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 prior to 1:00 p.m. on Thursday, June 13, 2019 and that an agenda of said meeting was posted at the place of such meeting at 12:45 p.m. on the 14th day of June, 2019.

MINUTES OF THE SPECIAL MEETING OF DURANT CITY Council Special Meeting OF June 17, 2019 AT 1:00 PM, Roscoe J. Hatfield Council Chambers, 300 West Evergreen, Durant, Oklahoma

CALL TO ORDER

Mayor Grube called the meeting to order at 1:00 p.m.

INVOCATION/FLAG SALUTE

Marty Cook provided the invocation and led the flag salute.

ROLL CALL

Present: Council Member Mike Morris	City Manager Tim Rundel
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. Consider and Take Action with Respect to Resolution 2019-18 of the City Council of the City of Durant, Oklahoma (the "City") Approving Action Taken by The Durant City Utilities Authority (the "Authority") Authorizing Issuance, Sale and Delivery of Its Clean Water SRF Promissory Note to the Oklahoma Water Resources Board; Ratifying and Confirming a Lease Agreement, as Amended; Ratifying, Confirming, and Approving the Sales Tax Agreement By and Between the City and the Authority Pertaining to a Year-to-Year Pledge of Certain Sales Tax Revenue; and Containing Other Provisions Related Thereto

   Approved

   Assistant City Manager Greg Buckley introduced Allan Brooks and Chris Yander of Public Finance Law Group, LLC. (PLLC). Mr. Buckley stated the city has not been able to make any significant headway using city staff to install meters. Mr. Buckley further stated the Oklahoma Water Resources Board (OWRB) loan is a draw down. Mr. Buckley reviewed grant options and how it could impact the proposed note. Grants Coordinator Rebecca Collins stepped forward to answer questions from council regarding grants. Public Works Director Marty Cook stepped forward to answer questions from council regarding determination of

costs. Allan Brooks of PLLC stepped forward to answer questions regarding the loan and loan rate. Chris Yander of PLLC stepped forward and discussed the pros and cons of moving forward with the project.

Mayor Grube asked council if any member wanted to change their vote. No vote changed.

Allen Brooks of PLLC stated there must be a minimum of four yes votes for approval. Mr. Brooks and City Attorney Tom Marcum stated they would further research the number of votes needed for approval and report back to the council later in the meeting.

City Attorney Tom Marcum addressed council and stated Title 60, Section 176, Paragraph F of the Oklahoma State Statutes allows for a three-fifths vote if the municipality's governing body has fewer than seven members.

Mayor Grube asked council if any member wanted to change their vote. No vote changed.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Resolution 2019-18 of the City Council of the City of Durant, Oklahoma (the "City") approving action taken by the Durant City Utilities Authority (the "Authority") authorizing issuance, sale and delivery of Its Clean Water SRF Promissory Note to the Oklahoma Water Resources Board; ratifying and confirming a lease agreement, as amended; ratifying, confirming, and approving the sales tax agreement by and between the City and the Authority pertaining to a year-to-year pledge of certain sales tax revenue; and containing other provisions related thereto.

Motion Passed with the following vote:

Ayes: Brittingham, Sherrer, Tomlinson
Nays: Grube, Morris

2. Consider Approval of Budget Adjustments for FY 18-19

Approved

Assistant Greg Buckley stepped forward to answer questions from council.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve budget adjustments for FY 18-19.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

3. Consider Appointment of Lloyd Sauls to the Airport Advisory Board

Approved

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to appoint Lloyd Sauls to the Airport Advisory Board to replace George Jacox.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

4. Consideration To Accept Cash Donation Funds From Cardinal Glass, A Community Partner, In The Amount Of $2500 To Be Utilized Specifically Towards The Kids And Cops Dream Court - COPS Programming Initiatives For Community Youth Basketball Activities With The Durant Police Department.

   Approved

   Police Chief David Houser addressed council and stated Cardinal Glass has agreed to partner with the City of Durant and donate $2500 to be used specifically towards the Kids and Cops Dream Court.

   Motion was made by Mike Morris and seconded by Steve Brittingham to accept cash donation from Cardinal Glass in the amount of $2500 to be utilized specifically towards the Kids and Cops Dream Court - COPS Programming Initiatives for Community Youth Basketball Activities with the Durant Police Department.

   Motion Passed with the following vote:

   Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

5. Consideration To Accept The Community Development Block Grant Infrastructure Financing Grant Award 17488 CDBG-ED 18 From Oklahoma Department Of Commerce In The Amount Of $ 939,366 For Water And Wastewater Infrastructure Improvements To Serve Tubacex Durant, Inc. Necessary To Create New Jobs At 362 Country Club Road (C-2019-32).

   Approved

   Grants Coordinator Rebecca Collins addressed council and stated the grant was awarded on June 14, 2019.

   Motion was made by Danny Sherrer and seconded by Steve Brittingham to accept the Community Development Block Grant Infrastructure Financing Grant Award 17488 CDBG-ED 18 from the Oklahoma Department of Commerce in the amount of $939,366 for water and wastewater infrastructure improvements to serve Tubacex Durant Inc. necessary to create new jobs at 362 Country Club Road (C-2019-32).

   Motion Passed with the following vote:

   Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

6. Consideration To Approve Professional Services Work Order No. DU-18-04 To Wall Engineering, LLC (C-2019-33) For Engineering Services Related To The Water And Wastewater Infrastructure Improvements To Serve Tubacex Durant, Inc. (C-2019-32).

Approved

Grants Coordinator Rebecca Collins addressed council and stated the staff conducted the solicitation process for the engineer for the Tubacex Project and recommends Wall Engineering. This will be 100% funded by the grant which was awarded on June 14, 2019 and accepted earlier in this meeting.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve Professional Services Work Order No. DU-18-04 to Wall Engineering LLC (C-2019-33) for engineering services related to the water and wastewater infrastructure improvements to serve Tubacex Durant, Inc. (C-2019-32) contingent upon approval of the SAM Review.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

7. Executive Session

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

Approved

Motion was made by Danny Sherrer and seconded by Mike Morris to enter into executive session.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Mike Morris to re-enter executive session.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

b. Consider Action Pursuant to 7(a) Above

No Action Taken

Adjournment

Motion was made by Steve Brittingham and seconded by Jerry Tomlinson to adjourn meeting.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson