

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 November, 2016 and that an agenda of said meeting was posted at the place of such meeting at 5:03 p.m. on the 9th day of June, 2017.

**MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL OF June 13, 2017 AT 6:00 PM, Roscoe J. Hatfield Council Chambers, 300 West Evergreen, Durant, Oklahoma**

**CALL TO ORDER**

Mayor Tomlinson called the meeting to order at 6:05 p.m.

Mayor Tomlinson thanked the family of former Council Member Bill Orr for his service and called for a moment of silence in his honor. Mr. Orr passed away on June 4, 2017.

**INVOCATION/FLAG SALUTE**

James Dalton provided the invocation. A flag salute followed.

**ROLL CALL**

Present: Council Member Oden Grube	City Attorney Pat Phelps
Council Member Destry Hawthorne	City Manager Tim Rundel
Vice-Mayor Chad Hitchcock	City Clerk Cynthia J. Price
Mayor Jerry Tomlinson	(*denotes partial attendance)

Absent: None

Mayor Tomlinson declared a quorum.

**1. Consent Items**

*To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.*

- a. Consider Approval of Special Called Meeting Minutes of May 9, 2017
- b. Consider Approval of Regular Meeting Minutes of May 9, 2017

- c. Consider Approval of Claims - May 2017
- d. Consider Approval of Budget Amendment 2017-07
- e. Consider Approval of City of Durant Budget Policy for Fiscal Year 2017-18
- f. Consider Approval of Agreement Between Durant Historical Society and City of Durant FY 2017-2018 (C-2017-20)
- g. Consider Approval of Request for Authorization to Purchase for Durant Historical Society (RFAP# 2017-086)
- h. Consider Approval of Agreement Between Durant Main Street Board of Directors and City of Durant FY 2017-2018 (C-2017-21)
- i. Consider Approval of Request for Authorization to Purchase for Durant Main Street (RFAP# 2017-087)
- j. Consider Approval of Agreement Between Durant Area Chamber of Commerce and City of Durant FY 2017-2018 (C-2017-22)
- k. Consider Approval of Request for Authorization to Purchase for Durant Area Chamber of Commerce (RFAP# 2017-088)
- l. Consider Approval of Agreement Between City of Durant and the Big Five Community Services (SORTS) FY 2017-2018 (C-2017-24)
- m. Consider Approval of Request for Authorization to Purchase for Big Five Community Services - Southern Oklahoma Regional Transportation Systems (RFAP# 2017-097)
- n. Consider Approval of Request for Authorization to Purchase for Lake Durant Contract Labor (Ranger Mike Ward ) (RFAP #2017-074)
- o. Consider Approval of Request for Authorization to Purchase for Oklahoma Municipal Assurance Group (OMAG) (RFAP 2017-085)
- p. Consider Approval of Request for Authorization to Purchase for Janitorial Services Contract (RFAP# 2017-072)

- q. Consider Approval of Request for Authorization to Purchase for Mass Notification Contract #2017-26 (RFAP #2017-112)
- r. Consider Placing Traffic Buttons in 3400 Block of West Main Detering Traffic From Making Improper Left Turn Into WalMart
- s. Consider Approval to Replace Stop Signs With Yield Signs at US 69 Off Ramp and Westside Drive
- t. Consider Approval of Traffic Flow Improvements at Durant Intermediate School by Creating Traffic Lanes and Restrictions
- u. Consider Approval to Decrease Speed Limit on Washington Street from 45mph to 35 mph
- v. Consider Approval of Special Event Permit Application from Bryan County Turning Point for Back to School Bash (SEP-2017-20)
- w. Consider Approval of Special Event Permit Application from Durant Band Boosters Club (SEP-2017-21)
- x. Consider Approval of Special Event Permit Application from Southeastern Alumni Association for Southeastern Oklahoma State University Tailgate Alley and Homecoming (SEP-2017-23)
- y. Consider Approval of Special Event Permit Application from James Dry for District 9 for Choctaw Family Fun Day: James Dry for District 9 (SEP-2017-21)

Approved

The following items were removed for discussion:

Item J - Council Member Grube  
Item O - Council Member Tomlinson  
Item P - Council Member Grube  
Item R - Council Member Hawthorne  
Item T - Vice Mayor Hitchcock  
Item U - Vice Mayor Hitchcock

City Manager Rundel requested that Item S be tabled. No objection from council. Item S will be tabled.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve remaining items as presented. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

## **2. Consider Items Removed from Consent**

Motion was made by Oden Grube and seconded by Destry Hawthorne to approve Item 2(j) agreement between Durant Area Chamber of Commerce and City of Durant FY 2017-2018 (C-2017-22). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Item 2(o) Request for Authorization to Purchase for Oklahoma Municipal Assurance Group (OMAG) (RFAP #2017-085). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Item 2(p) Request for Authorization to Purchase for Janitorial Services Contract (RFAP #2017-072) contingent upon verification that the city is not being charged for nor paying for the cleaning of the Public Works facility.. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Table Item 2(r). Police Chief David Houser provided a map of the area and an overview of the options available. City Manager Rundel recommended tabling this item and contacting the Oklahoma Department of Transportation engineers before taking further action.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Item 2(t) traffic flow improvements at Durant Intermediate School by creating traffic lanes and restrictions. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Item 2(u) decreasing speed limit on Washington Street from 45 mph to 35 mph. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Tomlinson  
Nays: Hitchcock

### **3. Administration**

- a. Consider Approval of Motion to Accept Filing of Durant City Utilities Authority FY17/18 Financial Plan

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to accept filing of Durant City Utilities Authority FY 2017-18 Financial Plan.

Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- b. Consider Approval of Motion to Accept Filing of Durant Community Facilities Authority FY17/18 Financial Plan

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to accept filing of Durant Community Facilities Authority FY 2017-18 Financial Plan. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- c. Consider Approval of Motion to Accept Filing of Durant Airport Authority FY17/18 Financial Plan

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to accept filing of Durant Airport Authority FY 2017-18 Financial Plan. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- d. Consider Approval of Motion to Accept Filing of Durant Industrial Authority FY17/18 Financial Plan

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to accept filing of Durant Industrial Authority FY 2017-18 Financial Plan. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- e. Consider Approval of Resolution 2017-08 Approving Adoption of Proposed Budget for Fiscal Year 2017-18

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Resolution 2017-08 Approving Adoption of Proposed Budget for FY 2017-18. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- f. Consider Approval of Lease Purchase Agreements with Image Net Consulting

- a. Lease agreement for software C-2017-33
- b. Lease agreement for server C-2017-34
- c. Managed services agreement for server support C-2017-35
- d. Image Net Consulting's formal proposal for scope of work for City of Durant - informational only
- e. Image Net Consulting's Free IT assessment agreement - informational only

Approved

Michelle Hall, Assistant Treasurer, addressed council and introduced Cory Wood, Enterprise Solutions Consultant for Image Net Consulting, who provided an overview of the system being proposed. Ms. Hall stated this is a budgeted item.

Item 3f(d) and 3f(e) are informational items only. No action was taken on those items.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Item A - Lease Agreement for Software (C-2017-33); Item B - Lease Agreement for Server (C-2017-34), Item C - Managed Services Agreement for Server Support (C-2017-35). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- g. Consider Approval of Request for Authorization to Purchase for Image Net Consulting for FY2017-2018 (RFAP-2017-92)

Approved

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to

approve Request for Authorization to Purchase for Image Net Consulting for FY2017-2018 (RFAP-2017-92). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- h. Consider Approval of Request for Authorization to Purchase for Oklahoma Municipal League Membership Dues and Service Fees for 2017-2018 (RFAP #2017-034)

Approved

Donnalla Miller, Deputy City Manager of Administration, addressed council.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Request for Authorization to Purchase for Oklahoma Municipal League Membership Due and Service Fees for FY2017-18 (RFAP #2017-034). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- i. Consider Award Of Bid For Sod And Sod Installation For Project #632 At The Durant Middle School

Approved

James Young, Street Department Superintendent, addressed council. Bid notice was advertised twice in the Durant Daily Democrat and on the City of Durant website. Two bids were received. One bid was disqualified upon the advice of the city attorney due to a mathematical error by the bidder. Mr. Young recommended Lynch Lawn & Landscape be awarded the bid. Mr. Young stated this bid is within the project budget.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to award Bid for Sod and Sod Installation for Project #632 at the Durant Middle School to Lynch Lawn & Landscape. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- j. Consider Approval of Request for Authorization to Purchase for Civicplus Website Annual Fee Renewal Hosting and Support (RFAP #2017-098)

Approved

Marie Goolsby, IT Department, addressed council.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to

approve Request for Authorization to Purchase for CivicPlus Website Annual Fee Renewal Hosting and Support (RFAP #2017-098). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- k. Consider Approval of Request for Authorization to Purchase for Tyler Technologies Municipal Software Modules Support and Maintenance (RFAP #2017-073)

Approved

Marie Goolsby, IT Department, addressed council.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Request for Authorization to Purchase for Tyler Technologies Municipal Software Modules Support and Maintenance (RFAP #2017-073). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- l. Consider Approval of Copier Lease & Use Fees FY 2017-2018 (RFAP#2017-110)

Approved

Marie Goolsby, IT Department, addressed council.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Request for Authorization to Purchase for copier lease and use fees for FY 2017-18 (RFAP #2017-110). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- m. Consider Approval of City of Durant Appointment to Durant Tourism Economic Development Authority

Approved

Mayor Tomlinson recommended Destry Hawthorne be appointed to represent the City of Durant on the Durant Tourism Economic Development Authority Board. City Manager Tim Rundel addressed council and stated a city council member is required to sit on the authority board as stated in Ordinance 1822 which was passed by a vote of the people.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Destry Hawthorne as City of Durant appointment to Durant Tourism



Economic Development Authority. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- n. Consider Approval of Appointments to the Durant Tourism Economic Development Authority

Approved

City Manager Rundel stated Ordinance 1822 required the authority board consist of seven members. The members are as follows: Hotel Owners Association - Charles Calhoun or his designee, Jim Thorpe or his designee, Nina Patel or her designee. Durant City Council - Destry Hawthorne. Durant Industrial Authority - Darrell Mendez. Durant Area Chamber of Commerce - Janet Reed and Bert Davison. Non-Voting Members - Durant City Manager Tim Rundel and Choctaw Nation Senior Marketing Director Erica Kosemund.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve appointments to the Durant Tourism Economic Development Authority as follows: Hotel Owners Association - Charles Calhoun or his designee, Jim Thorpe or his designee, Nina Patel or her designee. Durant City Council - Destry Hawthorne. Durant Industrial Authority - Darrell Mendez. Durant Area Chamber of Commerce - Janet Reed and Bert Davison. Non-Voting Members - Durant City Manager Tim Rundel and Choctaw Nation Senior Marketing Director Erica Kosemund. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- o. Consideration To Accept The 2016 Assistance To Firefighters Grant (AFG) Award EMW-2016-FO-04774 Funded By Department Of Homeland Security / FEMA In The Amount Of \$ 20,517 To Purchase Equipment For Durant Fire Department. (C-2017-37)

Approved

Rebecca Collins, Grants Coordinator, and Fire Chief Roger Joines addressed council and stated the funds will be used to purchase a gear dryer.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to accept the 2016 Assistance to Firefighters Grant (AFG) Award EMW-2016-FO-04774 funded by Department of Homeland Security/FEMA in the amount of \$20,517 to purchase equipment for Durant Fire Department (C-2017-37). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- p. Consideration To Approve Construction Change Order No. 2 Related To C.D. Brown Construction, Inc. Contract No. C-2016-89 For The Water and Sewer Infrastructure Improvements Funded By 16802 CDBG-ED 16 (C-2016-86) Serving The Commercial Metals Company - CMC Steel Oklahoma, LLC.

Approved

Rebecca Collins, Grants Coordinator, and Brandon Webb addressed council and stated the project is approximately \$160,000 under budget.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Construction Change Order No. 2 related to C.D. Brown Construction, Inc. Contract No. C-2016-89 for the Water and Sewer Infrastructure Improvements funded by 16802 CDBG-ED 16 (C-2016-86) serving the Commercial Metals Company - CMC Steel Oklahoma LLC. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- q. Consideration To Approve The Submission Of The 2017 PetSafe® Bark For Your Park Grant Application And Commitment To Designate City-Owned Property Upon Grant Funding To Create A Dog Park.

Approved

Rebecca Collins, Grants Coordinator, addressed council and stated this is a \$25,000 grant and does not require a match. Ms. Collins further stated that Carl Albert Park will be designated as the initial location for the dog park on the grant application but that location can be changed further in the grant process.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve submission of the 2017 Pet Safe Bark for Your Park Grant Application and commitment to designate city-owned property upon grant funding to create a dog park. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- r. Consideration To Designate City-Owned Property To Be Utilized For A Community Dog Park, Upon Receiving Grant Funding.

No Action Taken

- s. Consider Award of Contract for Court Collection Service

Approved

Donnalla Miller, Deputy City Manager of Administration, addressed council and stated notice of the request for proposal was published two times in the Durant Daily Democrat and was listed on the City of Durant website. Ms. Miller stated two proposals were received. A committee consisting of an employee from the municipal court, finance department and administration reviewed the proposals and recommend that American Municipal Services be awarded the contract.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve award of contract for court collection services to American Municipal Services Corporation. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- t. Consider Approval of Contract for Court Collection Service (C-2017-43)

Approved

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve contract for court collection service (C-2017-43). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- u. Consider Approval of Request for Authorization to Purchase for Court Collection Service (RFAP# 2017-117)

Approved

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Request for Authorization to Purchase for Court Collection Service (RFAP #2017-117). Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

#### **4. Public Hearings**

- a. Public Hearing Regarding Resolution 2017-08; Requests Approval of FY17/18 Budget

City Manager Tim Rundel and Michelle Hal, Assistant City Treasurer, addressed council. This is the 2nd public hearing regarding the proposed FY 2017-18 budget. Ms. Hall distributed copies of the budget summary and

asked members of the audience to sign an attendance sheet. Mr. Rundel stated this is the 2nd public hearing regarding the budget as required by law. Mr. Rundel provided an overview of the proposed budget. Jacque Wilson, Deputy City manager of Operations, provided an overview of capital improvement needs, Hearing opened to public. There were two individuals who spoke:

Mike Morris/Subject - Grant Writers

Brittany Harlow/Subject - Budget, Insurance, Police Department Budget

Public hearing closed.

- b. Consideration Resolution 2017-07 - A Resolution Authorizing a Conditional Use Permit in the C-2 District for the Operation of a Liquor Store at 1020 Radio Road

Approved

Marty Cook, Community Development Manager, addressed council. Mr. Cook stated there have been no letters or calls received for or against this matter. Mr. Cook stated the Planning Commission heard this case and recommended approval with a 5-0 vote. Mr. Cook answered questions from council. Hearing opened to public. No public comments. Public Hearing closed.

Motion was made by Chad Hitchcock and seconded by Destry Hawthorne to approve Resolution 2017-07 authorizing a conditional use permit in the C-2 District for the operation of a liquor store at 1020 Radio Road. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

- c. Consideration Ordinance 1828 - Requesting Approval of a Rezoning from the I-1 & I-2 Industrial Districts to the R-3 General Residential District for Property Located at 1224 N 1st

Approved

Marty Cook, Community Development Manager, addressed council. Mr. cook stated he received one phone call requesting more information and one email from Union Pacific regarding a 25 foot strip of land. Union Pacific indicated they would be against rezoning unless the 25 foot strip of land is removed from the area to be re-zoned. Mr. Cook stated the applicant altered the legal to remove the 25 foot strip of land at issue from the area to be rezoned. Mr. Cook answered questions from council. Hearing opened to public. No public comment. Public hearing closed.

Section 2 dh/ch.

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance 1828, Section 1, rezoning from the I-1 & I-2 Industrial Districts to the R-3 General Residential District for property located at 1224 N. 1st.. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

Motion was made by Destry Hawthorne and seconded by Chad Hitchcock to approve Ordinance 1828, Section 2 - Emergency Clause. Motion Passed with the following vote:

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson

## **5. Information Items**

- a. Presentation: Imagine Durant Strategic Update  
  
Kara Byrd of Imagine Durant -
- b. April 2017 Financial Statements and Sales Tax Distribution (TO BE PRESENTED)
- c. Fire Department Monthly Report - May 2017 (TO BE PRESENTED)
- d. City Clerk's Report - May 2017 (TO BE PRESENTED)
- e. Library Monthly Report - May 2017 (TO BE PRESENTED)
- f. Grants Department Report May 2017 (TO BE PRESENTED)
- g. Deputy City Manager of Operations Monthly Operations Report (May 2017) (TO BE PRESENTED)
- h. Street Department Monthly Report - May 2017 (TO BE PRESENTED)
- i. Landfill Information & Reports - May 2017 (TO BE PRESENTED)
- j. Waste Water Treatment Plant Monthly Report - May/June 2017 (TO BE PRESENTED)

- k. Waste Water Treatment Plant Lab Report - May 2017 (TO BE PRESENTED)
- l. Landfill Information & Reports - May 2017 (TO BE PRESENTED)
- m. Planning Commission Meeting Minutes
- n. Police Department Monthly Report - April 2017
- o. Parks/Durant Multi Sport Complex Monthly Report - June 2017
- p. Community Development Monthly Report - May 2017
- q. Planning Commission Meeting Minutes
- r. Emergency Management Report - May 2017

#### **6. Citizen Comments on Non-Agenda Items**

Two citizens addressed city council:

Brenda Hicks - Carriage Point Drive drainage/flooding concerns.

Ahmad Al Katieb - Carriage Point Drive - drainage/flooding concerns

Citizens wishing to address the council regarding matters which are not listed on the agenda will be required to sign up no later than 5 minutes prior to the scheduled starting time of the meeting. The sign-in sheet will contain space for citizen's name, address, phone number, and topic to be discussed. In this way, city staff will be able to follow-up on any issues presented if necessary.

#### **7. New Business**

There was no new business.

#### **ADJOURNMENT**

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

Ayes: Grube, Hawthorne, Hitchcock, Tomlinson