

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 19th day of October, 2016 and that an agenda of said meeting was posted at the place of such meeting at 5:00 p.m. on the 20th day of October, 2016.

**MINUTES OF THE SPECIAL MEETING OF DURANT CITY Council Special Meeting
OF October 24, 2016 AT 5:30 PM, Conference Room A (Room 114), 300 West
Evergreen, Durant, Oklahoma**

CALL TO ORDER

Vice Mayor Hawthorne called the meeting to order at 5:32 pm

ROLL CALL

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

Absent: Council Member Chad Hitchcock
Mayor Stewart Hoffman

Vice Mayor Hawthorne declared a quorum.

1. 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

Vice Mayor Hawthorne allowed Dustin Rowe, Attorney for Charles Calhoun and James Thorpe, to address council and answer questions from council prior to entering into executive session.

Motion was made by Jerry Tomlinson and seconded by Bill Orr to enter into executive session. Motion Passed with the following vote:

Ayes: Hawthorne, Orr, Tomlinson

Absent: Hitchcock, Hoffman

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

Ayes: Hawthorne, Orr, Tomlinson

Absent: Hitchcock, Hoffman

- b. Consider Action Pursuant to 1(a) Above

Approved

Motion was made by Jerry Tomlinson and seconded by Bill Orr to vacate Ordinance 1792, Resolution 2016-19, and the Proclamation Call for the election set for November 8, 2016 contingent upon the dismissal with prejudice of Charles Calhoun and Jim Thorpe v. City of Durant, District Court Case No. CV-2016-79. Motion Passed with the following vote:

Ayes: Hawthorne, Orr, Tomlinson

Absent: Hitchcock, Hoffman

Adjournment

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

Ayes: Hawthorne, Orr, Tomlinson

Absent: Hitchcock, Hoffman