

**MINUTES OF THE REGULAR SCHEDULED MEETING OF THE
DURANT CITY COUNCIL
ON FEBRUARY 8, 2011 AT 4:00 PM
ROSCOE J HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL**

CALL TO ORDER

Meeting was called to order at 4:13 pm by Mayor Jerry L. Tomlinson.

INVOCATION

Invocation was given by James Dalton, Emergency Management 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 Jerry Polson	
Absent:	Council Member Leon Sherrer	

Mayor Tomlinson stated for the record we have a quorum.

Condolences were extended to the family of City of Durant employee James Cross whose father passed away February 5, 2011. Mayor Tomlinson recognized the City's new fire chief, Roger Joines. On behalf of City Council and Durant Citizens, Mayor Tomlinson thanked all City workers who worked last week through the major snow and ice storm, and those who will be working through the next winter storm coming this evening.

Sergeant Major Mike Goodwin who is director of career technology at Durant Kiamichi will be deployed to Kabul Afghanistan and is taking 36-37 soldiers with him to train the soldiers over in Kabul. The men deploy at the end of February or early March, and it is asked that they are kept in everyone's prayers.

ORDER OF BUSINESS

1. Consent Items
 - a. Consider Approval of Minutes for the City Council Regular Meeting of January 11, 2011
– *approved*
 - b. Consider Approval of Minutes for the City Council Special Meeting of January 24, 2011
– *approved*
 - c. Consider Approval of Claims – *approved*
 - d. Consider Authorization for Southeastern Staff Association Relay for Life Team Fundraiser at the Intersection of N. 1st Avenue & University Boulevard – *approved*
 - e. Consider Recommendation from Oklahoma Municipal Assurance Group (OMAG) Regarding Tort Claim of Danny Stowe – *approved to deny claim*
 - f. Consider Approval of Budget Amendment 2011-05 – *approved*

Motion made by Vice Mayor Marcum and seconded by Council Member Polson to approve Consent Items 1.a – 1.f as presented. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

2. Consideration of Items Removed from Consent Docket
No Action Taken.
3. Information Items
 - a. Department Reports for January 2011
 - b. City Boards, Committees, and Commissions Minutes for January 2011
 - c. Reynolds Foundation Grant Report

City of Durant Assistant City Manager Ralph Houser and Library Director Dr. Dottie Davis: A lot of indoor work is being done including fixtures. The furniture is to be delivered by the end of March, and equipment should start coming in at that time. Because of the poor weather, construction will continue over weekends to get it done. Landscaping is in progress. The Donald W. Reynolds Community Center and Library dedication date is

May 25th at 11:00 am, which will include dignitaries and the Reynolds Foundation (the donors of the facility). April 18th is the Library's move date to the new facility.

d. City Projects Update

Technical Projects Director Jerry Yandell: The weather has played a major factor in the construction schedule (slab work, steel delivery and erection), but the Law Enforcement Center is progressing.

e. Progress Update: South Bound University/US 69-75 Exit Ramp

Mayor Tomlinson expressed thanks to all involved in this effort which has been under discussion for some time. City Manager Jim Dunegan stated that a meeting was held last week with the Oklahoma Department of Transportation (ODOT). The property owner and several people in the area were present. ODOT's Secretary of Transportation gave a presentation and discussed different engineering designs for the exit ramp. A verbal agreement was reached to work together for both safety and best design. Yesterday, ODOT furnished a letter confirming this funding agreement. Technical Projects Director J. Yandell and Assistant City Manager R. Houser will work with ODOT on this project.

No action; information only.

4. Administration

a. Consider Authorization to Hire Two (2) Additional Communications Specialists (Dispatchers) for the Durant Bryan County Communications Center

The goal is and has been to create and separate the Fire/EMS radio frequency from the Law Enforcement radio frequency and have their own dispatch person to speak to. This has been brought before the 911 Board who are also in support of efforts to move in this direction. It will cut down on radio traffic, confusion, and will be safer for both police and fire when utilizing separate frequencies. They have planned for this to occur when the new Law Enforcement Center building is completed. Five (5) dispatchers are needed to operate a separate radio frequency around the clock. The plan is to reduce the number of individuals to train at any one time. Hiring two (2) dispatchers for the remainder of this budget year, then two (2) more dispatchers at the beginning of the next fiscal year, and one (1) dispatcher after the building completion. There is some savings found in the budget, so it won't cause a significant impact to the general fund. The plan is to then build the next two positions into their budget too. They will still have the ability when using tactical frequency for all responding to one incident frequency.

Motion made by Vice Chair Marcum and seconded by Council Member Polson to approve to hire two additional dispatchers. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

b. Consider Approval of Agreement C-2011-05 between Strategic Realty (Jim Petty) and the City of Durant for Sanitary Sewer and Water Services for the Stonebrook Subdivision

This agreement with Jim Petty of Strategic Realty is to extend sanitary sewer and water services for the Stonebrook subdivision (S. 9th and Blanchard Road). The original resolution is 2007-55. The water and sewer taps are about the same cost as other recent subdivisions in Durant. They have a contractor who will put in the rest of the taps, etc. The City will be responsible for inspecting the mains, taps, and meters to make certain it is done properly so the City doesn't have to come back later to fix anything.

Motion made by Vice Chair Marcum and seconded by Council Member Story to approve Agreement C-2011-05 with correction of scribners error (paragraphs 4 & 7: change from 36 houses to 37 houses). Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

c. Consider Authorization to Spend for Survey Costs, Engineer Inspection of Service Lines (Water and Sewer) and Associated Expenses at the Stonebrook Subdivision (S. 9th and Blanchard Road) (RFAP 2011-12)

This is a continuation of the previous discussion. The intention is to use City equipment and personnel. Motion made by Vice Chair Marcum and seconded by Council Member Story to approve RFAP 2011-12. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

- d. Consider Authorization to Declare Excess Property Owned by the City of Durant on East Texas Street

The City has an appraisal for this lot at 116 E. Texas (Block 240, Lot 7) and has determined its approximate value. In order to move forward to advertise/seek bids on this property, City Ordinance requires the lot be declared as surplus. It is of no particular value to the City and it will help to get it off the clean-up schedule.

Motion made by Vice Chair Marcum and seconded by Council Member Story to declare 116 E. Texas (Block 240, Lot 7) as surplus property, per City Ordinance §37.008. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

- (1) Consider Authorization to Advertise/Seek Public Bids for Excess Property Declaration (Bid Auth 2011-11)

It was clarified that within the Bid Authorization form, the City Ordinance states the City has the ability to refuse all bids. Motion made by Council Member Polson and seconded by Council Member Story to approve Bid Authorization 2011-11 with the City's right to refuse. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

- e. Consider Authorization for Mayor to Request Transfer of Funds Within OK055 Oklahoma Department of Transportation (ODOT) to the S. 9th Street Widening Project

ODOT sent a letter requesting that the City transfer funds from a remaining project. Motion made by Council Member Polson and seconded by Council Member Story to authorize the Mayor to write a letter to ODOT requesting funds transfer. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

- f. Consider Approval of Amendment # 10 with LBR, Inc. for Consultant's Contract (Ref: original contract C-2007-28)

This amendment covers additional construction inspection, administration, and testing. Motion made by Vice Chair Marcum and seconded by Council Member Story to approve C-2007-28, Amendment #10 as presented. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

- g. Consider Bid Awards for Ceramic Tile, Floor Coverings, Acoustical Ceilings, and Painting at the New Law Enforcement Center

Technical Projects Director Jerry Yandell stated of the bids that came in, the lowest qualified bids are noted on Theorem's bid tab. J. Yandell has reviewed and verified this with architect Shane Knight.

Motion made by Vice Chair Marcum and seconded by Council Member Story to award bids as recommended by Theorem. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

- h. Consider Authorization for the Mayor / City Manager to Approve/Sign Contracts for Ceramic Tile, Floor Coverings, Acoustical Ceilings, and Painting at the New Law Enforcement Center

- (1) Agreement with Interior Design and Flooring Center for Ceramic Tile work (C-2011-06)

Motion made by Vice Chair Marcum and seconded by Council Member Polson to approve C-2011-06 as presented. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

- (2) Agreement with Interior Design and Flooring Center for Flooring work (C-2011-07)

Motion made by Vice Chair Marcum and seconded by Council Member Polson to approve C-2011-07 as presented. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

- (3) Agreement with Lamb Drywall & Acoustics for Acoustical Ceilings work (C-2011-08)

Motion made by Vice Chair Marcum and seconded by Council Member Polson to approve C-2011-08 as presented. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

- (4) Agreement with Henshaw Painting for Painting work (C-2011-09)

Motion made by Vice Chair Marcum and seconded by Council Member Polson to approve C-2011-09 as presented. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

Presentations, Public Hearings and Citizen Requests – 5:00 p.m.

5. Presentations

- a. Recognition of Achievement by the United States Department of Homeland Security, Federal Emergency Management Agency (FEMA)

Emergency Management Director James Dalton is dedicated in what he does; he cares about the community, the City of Durant, and Bryan county. He completed a comprehensive training program in disaster operations which has led to special recognition by the US Dept of Homeland Security, and FEMA. J. Dalton has been awarded FEMA's Advanced Professional Development Series Certificate by the Emergency Management Institute. On behalf of Council, Mayor Tomlinson congratulated J. Dalton for this achievement, and thanked him for his continued service to the community. Congratulations were also extended by the Oklahoma Department of Emergency Management on this special recognition.

The Quiet Epidemic of Teen Dating Violence.

Mayor Tomlinson proclaimed the month of February 2011 as "Teen Dating Violence Prevention and Awareness Month" in the City of Durant. The Mayor is issuing a proclamation and presenting it on February 14th to a group of students at Durant High School. This is an important issue and is close to the hearts of City Council.

Mayor Tomlinson reminded the audience that hearings are open to the public, and they have the opportunity to express their thoughts in opposition to or in favor of the issue(s) presented.

6. Public Hearings

- a. Consider Ordinance No. 1648 – Rezoning of 916 W. Evergreen Street from R-3 General Residential District to C-O Business and Professional Office District (Ref: PC2010-11)

Community Development Director Joseph Marquardt stated on December 6, 2010, All Star Investments LC submitted an application to the Community Development Department requesting

a rezoning change located at 916 W. Evergreen Street. The Planning Commission approved this requested zoning change on January 18, 2011. It is compatible with the present zoning and conforming uses of nearby property. The Community Development Department has not received any negative comments or letters regarding this zoning change and recommends approval of this zoning change request.

Hearing no further discussion, motion made by Vice Chair Marcum and seconded by Council Member Story to approve Ordinance No. 1648, Section 1. Motion carried with the following vote:
Aye: Polson, Story, Marcum, Tomlinson
Nay: None Abstain: None

Motion made by Vice Chair Marcum and seconded by Council Member Story to approve Ordinance No. 1648, Section 2. Motion carried with the following vote:
Aye: Polson, Story, Marcum, Tomlinson
Nay: None Abstain: None

Recessed out of regular session at 5:14 pm. Motion carried by Vice Mayor Marcum and seconded by Council Member Polson.

Reconvened into regular session at 5:18 pm. Motion carried by Vice Mayor Marcum and seconded by Council Member Polson.

Motion made by Vice Chair Marcum and seconded by Council Member Polson to enter into Executive Session at 5:18 pm. Motion carried with the following vote:
Aye: Polson, Story, Marcum, Tomlinson
Nay: None Abstain: None

Motion made by Vice Chair Marcum and seconded by Council Member Polson to reconvene into Regular Session at 5:45 pm. Motion carried with the following vote:
Aye: Polson, Story, Marcum, Tomlinson
Nay: None Abstain: None

7. Executive Session

- a. Consider Discussion and Hiring for the Position of City Treasurer (This Executive Session Authorized by Title 25, Section 307 B(1) of the Oklahoma State Statutes)
- b. Consider Action Pursuant to Item 7.a. Above

Mayor Tomlinson called An-Chen Lai to address Council, and he stated it is his pleasure to move Council to fill the City Treasurer's position with An-Chen Lai.

Motion made by Vice Chair Marcum and seconded by Council Member Story to employ An-Chen Lai as Durant City Treasurer. Motion carried with the following vote:
Aye: Polson, Story, Marcum, Tomlinson
Nay: None Abstain: None

8. New Business

No New Business at this time.

ADJOURNMENT

Motion at 5:47 pm to adjourn made by Vice Chair Marcum and seconded by Council Member Story. Motion carried with the following vote:

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

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE DURANT CITY UTILITIES AUTHORITY (DCUA)
ON FEBRUARY 8, 2011 AT 4:00 PM
ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL**

CALL TO ORDER

Meeting was called to order at 5:14 pm by Chairman Jerry L. Tomlinson.

ROLL CALL

Present:	Chairman Jerry L. Tomlinson	City Manager James H. Dunegan
	Vice-Chairman Thomas Marcum	City Attorney Pat Phelps
	Trustee Bobby Story	Secretary Leta McNatt
	Trustee Jerry Polson	
Absent:	Trustee Leon Sherrer	

Chairman Tomlinson stated for the record we have a quorum.

ORDER OF BUSINESS

1. Consent Items
 - a. Consider Approval of Minutes for the Durant City Utilities Authority Regular Meeting of January 11, 2011 – *Approved*
 - b. Consider Approval of Claims – *Approved*Motion made by Vice Chair Marcum and seconded by Trustee Polson to approve the Consent Items 1.a. – 1.b. as presented. Motion carried with the following vote:
Aye: Polson, Story, Marcum, Tomlinson
Nay: None Abstain: None
2. Consideration of Items Removed from Consent
No action required.
3. Information Items
 - a. Department Reports for January 2011
 - b. Utility Billing Summary for January 2011No action; information only
4. New Business
No New Business at this time.

ADJOURNMENT

Motion made at 5:15 pm to adjourn by Vice Chair Marcum and seconded by Trustee Polson and carried with the following vote:

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

**MINUTES OF THE REGULAR MEETING OF THE
DURANT DEVELOPMENT AUTHORITY (DDA)
ON FEBRUARY 8, 2011 AT 4:00 PM
ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL**

CALL TO ORDER

Meeting was called to order at 5:17 pm by Chairman Jerry L. Tomlinson.

ROLL CALL

Present: Chairman Jerry L. Tomlinson City Manager James H. Dunegan
Vice-Chairman Thomas Marcum City Attorney Pat Phelps
Trustee Bobby Story Secretary Leta McNatt
Trustee Jerry Polson
Absent: Trustee Leon Sherrer

Chairman Tomlinson stated for the record we have a quorum.

ORDER OF BUSINESS

1. Consent Item

- a. Consider Approval of Minutes for the Durant Development Authority Regular Meeting of January 11, 2011 – *Approved*

Motion made by Vice Chair Marcum and seconded by Trustee Polson to approve Consent Item 1.a. as presented. Motion carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None

2. Consideration of Items Removed from Consent Docket

No action required.

3. Information Items

- a. Durant School District Sales Tax Revenue Disbursements – current month (*partial report*)

The remainder of the report will be submitted at the next meeting.

No action required.

4. New Business

No New Business at this time.

ADJOURNMENT

Motion made at 5:17 pm to adjourn by Vice Chair Marcum and seconded by Trustee Polson and carried with the following vote:

Aye: Polson, Story, Marcum, Tomlinson

Nay: None Abstain: None