

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 17th day of August, 2016 and that an agenda of said meeting was posted at the place of such meeting at 5:30 p.m. on the 19th day of August, 2016.

**MINUTES OF THE SPECIAL MEETING OF DURANT CITY Council Special Meeting
OF August 23, 2016 AT 4:45 PM, Roscoe J. Hatfield Council Chambers**

CALL TO ORDER

Mayor Hoffman called the meeting to order at 4:53 p.m.

ROLL CALL

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

Absent: None

(*denotes partial attendance)

Mayor Hoffman declared a quorum.

1. Consider Approval of Memorandum of Understanding Between the City of Durant and Commercial Metals Company (C-2016-71)

No Action Taken

Mayor Hoffman stated there will be no action on this matter tonight. Mayor Hoffman stated there have been ongoing negotiations between the City of Durant and Commercial Metals Company. A revised Memorandum and Understanding should be available for consideration in the next week.

2. Consider Ordinance No. 1792, Amending The Code Of Ordinances Of The City Of Durant, Oklahoma, By Adding To Title Iii, "Tourism Tax," Consisting Of New Sections 37.120 Through 37.148, Inclusive; Levying A Five Percent (5%) Tax Upon The Gross Proceeds Or Gross Receipts Derived From Occupancy Of A Room Or Rooms In This City, With Said Tax To Be Used

For Enhancing And Promoting Tourism Development; Providing Citation And Definitions; Providing For Tax Rate, Exemptions, And Exemption Certificates; Requiring Tax To Be Separately Stated On Bills; Requiring Records To Be Kept; Providing For Tax Returns, Bonds, Assessment, Determination Of Tax, Refunds, And Notices; Providing That Remedies Are Exclusive; Providing General Powers Of The City Clerk; Providing For Administration Of Oaths And Compelling Testimony; Providing For Certificates Of Registration, Interest, And Penalties; Providing For Handling Of Delinquent Taxes; Providing For Collection By Suit; Providing For Use Of Funds; Providing For Confidentiality Of Records; Providing For Proceedings To Collect Tax And Penalties For Failure To Comply With This Article; Providing For Operator's Discount; Providing That Provisions Are Cumulative; Providing For Severability; And Providing Effective Date And Codification

Approved

Mayor Hoffman stated there have been ongoing meetings with hotel owners and the community. Jim Thorpe, Charles Calhoun and Nina Patel were provided the opportunity to address council with their concerns.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance No. 1792 with amendment to Section 20 as printed and the intent will be that the committee shall be appointed by the city council and shall be composed of three members who are owners or operators of hotel operations within the city or their designee, representative of the Durant Industrial Authority, representative of the Durant Area Chamber of Commerce, the Mayor or his/her designee and one member at large to be recommended by city council. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

3. Consider Resolution 2016-19 Authorizing The Calling And Holding Of An Election In The City Of Durant, Oklahoma, On The 8th Day Of November, 2016, For The Purpose Of Submitting To The Qualified Electors Of The City Of Durant, Oklahoma, The Question Of Their Approval Or Rejection Of Ordinance No. 1792 Levying A Five Percent (5%) Tax Upon The Gross Proceeds Or Gross Receipts Derived From Occupancy Of A Room Or Rooms In This City; Providing That The Revenues From Such Tax Shall Be Used For Enhancing And Promoting Tourism Development; Providing Effective Date; Providing For Administration And Collection Of Such Tax; Providing The Provisions Are Cumulative; And Providing For Severability.

Approved

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Resolution 2016-19 Authorizing The Calling And Holding Of An Election In The City Of Durant, Oklahoma, On The 8th Day Of November, 2016, For The Purpose Of Submitting To The Qualified Electors Of The City Of Durant, Oklahoma, The Question Of Their Approval Or Rejection Of Ordinance No. 1792 Levying A Five Percent (5%) Tax Upon The Gross Proceeds Or Gross Receipts Derived From Occupancy Of A Room Or Rooms In This City; Providing That The Revenues From Such Tax Shall Be Used For Enhancing And Promoting Tourism Development; Providing Effective Date; Providing For Administration And Collection Of Such Tax; Providing The Provisions Are Cumulative; And Providing For Severability. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

4. Executive Session

- a. Consider Entering into Executive Session As Authorized By Title 25 O.S. Section 307 B(1) To Discuss The Hiring Of A City Manager

Approved

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to enter into executive session to discuss the hiring of a city manager. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- b. Consider Action Pursuant To Agenda Item 4a To Discuss The Hiring Of A City Manager

No Action Taken

Adjournment

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson