COVID-19 Pandemic
Approved

City Manager John Dean stated the proposed resolution would extend the State of Emergency to December 9, 2020 at 10:00 a.m. City Manager Dean stated that effective

November 15, 2020, there will no longer be an option to attend a meeting remotely via Zoom pursuant to state order.

Motion was made by Steve Brittingham and seconded by Jerry Tomlinson 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 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: Brittingham, Grube, Morris, Sherrer, Tomlinson

- d. Consider Approval of Ordinance 1921 Amending Section 90.40 of the Durant Code of Ordinances Regarding the Functions of the Parks and Recreation Advisory Board
 - (1) Section 1
 - (2) Section 2 (Emergency Clause)

Approved

City Manager John Dean addressed council and stated this ordinance would bring the functions of the Parks and Recreation Advisory Board in line with advisory capabilities as opposed to operations.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Ordinance 1921, Section 1, amending Section 90.40 of the Durant Code of Ordinances regarding the functions of the Parks and Recreation Advisory Board.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to approve Ordinance 1921, Section 2, emergency clause.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- e. Consideration to Accept the 2020 Oklahoma Municipal Assurance Group (OMAG) Public Safety Enhancement Grant Award in the Amount of \$3,000 to Purchase Confined Space Equipment for the Public Works Department

Approved

Grants Coordinator Rebecca Payne addressed council and stated the \$3000 grant award will provide funding for the Public Works Department to purchase the confined space equipment which is essential for their safety.

Motion was made by Jerry Tomlinson and seconded by Steve Brittingham to accept the 2020 Oklahoma Municipal Assurance Group (OMAG) Public Safety Enhancement Grant Award in the amount of \$3000 to purchase confined space equipment for the Public Works Department.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- f. Consider Relief of HVAC Permit Fees for Lambert Mechanical for New Construction Project at 101 West Louisiana Street

Disapproved

City Manager John Dean addressed council and stated he is not in favor of relief of HVAC permit fees for Lambert Mechanical. Vice Mayor Steve Brittingham stated the property owner is not the person seeking relief from the fees. The requester is a sub-contractor.

Motion was made by Mike Morris and seconded by Steve Brittingham to deny relief of HVAC permit fees for Lambert Mechanical for new construction project at 1010 West Louisiana Street.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

5. Executive Session

- a. Consider Executive Session to Discuss the Employment and Performance Review of City Manager (This Executive Session Authorized by Title 25, Section 307 B(1) of the Oklahoma State Statutes)

Approved

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

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

Motion was made by Mike Morris and seconded by Danny Sherrer to re-enter regular session.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- b. Consider Action Pursuant to Agenda Item 5a
No Action Taken

6. New Business

There was no new business.

ADJOURNMENT

Motion was made by Danny Sherrer and seconded by Steve Brittingham to adjourn meeting.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson