

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 14th day of November 2023 and that an agenda of said meeting was posted at the place of such meeting at 4:15 p.m. on the 4th day of April 2024.



Cynthia J. Price, City of Durant

**MINUTES OF THE MEETING OF DURANT CITY COUNCIL
April 9, 2024 AT 6:00 PM
Roscoe J. Hatfield Council Chambers
300 West Evergreen
Durant, Oklahoma**

CALL TO ORDER

Mayor Tucker called the meeting to order at 6:00 p.m.

INVOCATION/FLAG SALUTE

Mayor Tucker provided the invocation and led the flag salute.

ROLL CALL

Present:
Council Member Lauran Fuller
Council Member Humphrey Miller
Council Member Danny Sherrer
Vice Mayor Mike Simulescu
Mayor Martin Tucker
City Attorney Tom Marcum
City Manager Pam Polk
City Clerk Cynthia J. Price

Absent:
None

PRESENTATIONS

1. Presentation of Employee Service Awards for 1st Quarter 2024

The following employees received service awards:

5 YEARS

Tyler Amiott (Utility Line Maintenance): Certificate, Pin, \$50
Jody Bush (WWTP): Certificate, Pin, \$50
Dylon Garcia (Fire): Certificate, Pin, \$50

10 YEARS

Thomas Billy (Police): Certificate, Pin, \$100
Matthew Polson (Police): Certificate, Pin, \$100
Nick Spencer (Police): Certificate, Pin, \$100

20 YEARS

Amber Cendejas (Dispatch): Plaque, Certificate, Pin, \$200
James Scott (Street): Plaque, Certificate, Pin, \$200

30 YEARS

Dustin Rudolf (Fire): Plaque, Certificate, Pin, \$300

2. Proclamation Proclaiming April 2024 as Autism Awareness and Acceptance Month

3. Proclamation Recognizing April 2024 as Fair Housing Month

CITIZEN COMMENTS

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 start 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.

There were no citizen comments.

ORDER OF BUSINESS

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 March 12, 2024
- b. Consider Approval of Budget Supplements BA 24-10
- c. Consider Approval of Mayoral Recommendation to Appoint Matt Hunt to the Durant Tourism Economic Development Authority Board To Serve the Remaining Term of Scott DeWald

Motion To: Approve Consent Items as Presented

Motion By: Humphrey Miller

Seconded By: Lauran Fuller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

- a. Financial Statements February 2024 and Sales Tax Report March 2024

4. Administration

- a. Consider Acceptance of FY 2022-2023 Annual Financial Statements and Auditor's Reports, including Single Audit

Motion To: Accept FY 2022-2023 Annual Financial Statements and Auditor's Reports, Including Single Audit

Motion By: Martin Tucker

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- b. Discussion, Consideration, and Possible Approval of Ordinance Amending the Employee Retirement System, Defined Benefit Plan for the City of Durant, Oklahoma; Providing Retirement Benefits for Eligible Employees of the City of Durant. Oklahoma; Pertaining to the Definition of Employee; Providing for Repealer and Severability; and Declaring an Emergency

Motion To: Approval of Ordinance Amending the Employee Retirement System, Defined Benefit Plan for the City of Durant, Oklahoma; Providing Retirement Benefits for Eligible Employees of the City of Durant. Oklahoma; Pertaining to the Definition of Employee; Providing for Repealer and Severability; and Declaring an Emergency

Motion By: Humphrey Miller

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- c. Consider Award of Bid for Real Estate Parcel Located at Intersection of Big Lots Parkway and Ninth Avenue

Motion To: Award of Bid for Real Estate Parcel Located at Intersection of Big Lots Parkway and Ninth Avenue to Vision Bank in the Amount of \$15,100

Motion By: Martin Tucker

Seconded By: Lauran Fuller

Ayes: Fuller, Miller, Simulescu, Tucker

Nays: Sherrer

Abstain: None

- d. Consider Award of Bid for Real Estate Located at 301 N. 16th, Durant, OK

Motion To: Award Bid for Real Estate Located at 301 N. 16th, Durant, OK, to Kidlinx Child Care Academy, Inc. in the Amount of \$245,000.00

Motion By: Danny Sherrer

Seconded By: Humphrey Miller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- e. Consider Approval to Declare a City Owned 2003 Laydown Machine as Surplus and Put it Out For Bids

Motion To: Declare City Owned 2003 Laydown Machine as Surplus and Put It Out for Bids

Motion By: Martin Tucker

Seconded By: Lauran Fuller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- f. Consider Approval of Bid Award to C3 CONSTRUCTION, INC. in the Amount of \$1,375,563.58 for OK Department of Transportation TAP (Transportation Alternative Program) Grant to Continue Rails to Trails Project, Contingent Upon Southeastern Oklahoma State University Securing the Required Additional Match of \$66, 556.43, to Construct the Chuckwa Creek Pedestrian Bridge

Motion To: Approve Bid Award to C3 CONSTRUCTION, INC. in the Amount of \$1,375,563.58 for OK Department of Transportation TAP (Transportation Alternative Program) Grant to Continue Rails to Trails Project, Contingent Upon Southeastern Oklahoma State University Securing the Required Additional Match of \$66, 556.43, to Construct the Chuckwa Creek Pedestrian Bridge

Motion By: Lauran Fuller

Seconded By: Humphrey Miller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- g. Discuss Recycling Program with Hoffman Sanitation

Mayor Tucker directed the city manager and city attorney to develop the framework for an agreement between the City of Durant and Hoffman Sanitation to enter into a pilot program for recycling.

- h. Discussion, Consideration and Possible Action on Approving A Dumpster Decorating Contest Sponsored by the Durant Beautification Committee

Motion To: Approve a Dumpster Decorating Contest Sponsored by the Durant Beautification Committee

Motion By: Humphrey Miller

Seconded By: Danny Sherrer

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

EXECUTIVE SESSION

1. **Consider Executive Session for Confidential Communication with Attorney Concerning Pending Claims Against the City of Durant (This Executive Session Authorized by Title 25, Section 307B(4) of the Oklahoma State Statutes)**

- a. **Consider Executive Session for Confidential Communication with Attorney Concerning Pending Claims Against the City of Durant: Hammond v. City of Durant, Oklahoma (CJ-2022-165); (This Executive Session Authorized by Title 25, Section 307(B)(4) of the Oklahoma State Statutes)**

b. Consider Executive Session for Confidential Communication with Attorney Concerning Pending Claims Against the City of Durant: Hickson v. City of Durant, et al., (CJ-2023-121); (This Executive Session Authorized by Title 25, Section 307(B)(4) of the Oklahoma State Statutes)

Executive Session Item 1(a)

Motion To: Enter Into Executive Session

Motion By: Humphrey Miller

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

Executive Session Item 1(b)

Motion To: Enter Into Executive Session

Motion By: Humphrey Miller

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

2. Consider Action Pursuant to Executive Session Item 1(a)

No action taken.

3. Consider Action Pursuant to Executive Session Item 1(b)

No action taken.

NEW BUSINESS

There was no new business.

ADJOURNMENT

Motion To: Adjourn Meeting

Motion By: Humphrey Miller

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None