

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 October, 2016 and that an agenda of said meeting was posted at the place of such meeting at 7:25 a.m. on the 18th day of October, 2016.

**MINUTES OF THE SPECIAL MEETING OF DURANT CITY Council Special Meeting
OF October 21, 2016 AT 8:00 AM, Roscoe J. Hatfield Council Chambers, 300
West Evergreen, Durant, Oklahoma**

CALL TO ORDER

Mayor Hoffman called the meeting to order at 8:08 a.m.

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. The 2016 Community Development Block Grant (CDBG) Economic Development Infrastructure Finance Grant Award 16802 CDBG -ED 16 For Water and Wastewater Infrastructure Improvements (C-2016-86) Benefiting CMC Steel Oklahoma, LLC Facility To Create New Jobs.
1. Consideration To Accept The 2016 Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16 In The Amount of \$ 1,000,000 For Water and Wastewater Infrastructure Improvements (C-2016-86) Necessary For New Job Creations.
- 2. Consideration To Approve The Residential Anti-Displacement And Relocation Assistance Plan Relating To the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.**
- 3. Consideration To Approve The Statement Of Compliance To Ensure Compliance With Specific Grant Award Conditions Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.**

4. Consideration To Approve Resolution No. 2016-24 Relating To The CMC Steel Oklahoma, LLC Job Creations Benefitted By The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.

5. Consideration To Approve Ordinance No. 1811 Relating To The CMC Steel Oklahoma, LLC Job Creations Benefitted By The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.

6. Consideration To Approve The Request For Authorization To Purchase 2016-102 (CONST) In The Amount of \$ 880,055 For Infrastructure Construction Costs Relating To the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16

7. Consideration To Accept And Approve Bid No. RFB 2016-102A For Infrastructure Improvements Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16, Contingent Upon Receiving Oklahoma Department Of Commerce Approval Of The Removal Of Contract Conditions To Achieve Release Of Funds For 16802 CDBG-ED 16.

8. Consideration To Authorize The Mayor To Sign Documents Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.

Approved

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to accept the 2016 Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16 in the amount of \$1,000,000 for water and wastewater infrastructure improvements (C-2016-86) necessary for new job creations. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve the Residential Anti-Displacement and Relocation Assistance Plan relating to the Community Development Block Grant-Economic Development

Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve the Statement of Compliance to Ensure Compliance with Specific Grant Award Conditions relating to the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve as presented Resolution No. 2016-24 relating to the CMC Steel Oklahoma, LLC Job Creations benefited by the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to approve as presented Ordinance No. 1811 Sections 1 and 2 relating to the CMC Steel Oklahoma, LLC Job Creations benefited by the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to approve Ordinance No. 1811 Section 3 relating to the CMC Steel Oklahoma, LLC Job Creations benefited by the Community Development Block Grant-Economic Development. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve the Request For Authorization To Purchase 2016-102 (CONST) in the amount of \$880,055 for infrastructure construction costs relating to the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to accept and approve Bid No. RFB 2016-102A contingent upon receiving Oklahoma Department Of Commerce approval of the removal of contract conditions to achieve release of funds for 16802 CDBG-ED 16. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Destry Hawthorne to rescind earlier motion as to Item 1, Section 7. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to accept and approve Bid No. RFB 2016-102A from the CD Brown Construction Company of Sulphur, Oklahoma in the amount of \$1,123,368 contingent upon a negotiated change order. The award of this bid is contingent upon the removal of the contract conditions based upon the approval for release of funds from the Oklahoma Department Of Commerce. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

Motion was made by Jerry Tomlinson and seconded by Chad Hitchcock to authorize the mayor to sign documents relating to the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16. Motion Passed with the following vote:

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

2. Executive Session

- a. Consider Entering into Executive Session as Authorized by Title 25, Section 307 B(4) of the Oklahoma State Statutes, to Confidentially Discuss with Attorney Pending Litigation, Charles Calhoun and Jim Thorpe v. City of Durant, District Court Case No. CV -2016-79

Approved

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

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

Ayes: Hawthorne, Hitchcock, Hoffman, Orr, Tomlinson

- b. Consider Action Pursuant to 2(a) Above

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