

**MINUTES OF THE SPECIAL SCHEDULED MEETING OF THE
DURANT CITY COUNCIL
ON JANUARY 24, 2011 AT 3:00 PM
ROSCOE J HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL**

CALL TO ORDER

Meeting was called to order at 3:03 pm by Mayor Jerry L. Tomlinson.

INVOCATION

Invocation was given by Tommy Kramer, Durant Economic Development Director.

ROLL CALL

Present: Mayor Jerry L. Tomlinson City Manager James H. Dunegan
Vice-Mayor Thomas Marcum City Attorney Pat Phelps
Council Member Bobby Story City Clerk Leta McNatt
Council Member Leon Sherrer
Absent: Council Member Jerry Polson

Mayor Tomlinson stated for the record we have a quorum.

ORDER OF BUSINESS

1. Information Items

- a. Relocation Cost Associated with Moving from the Robert L. Williams Public Library to the New Donald W. Reynolds Community Center and Library

Dr. Dottie Davis stated out of the three requested, only two companies provided price quotes. Of those two, the lowest qualified price quote came from Library Design Systems, Inc. for the move-in cost of the Donald W. Reynolds Community Center and Library. Library Design Systems specializes with moving libraries and come with excellent credentials. In addition to the agreement price, there will be an extra fee if there are additional items on the list that were not estimated, but Dr. Davis doesn't foresee a problem.

Mayor Tomlinson commented that Dr. Davis did her research, received price quotes and has chosen Library Design Systems as the best and lowest bid. Because this item is below \$15,000, and it falls under the Reynolds Foundation monies, it requires no action from City Council other than information provided to Council.

No action; information only.

Recessed out of regular session and into Executive Session at 3:10 pm. Motion carried by Vice Mayor Marcum and seconded by Council Member Sherrer.

Reconvened out of Executive Session and into regular session at 4:13 pm. Motion carried by Council Member Sherrer and seconded by Vice Mayor Marcum.

2. Administration

- a. Consider Street Closures for 2011 Magnolia Festival Related Events

Motion made by Vice Chair Marcum and seconded by Council Member Sherrer to approve street closures for the 2011 Magnolia Festival Related Events. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

- b. Consider Street Closures for Durant Chamber of Commerce Sponsored Parade Routes for 2011

Janet Reed, Executive Director of the Durant Chamber of Commerce, requested street closures during upcoming parades sponsored by the Chamber. Annual Western Days Parade on June 18th at 10:00 am, the Veteran's Day Parade on November 11th at 9:30 am, and the Christmas Parade on December 6th at 6:00 pm. All three parades will follow the same route. The fourth is the Magnolia Festival Children's Parade on June 4th at 9:00am and will follow a different route.

Motion made by Vice Chair Marcum and seconded by Council Member Sherrer to approve street closures for Chamber of Commerce sponsored parade routes as presented. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

- c. Consider Approval for Chamber of Commerce to Utilize the Durant Regional Airport/Eaker Field Terminal for the Site of their 2011 Chamber Banquet

Executive Director Janet Reed stated the Chamber of Commerce considers it a privilege to have the opportunity to showcase this wonderful new facility to the citizens of our community. A tentative date of April 7th has been set for the Chamber banquet. Council members discussed with Ms. Reed issues regarding size of the terminal building and available space, movable furniture, logistics, parking, acoustics, liability for special events. Ms. Reed will get back with Council regarding liability for special events at the terminal.

Motion made by Council Member Story and seconded by Council Member Sherrer to approve the use of the airport terminal by the Chamber of Commerce for their 2011 Banquet as presented. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

- d. Consider Request to Name Two Streets within the City of Durant's Foreign Trade Zone #227 as "Allen Wheeler Boulevard" and "Tom Smith Road"

Community Development Department has checked with the appropriate agencies to confirm there are no duplicate names within the fire and police district. The Planning Commission approved the requested zoning change on January 18th. All street naming within the city limits of Durant requires approval by the Planning Commission as well as the City Council.

Motion made by Council Member Story and seconded by Council Member Sherrer to approve naming of the two streets "Allen Wheeler Boulevard" and "Tom Smith Road" as presented.

Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

- e. Consider Request to Re-Name "Mockingbird Lane" Located Inside Country Estates Subdivision to "Falcon Drive" within the City of Durant

Due to life safety and 911 requirements, this request is to re-name "Mockingbird Lane" to "Falcon Drive" inside Country Estates subdivision. The Planning Commission approved the requested zoning change on January 18th. All street naming within the city limits of Durant requires approval by the Planning Commission as well as the City Council.

Motion made by Council Member Sherrer and seconded by Vice Chair Marcum to approve the renaming of "Mockingbird Lane" to "Falcon Drive" inside Country Estates subdivision as presented. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

- f. Consider CMS Willowbrook Guaranteed Maximum Price (GMP) Contract Increase for the Donald W. Reynolds Community Center and Library Project

Assistant City Manager Ralph Houser stated that this action is needed due to the use of funds over and above the original guaranteed maximum price (gmp) from the SODA grant, tree grant, and a small amount of city cash. This change only applies to an increase in the CMS contract, and it does not change the City/project budget for any spending. These include: C-2009-64 Amendment #2 Sidewalks, Amendment #3 Landscaping, and Amendment #4 Tree Grant. City Attorney Pat Phelps recommended that Council approve these amendments.

Motion made by Vice Chair Marcum and seconded by Council Member Sherrer to approve CMS Willowbrook GMP Contract Increase as presented in C-2009-64 Amendments 2, 3, 4. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

- g. Consider Approval of Resolution 2011-03 Declaring Old Furnishings in Remodeled Fire Station to be Obsolete and Value of Less Than \$500

Motion made by Vice Chair Marcum and seconded by Council Member Sherrer to approve Resolution 2011-03. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

- h. Consider Approval of Resolution 2011-04 for the Match Commitment of the 2011 Department of Tourism Land and Water Conservation Fund (LWCF) Grant Application for a Parking Lot Serving Lloyd Plyler Park and a Splash Pad at Keithley Park

Becca Parr, City of Durant Grants Coordinator presented Council with sample pictures of splash pads. Council gave approval to proceed with this grant application at the January 11th meeting. This grant application requires a 50% match commitment; the City's responsibility is \$179,995 (10% cash contribution and 40% in-kind labor and equipment) of the total project \$360,000. Cash donations towards this project total \$75,000 (\$50,000 private donation for the proposed splash pad; \$25,000 from Kiwanis for a canopy over the concession stand and new bleachers at Lloyd Plyler Park).

Motion made by Council Member Sherrer and seconded by Council Member Story to approve Resolution 2011-04 for match commitment. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

- i. Consider Approval of Resolution 2011-05 Accepting Benefit of New Roadway from Choctaw Road North for Approximately 1320 feet on the West Side of US 69

City Attorney Pat Phelps stated the roadway meets all requirements of the Durant City Code and Durant Planning Commission. The City will not be responsible for any construction or roadway costs. Attorney Phelps recommended to Council that the City agree to accept the roadway under these conditions. If approved, this Resolution will be presented to Choctaw Nation Chief Council.

Motion made by Council Member Sherrer and seconded by Vice Chair Marcum to approve Resolution 2011-05 as presented. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

3. Public Hearings

- a. Consider Public Hearing to Close Community Development Block Grant (CDBG) 13432 08 Small Cities Project for the ADA Improvements to Durant City Hall

The purpose of the required public hearing is to provide a clear explanation of the complete project and to give an opportunity for citizens to discuss the CDBG Project with city officials and fellow citizens. Grants Coordinator Becca Parr stated the American Disability Act (ADA) improvements at Durant City Hall which have been partially funded by 13432 CDBG 03 are complete and include: a new elevator (including mechanical), fire alarm system, automated doors at two entrances, ramps/handrails at two entrances, public access to second floor, replacement of interior drinking fountains, parking/signage, public restroom modifications, permanently mounted generator to support the elevator operation during a power outage. The architect completed his inspection in December 2010.

There were no comments from the audience. No action required.

- b. Consider Acceptance of the Community Development Block Grant (CDBG) 13432 08 Small Cities Project as Complete

Motion made by Vice Chair Marcum and seconded by Council Member Sherrer to accept CDBG 13432 08 Small Cities Project as complete. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson
Nay: None Abstain: None

- c. Consider Approval of the Community Development Block Grant (CDBG) 13432 08 Small Cities Project Closeout Documents

Motion made by Vice Chair Marcum and seconded by Council Member Sherrer to approve CDBG 13432 08 Small Cities Project Closeout Documents. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson
Nay: None Abstain: None

4. Executive Session

- a. Consider Discussion and Conference with City Attorney on Confidential Communications Regarding Pending Investigations and Possible Claims (*This Executive Session Authorized by Title 25, Section 307(4) of the Oklahoma State Statutes*)
- b. Consider Action Pursuant to Item 4a Above

Requires no action.

ADJOURNMENT

Motion made at 4:42 pm to adjourn as declared by Mayor Tomlinson. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson
Nay: None Abstain: None