

The City of Durant encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged in order to make the necessary accommodations. The City of Durant may waive the 48-hour rule if interpreters for the deaf (signing) or translation services for limited English proficient (LEP) individuals are not the necessary accommodation.

DURANT CITY COUNCIL

5:00 PM

**300 West Evergreen,
Large Conference
Room, Durant, OK
SPECIAL AGENDA**

April 16, 2018

**DURANT CITY HALL
300 W. EVERGREEN, DURANT, OK
ROSCOE J. HATFIELD COUNCIL CHAMBERS**

CALL TO ORDER

INVOCATION/FLAG SALUTE

ROLL CALL

ORDER OF BUSINESS

1. Consider Approval of PC2017-16 a Preliminary Plat for Property Located Near Washington and Mockingbird
2. Consider Approval of Contract Between the City of Durant and the Durant Industrial Authority
3. Discuss and Approve Services Agreement with Fiduciary Services, LLC. for Financial Assistance and Management, or Take Any Other Appropriate Action

ADJOURNMENT

CERTIFICATE

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 29th day of March, 2018 and that an agenda of said meeting was posted at the place of such meeting at 4:57 p.m. on the 2nd day of April, 2018. Amended agenda posted at the place of such meeting at 4:35 p.m. on the 12th day of April, 2018.

Cynthia J. Price, City of Durant



The City of Durant

Office of Community Development

Memorandum

Date: 3/26/2018
To: Mayor and City Council
From: Matthew Nahrstedt, LEED GA, Community Development Director and City Planner
Re: Consider Approval of PC2017-16 a Preliminary Plat for Property Located Near Washington and Mockingbird

On November 17, 2017 Raquel Schmitz filed an application requesting approval of a Preliminary plat for property located near Washington Ave and Mockingbird Lane.

This division of property is to facilitate the construction of a phased neighborhood of single-family homes.

Staff has reviewed the preliminary plat and found no discrepancy and will be happy to discuss any concerns regarding this request.

Prior to City Council's regular meeting on February 13, 2018, staff received two citizen visits, three emails, one phone call and one petition with 94 signatures from last year's rezoning request expressing concerns with this request at the time of the memo. Staff has received two additional citizen emails expressing concerns at the time of this memo for the City Council special meeting.

Planning Commission recommended this plat for approval with a 4-0-0 vote with one member absent on December 19th, 2017.

City Council voted 2-2-0 on this request with one member absent on February 13, 2018.

Council Information / Action Requested

To approve or deny preliminary plat.

City Staff Information / Action Follow-up, if Council authorizes this action:

Community Development to notify applicant.

ATTACHMENTS:

Description	Type	Upload Date
PC2017-16 Preliminary Plat	Cover Memo	4/12/2018
Preliminary Plat PP	Presentation	4/13/2018

Subdivision/Plat Application

Preliminary Plat: ☐

Final Plat: ☒

Petition # PC 2017-16

Fee \$ 300

Expedited Fee \$

APPLICANT INFORMATION

Name: <u>RAQUEL SCHMITZ</u>	Email: <u>RAQUELSCHMITZ@gmail.com</u>	Phone #1
Mailing Address: <u>3505 TURTLE CREEK BLVD 11E</u>	Phone #2	
City: <u>DALLAS</u> State: <u>TX</u> Zip: <u>75219</u>	Fax #	
Applicant's Interest In Property: <u>TRUSTEE</u>		

SURVEYOR INFORMATION

Name: <u>Obert Bennett</u>	Email: <u>BENNETT1471@ATT.NET</u>	Phone #1
Mailing Address: <u>303 N. CHOCTAW ST.</u>	Phone #2	
City: <u>Kingston</u> State: <u>OK</u> Zip: <u>73439</u>	Fax #	
Surveyor Oklahoma License Number: <u>RPLS NO. 1471</u>		

ENGINEER INFORMATION

Name: <u>BARKER ENGINEERING</u>	Email: <u>LDAMBE@BARKERENGINEERS.COM</u>	Phone #1
Mailing Address: <u>3902 W. UNIVERSITY BLVD</u>	Phone #2	
City: <u>DURANT</u> State: <u>OK</u> Zip: <u>74701</u>	Fax #	
Engineer Oklahoma License Number: <u>RPLS NO. 1 - ON FILE WITH CITY OF DURANT</u>		

LAND INFORMATION

Legal Description: <u>26.99 ACRES SEE ATTACHMENT 'A'</u>	Parcel Number:
Proposed Subdivision Name: <u>MULLINS ADDITION</u>	Current Zone:
Proposed Use: <u>RESIDENTIAL</u>	Proposed Zone:
Current Property Owner's Name: <u>NONA L. MULLINS TRUST</u>	

The applicant has prepared this application and supporting documentation and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Applicant: Raquel Schmitz Date: 11-17-17

Office Use Only

Date Filed: <u>11/20/17</u> Initial: <u>[Signature]</u>	Date Payment Received: Initial: <u> </u>	Notification Mailed: Date: Initial: <u> </u>	Comments:
Proof of Publication Received: Date: Initial: <u> </u>	Property Posting Verified: Date: Initial: <u> </u>	Comprehensive Plan Recommendations:	
Staff Recommendation: <u>Approve</u> <u>Deny</u>	PC Recommendation: <u>Approve</u> <u>Deny</u>	City Council Action: <u>Approve</u> <u>Deny</u>	Ordinance #

APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT THE FOLLOWING INFORMATION ADDRESSED:

Please describe the nature and operating characteristics of the proposed use:

Residential - 70ft lots

STATE HOW THE FOLLOWING ISSUES WILL BE ADDRESSED:

1. Parking:

N/A

2. Screening of offensive areas (trash, loading areas, transformers, utility connections, detention ponds, etc.).

N/A

3. Traffic Impacts:

Revised Plan allows 2 access points versus 5. onto Mockingbird which was in original plan

4. Protection of Neighborhoods:

Durant Police & Fire Departments

What licenses and permits (if any) are required for this proposed use?

N/A

Please list or describe any other reasons to support this Subdivision/Final Plat Application.

Already Approved by Council



OKLAHOMA DEPARTMENT OF TRANSPORTATION
3800 UNIVERSITY BLVD.
DURANT, OK 74701
5801 S. 10TH ST.
OKLAHOMA CITY, OK 73106
OSP, 06/30/2018

OKLAHOMA DEPARTMENT OF TRANSPORTATION
3800 UNIVERSITY BLVD.
DURANT, OK 74701
5801 S. 10TH ST.
OKLAHOMA CITY, OK 73106
OSP, 06/30/2018

SCHMITZ
DEVELOPMENT

NONA L. MULLINS
PROPERTY
DURANT, OKLAHOMA

PROPOSED
PRE - PLAT

DESIGNED BY: JCD

DRAWN BY: BARKER TEAM

REVISIONS OF REVISIONS

NO. DATE DESCRIPTION

CONCEPTUAL
LOT LAYOUT
90 LOTS

PROJECT NUMBER

10444

STATE

OKLAHOMA

YEAR

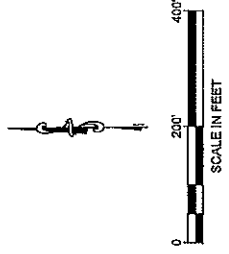
2017

SHEET NUMBER

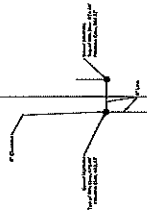
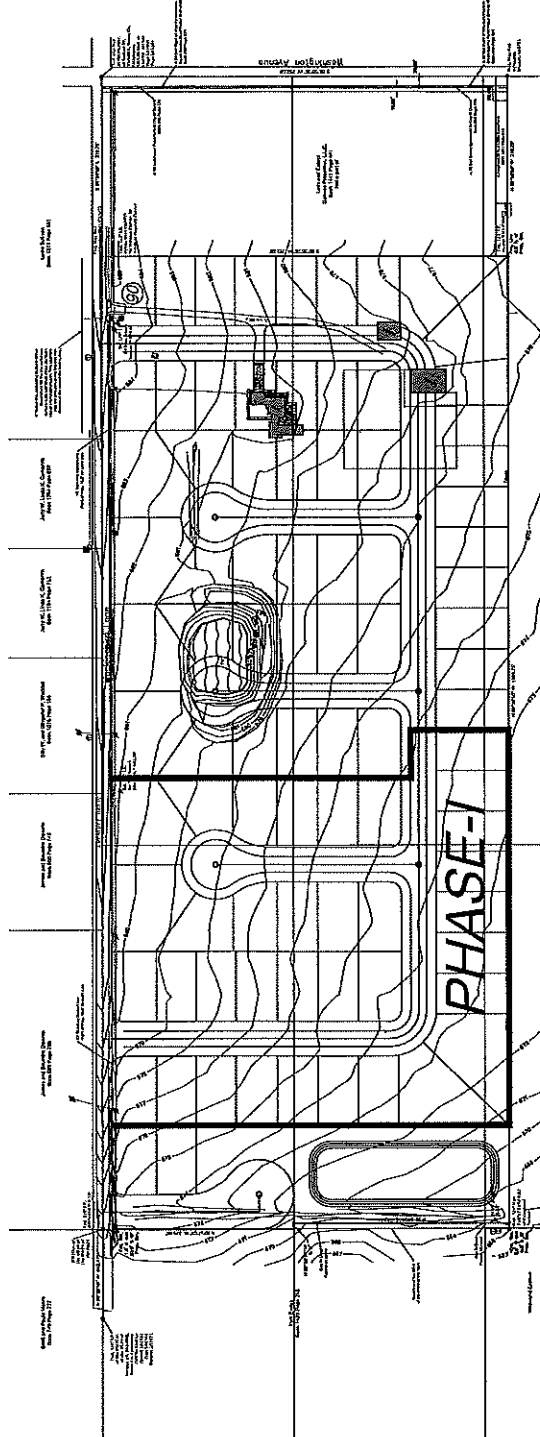
TOTAL SHEETS

90 LOTS

XX



- LEGEND
- LOT 1 (100' x 100')
 - LOT 2 (100' x 100')
 - LOT 3 (100' x 100')
 - LOT 4 (100' x 100')
 - LOT 5 (100' x 100')
 - LOT 6 (100' x 100')
 - LOT 7 (100' x 100')
 - LOT 8 (100' x 100')
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 - LOT 87 (100' x 100')
 - LOT 88 (100' x 100')
 - LOT 89 (100' x 100')
 - LOT 90 (100' x 100')





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Darla Smith <dsmith@durant.org>

Mockingbird Housing Addition

1 message

Jerry Combrink <jwc100@yahoo.com>

Tue, Apr 10, 2018 at 1:50 PM

Reply-To: Jerry Combrink <jwc100@yahoo.com>

To: "planning@durant.org" <planning@durant.org>

Dear Matt, Thank you for your letter of notification of the meeting April 16, 2018.

I am very much against putting 75 or more houses on 70 to 100 foot lots in an area surrounded by single houses on 2 acre to 20 plus acre areas. Many of the people living across from and near the proposed housing addition like us are against it and are very concerned. They have worked long and hard to buy this much land like we did so they could live in a quiet, rural style area. It will totally change the quality of life, dramatically lower our property values, and enjoyment of our homes. I do hope all concerned will respect the rights of the present homeowners on Mockingbird and in the near areas, and all who use the Mockingbird road when they consider the decision.

A housing addition with 10 to 15 or even 25 houses total would be a much better option for this area. This would be a much better option for all concerned. This would be a much better decision for the city of Durant.

We built our house here 10 years ago and have really enjoyed living here and being in Durant. I hope we can continue to enjoy it.

Thank you,

Linda Combrink
100 W. Mockingbird Lane
Durant, Ok. 74701
jwc100@yahoo.com



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Darla Smith <dsmith@durant.org>

Proposed housing on Mockingbird Lane

1 message

Jerry Combrink <jwc100@yahoo.com>

Mon, Apr 9, 2018 at 9:12 AM

Reply-To: Jerry Combrink <jwc100@yahoo.com>

To: "planning@durant.org" <planning@durant.org>

On the proposed housing on Mockingbird Lane, across from 100 W Mockingbird Lane

Proposed housing addition across the road from lots of 2 acres to 20 + acres with one house

1. An attractive and well-planned development with 1 acre lots with one house on each acre that will fit in with neighborhood
2. 75 to 100 houses on 70 foot to 100 foot lots with a house on each which will be a drastic change to this rural neighborhood, lower the property values of the people who have had houses here for years, increase already heavy traffic on this road and be a not as attractive and a poorly planned addition for this area.

Which would you choose if it was across the road from you, or you are a citizen of Durant.

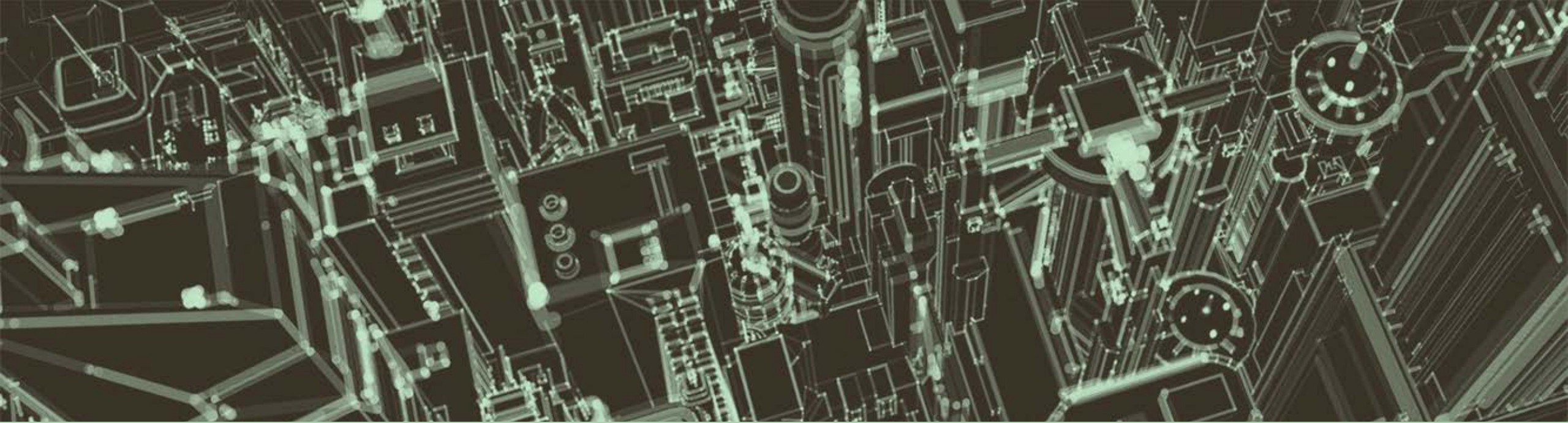
Thank you,

Linda Combrink
100 W Mockingbird Lane

City of Durant City Council

Special Meeting – Monday April 16, 2018





Public Hearing: Preliminary Plat

RAQUEL SCHMITZ: REQUEST FOR APPROVAL OF A PRELIMINARY PLAT FOR PROPERTY LOCATED NEAR WASHINGTON AVE. AND MOCKINGBIRD LANE. THIS DIVISION OF PROPERTY IS TO FACILITATE THE CONSTRUCTION OF A PHASED NEIGHBORHOOD OF SINGLE-FAMILY HOMES.



Preliminary Plat - Site

Schmitz

Legend

- Durant Police Dept
- Feature 2
- Lewis Electric

E2060 Rd



Wildwood Dr

Sheepy Hollow Dr

Englewood

Washington Ave

N3720 Rd

69

Hwy 75

Carl Albert Dr

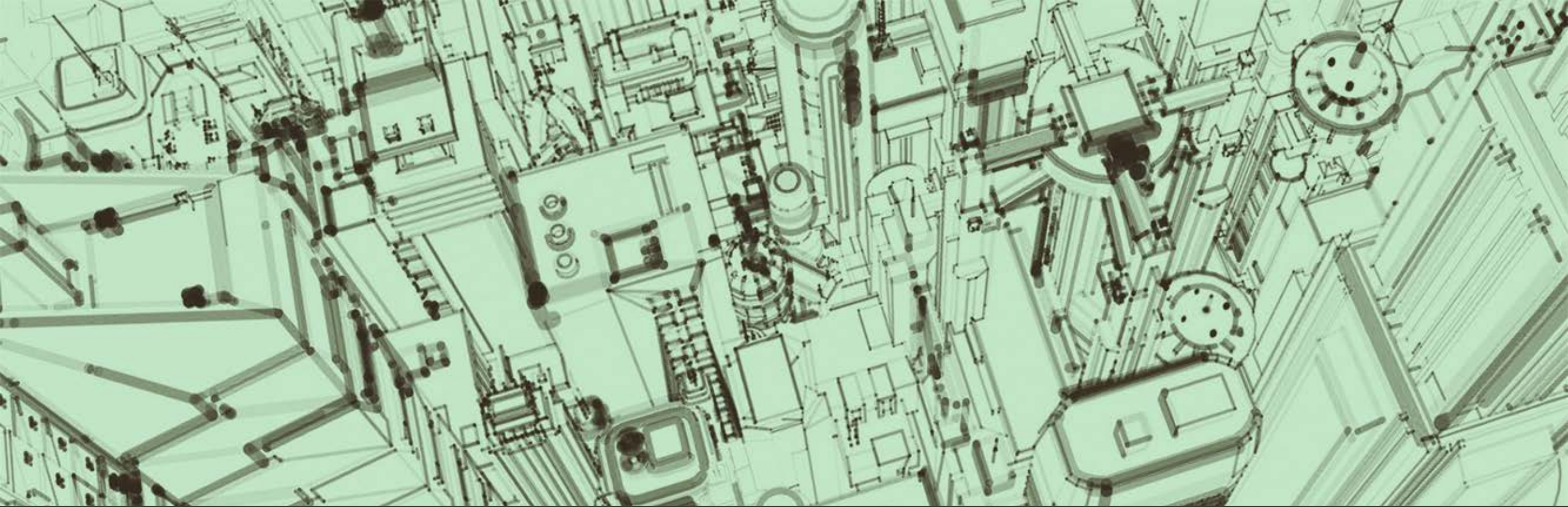
Google Earth
This map is for assessment purposes only and is not to be used for making conveyances or for preparing legal descriptions. © Copyright 2017 Bryan County Assessor



700 ft









The City of Durant

Office of City Manager

Memorandum

Date: 4/12/2018
To: Mayor and City Council
From: Tim Rundel
Re: Consider Approval of Contract Between the City of Durant and the Durant Industrial Authority

Due to budgetary constraints, during the 2017-18 budget process, the City Council (Durant City Utilities Authority) did not approve the funding or renew the annual contract with the Durant Industrial Authority.

Since that time, staff has been able to locate funding that would assist in the annual operations of the DIA. The proposed contract between the City and the DIA would fund one position (the Executive Director). The funding for this position would come from new revenues created by the DIA and reimbursements.

Under the proposed contract, The City shall employ an Economic Development Director (the Director) who shall oversee the economic efforts of the City and whose additional responsibilities may be to serve as the Executive Director of the DIA. The DIA and the City shall cooperate in the recruitment, selection and hiring process for the Economic Development Director to carry out the program and goals of both the City and the DIA. The Director shall be under the supervision of the Durant City Manager for employment purposes and for operation of the City's economic development office. The Director will be responsible for carrying out the day-to-day operations of the DIA and shall be responsive to the DIA Board of Directors.

This contract is being proposed for reconsideration by the Mayor and Council. One of the concerns at the Special Meeting held by the City Council on April the 4th was not having a contract approved by the DIA prior to being considered for approval by the Durant City Council. Therefore, on Monday, April 9, 2018 the DIA Board voted to approve the attached contract and is requesting Council approval.

It should be noted that there was one minor change to the contract in paragraph 6 that now states, "The City shall employ an Economic Development Director (the Director) who shall oversee the economic efforts of the City and whose additional responsibilities may be to serve as the Executive Director of the DIA." The previous language stated "**shall**".

Council Information / Action Requested

Contract Approval

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

Description	Type	Upload Date
DIA Contract	Cover Memo	4/12/2018

CONTRACT
between the
CITY OF DURANT, OK
and the
DURANT INDUSTRIAL AUTHORITY

WHEREAS, The City of Durant, hereinafter “City”, is in continuous need of services for the Durant community and its economic development; and

WHEREAS, the Durant Industrial Authority, hereinafter “DIA”, has been identified as the organization capable of performing the necessary tasks and responsibilities related to community improvement and economic development for the City of Durant, being the beneficiary of the Authority, a public trust.

NOW THEREFORE, the City and DIA mutually agree as follows:

1. **Purpose**

- a. The purpose of this contract is to assist in the promotion of economic and community development of the City and DIA. For the purpose of this contract, economic and community development is defined as encompassing all aspects of promoting business, commercial and industrial developments.
- b. It is the intention of both the City and DIA to work together and primarily through the Executive Director and Trustees of DIA in the efforts to acquire new jobs and other economic development within the City of Durant, thus creating a centralized organization to effectuate the goals described in the agreement.

2. **Scope of Services**

DIA agrees to provide the following services to the City through this contract agreement:

- a. To promote and support established businesses and industries resulting in community growth and prosperity for its citizens;
- b. The recruitment of new business and industry that will result in the enhancement of the local economy, i.e., new jobs, capital investment, increased sales tax revenue, payroll, etc.;
- c. The development of and management of business and industrial parks, and other properties deemed effectual and necessary for economic development growth;
- d. A community awareness and public relations program regarding economic development;
- e. Maintain inventory of commercial and industrial property;

- f. Maintain a good working relationship with the Oklahoma State Department of Commerce, and other state and local agencies;
- g. Continue to research, develop and implement a multi-faceted leveraged funding source for economic development to include public, private and philanthropic sources;
- h. Assist the City in obtaining federal, state, and private grants for the funding of industry and industry related projects.

3. **Proportionate Cost of Expenses**

- a. The City agrees that it shall pay its proportionate part of the annual general liability insurance premium and cost of audit expense as reflected in the annual budget;
- b. The City further agrees to pay for the insurance premium on any assigned vehicle used and operated by the Director in the course of the Director's employment and all insurance premiums attributed to the furnished vehicle, office furniture and furnishing and other physical assets used by DIA; and liability insurance coverage on real property owned by DIA;
- c. The City further agrees to pay for DIA's use of software, internet technology and Incode access.

4. **Program Statement**

- a. DIA shall submit an annual program of work and annual economic development budget request to City by April 30 of each year;
- b. DIA may make modifications to the program of work and budget throughout the year as deemed necessary, with appropriate revisions to meet the needs of both the City of Durant and the DIA, provided, however, that such budget revisions shall not exceed available funding;

5. **Reporting Requirements**

- a. The City agrees to provide all accounting and financial services for DIA including accounts payable and receivable, budgetary accounting, payroll, general ledger, fixed asset accounting, and such other services as may be necessary for compliance with Generally Accepted Accounting Principles (GAAP);
- b. The DIA shall provide a monthly status report to the City as beneficiary of the Authority at each regular scheduled monthly City Council meeting reflecting the actions taken by the DIA (less confidentiality described in paragraph 9).

6. **Employees and Benefits**

The City shall employ an Economic Development Director (the Director) who shall oversee the economic efforts of the City and whose additional responsibilities may be to serve as the Executive Director of the DIA. The DIA and the City shall cooperate in the recruitment, selection and hiring process for the Economic Development Director to carry out the program and goals of both the City and the DIA. The Director shall be under the supervision of the Durant City Manager for employment purposes and for operation of the City's economic development office. The Director will be responsible for carrying out the day-to-day operations of the DIA and shall be responsive to the DIA Board of Directors.

The City agrees to provide such fringe benefits as are normally provided to employees of the City of Durant, including retirement, health insurance, unemployment insurance, workers compensation, and any other benefits currently provided or which may be provided in the future.

7. **Funding**

The City will allocate from the revenues or funds of City's choosing that which is necessary for the employment of the Director, staff, and other administrative expenses of the Economic Development Director and DIA. Available budgeted funds that are not expended at the close of the fiscal year shall be credited to the DCUA fund.

8. **Operating Expenses**

Funds for salaries, wages or other operating expenses shall be provided from contributions as may be budgeted from the City, contributions from economic development partners, grants, and available reserves of DIA.

9. **Statement of Confidentiality**

Both The City and DIA recognize the need for confidentiality in negotiating with prospective business and industry. Accordingly, the names of prospects may be omitted from written or verbal reports whenever deemed advisable by the Director and DIA.

10. **Miscellaneous**

This agreement shall be controlled by laws of the State of Oklahoma and shall not be assigned without written consent of the parties hereto.

11. **Contract Term**

The term of this contract shall be effective beginning April ____, 2018, and ending June 30, 2018.

THIS AGREEMENT being dated and approved this ? of April, 2018, at the City Council meeting.

THE CITY OF DURANT

By: _____
JERRY TOMLINSON, Mayor

Attested:

CYNTHIA PRICE, Secretary

DURANT INDUSTRIAL AUTHORITY

By: _____
_____, Chair



The City of Durant

Deputy City Manager of Administration

Memorandum

Date: 4/12/2018
To: Mayor and City Council
From: Greg Buckley, Administrative Services Director
Re: Discuss and Approve Services Agreement with Fiduciary Services, LLC. for Financial Assistance and Management, or Take Any Other Appropriate Action

During the search for a new City Treasurer, the Finance Department is needing financial assistance for day to day functions and operations. Council appointed Administrative Services Director, Greg Buckley, to serve as the Interim City Treasurer, which will cover the administrative responsibilities of bank accounts, transfer of funds, etc. With the functional vacancy of the City Treasurer position, we need someone to assist with record keeping, reporting, day to day accounting activities, etc.

Council Information / Action Requested

Approve Services Agreement with Fiduciary Services, LLC. for Financial Assistance and Management.

City Staff Information / Action Follow-up, if Council authorizes this action: