

Agenda posted on Durant City Hall Entry Door at 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 9th day of August, 2016 and that an agenda of said meeting was posted at the place of such meeting at 9:00 a.m. on the 16th day of August, 2016.

**MINUTES OF THE SPECIAL MEETING OF DURANT CITY Council Special Meeting
OF August 17, 2016 AT 5:00 PM, Roscoe J. Hatfield Council Chambers, 300 West
Evergreen, Durant, Oklahoma**

CALL TO ORDER

Mayor Hoffman called the meeting to order at 5:19 pm.

ROLL CALL

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

Absent: None

Mayor Hoffman declared a quorum.

1. Memorandum of Understanding (C-2016-61) between the City of Durant and Sunstar, LLC

Disapproved

Marty Cook, Director of Community Development, addressed council and stated the agreement between the City and Sunstar, LLC. is to facilitate the construction of drainage for Heritage I. Mr. Cook stated the agreement is intended to be fair trade - their receipts for fees. The easements are already in place. Mr. Cook stated Sunstar, LLC. is ready to begin work upon approval by city council.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Memorandum of Understanding (C-2016-61) between the City of Durant and Sunstar, LLC. Motion Failed with the following vote:

Ayes: Hawthorne, Orr
Nays: Hitchcock, Hoffman
Abstain: Tomlinson

2. Consider Approval of Agreement Between Durant Historical Society and City

of Durant FY 2016-2017 (C-2016-64)

Approved

Acting City Manager Donnalla Miller addressed council and stated the terms of the proposed agreement remain unchanged from the agreement for the previous fiscal year. Ms. Miller recommended approval of the proposed agreement.

Motion was made by Jerry Tomlinson and seconded by Bill Orr to approve agreement between the Durant Historical Society and the City of Durant (C-2016-64). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

3. Consider Approval of Contract Extension Agreement for City of Durant and Durant Area Chamber of Commerce (C-2015-27)

Approved

Projects Manager Jacque Wilson addressed council and stated this agreement is for an extension of the previous agreement through September 30, 2016 only. Mr. Wilson stated in discussions with the Chamber, the City of Durant is looking for better ways to apply metrics to this contract and create a better mechanism to work with chamber operations.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve Contract Extension Agreement with City of Durant and Durant Area Chamber of Commerce (C-2015-27). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

4. Consider Approval of Contract Extension with City of Durant and Lake Ranger (C-2001-07.01)

Approved

Acting City Manager Donnalla Miller addressed council and stated this agreement is for an extension of the current contract through September 30, 2016 only. Ms. Miller stated the original contract was dated July 10, 2001. The contract needs updating to insure the terms are brought in line.

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve contract extension with City of Durant and Lake Ranger (C-2001-07.01). Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

5. Consider Approval of Ordinance 1793 Amending Chapter 31, Section 31.01(A) and (B)(1) and (B)(2) and (C) of the Durant City Code, Restating Duties of City Clerk

Approved

City Attorney Pat Phelps addressed council and stated Ordinance 1793 is a housekeeping item only. The previous job description of the city clerk included financial duties which were re-assigned to other city departments before the current city clerk assumed her position. Ordinance 1793 more accurately reflects the duties of the current city clerk.

Motion was made by Jerry Tomlinson and seconded by Bill Orr to approve Ordinance 1793 amending Chapter 31, Section 31.01 (A) and (B)(1) and (B)(2) and (C) of the Durant City Code, restating duties of City Clerk. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

6. Consider Approval of Memorandum of Agreement City of Durant and Commercial Metals Company (C-2016-71)

Disapproved

Projects Manager Jacque Wilson addressed council and stated this item was tabled previously as the parties could not reach an agreement as to which party would be responsible for maintenance of the second lift station for perpetuity. Project Engineer Brandon Wall was called before council to answer questions as to the second lift station. Mr. Wall stated the second lift station was not necessary to the operation of Commercial Metals Company. Mr. Wall further stated a second lift station in the location proposed by CMC would not be accessible by future industry but there were alternate locations that could be considered. Robert Weinoffer, Vice President of Diversified Business and Business Services for Commercial Metals Company, spoke before council as did Tommy Kramer, Executive Director of the Durant Industrial Authority, and Becca Collins, Grant Coordinator for the City of Durant.

Motion was made by Stewart Hoffman and seconded by Chad Hitchcock to approve Memorandum of Agreement between the City of Durant and Commercial Metals Company (C-2016-71). Motion Failed with the following vote:

Ayes: Hoffman, Orr

Nays: Hawthorne, Hitchcock

Abstain: Tomlinson

Motion was made by Destry Hawthorne to to approve modified Memorandum of Agreement between City of Durant and Commercial Metals Company (C-2016-71) which would remove any reference to second lift station. Motion Died for lack of Second

7. Executive Session

- a. Consider Executive Session to Discuss Status of Negotiations With Local 3061 International Association of Firefighters Union for FY 2016-17 (This Executive Session Authorized by Title 25, Section B (2) of the Oklahoma State Statutes)

Approved

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to enter into executive session for items 7a and 7c. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Chad Hitchcock and seconded by Bill Orr to re-enter regular session. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- b. Consider Action Pursuant to 8(a) Above

Approved

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve Local 3061 International Association of Firefighters Union Contract for FY 2016-17. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

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

Approved

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to enter into executive session for items 7a and 7c. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Chad Hitchcock and seconded by Bill Orr to re-enter regular session. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- d. Consider Action Pursuant to 8(c) Above

No Action Taken

Adjournment

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to adjourn meeting. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson