

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL ON MARCH 9, 2010 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL
CALL TO ORDER

Meeting was called to order at 4:08 p.m. by Mayor Jerry L. Tomlinson.

INVOCATION

Invocation was given by James Dalton, Emergency Management Director.

ROLL CALL

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

Absent: None

Mayor expressed his appreciation to Vice-Mayor for conducting the February 16, 2010 meeting.

ORDER OF BUSINESS

1. Consent Items
 - a. Consider Approval of Minutes for the City Council Regular Meeting of February 16, 2010 – *Approved*
 - b. Consider Approval of Claims – *Approved*
 - c. Consider Acceptance of Assistance to Firefighters Grant (AFG) EMW-2009-FO-11073 in the amount of \$82,793 to Purchase Interoperable Hand-Held Radios for Each Firefighter (RFAP # 2010-021) – *Accepted*
 - d. Consider Request for Authorization to Spend/Contract for FY08 CDBG 13432 Small Cities Grant for Americans with Disability Act Accessibility Improvements Project for City Hall to Include Elevator/ Bathroom/ Ramps (RFAP # 2010-022) – *Approved*
 - e. Consider Request for Authorization to Spend/Contract for Renovation/Construction for Fire Sub-Station (RFAP # 2010-023) – *Approved*
 - f. Consider Request from NW Heights Elementary for Blocking a Section of Brookside Dr. in Carl Albert Park for End of Year Picnic – *Approved*
 - g. Consider Acceptance of Bid from the Bryan County Sheriff's Office for \$9,999.00 for the Purchase of a 2006 Ford Explorer Police Vehicle V.I.N. 1FMEU62EX6UX36006 – *Approved*
 - h. Consider Donation to the Bryan County Sheriff's Office of a 2006 Ford Explorer Police Vehicle V.I.N. 1FMEU62E16UX36007 with 97,822 Miles for which No Bids were Received – *Approved*
 - i. Consider Re-Appointment of John Buchanan to the Cemetery Board for Term Ending March, 2016 – *Appointment Confirmed*
 - j. Consider Acceptance of Emergency Management State and Local Assistance Performance Grant for FY 2010 in the Amount of \$25,688 (C-2010-12) – *Approved*
 - k. Consider Change Order #4 with Howard Construction Inc. for New Central Fire Station (original contract C-2008-61) – *Approved*
 - l. Consider Amendment to Employee Health Benefit to Include Eagle Med Air Vac Services (C-2010-18) – *Approved*
 - m. Consider Agreement with Choctaw Archiving for Archiving/Record Destruction Services (C-2010-19) – *Approved*
 - n. Consider Approval of Budget Amendment No. 2010-06 – *Approved*
 - o. Consider Acceptance Gift of Portable Batting Cages to be Located at the Durant Multi-Sports Complex – *Approved*
 - p. Consider Approval of 2010 Parade Routes as Requested by Durant Area Chamber of Commerce – *Approved*

- 1) Magnolia Festival Children's Parade – June 5, 9:00 a.m.
- 2) Western Days Parade – June 10, 6:30 p.m.
- 3) Veteran's Day Parade – November 11, 9:30 a.m.
- 4) Christmas Parade – December 7, 6:00 p.m

Motion made by Council Member Sherrer and seconded by Council Member Story to approve Consent Items with the following items removed for discussion – i. and l. Motion carried with the following vote:

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

2. Consideration of Items Removed from Consent Docket

1.i. – Vice-Mayor Marcum asked if Cemetery Board members must reside inside the City Limits. City Manager Dunegan stated the Cemetery Board does not have residency requirements for board members.

Motion made by Vice-Mayor Marcum and seconded by Council Member Story to appoint John Buchanan to the Cemetery Board. Motion carried with the following vote:

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

1.l. – Mayor Tomlinson asked City Clerk Leta McNatt to explain the benefit of medical air transportation. Through the leadership of City Manager Dunegan this will be a benefit offered to any employee or dependent covered by the City Medical Insurance. Vice-Mayor Marcum asked about the cost of the services to the City. He further stated the amount for one flight would more than offset the amount for coverage to all City employees.

Motion made by Council Member Polson and seconded by Vice-Mayor Marcum to approve C-2010-18. Motion carried with the following vote:

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

3. Information Items

- a. Department Reports for February, 2010
- b. City Boards, Committees, and Commissions Minutes for February, 2010
- c. Reynolds Foundation Grant Report

Mayor Tomlinson stated the Ground Breaking was a success. Congressman Dan Boren was present for the event.

No action; information only

4. Administration

- a. Consider Franchise Agreement for Chickasaw Telecommunications Services Inc. (C-2010-10)

Ralph Houser stated that Dale Fitzwater with Chickasaw Telecommunications is present if the Council has questions. They currently have a permit with the City of Durant on another line and a line that was placed prior to the permitting process. This would allow additional businesses to tie in to the line. This would not be an exclusive franchise. Services to be provided would basically be a circuit from Oklahoma City to Durant; it is simply the conduit from Oklahoma City to Durant. There would be a permit application fee and additional revenue of 2.5% to the City of Durant. One benefit to the City would be two fibers set aside for use by the City of Durant.

Motion Made by Council Member Story and seconded by Council Member Polson to approve C-2010-10. Motion carried with the following vote:

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

- b. Consider Agreement with Interact for County Wide 911 Addressing and Mapping (RFAP # 2010-024; C-2010-13)

Ralph Houser stated this is part of the 911 addressing for the County.

Motion Made by Council Member Story and seconded by Council Member Sherrer to approve RFAP # 2010-024 and C-2010-13. Motion carried with the following vote:

Aye: Sherrer, Story, Polson, Marcum, Tomlinson

Nay: None Abstain: None

- c. Consider Oil & Gas Lease with R.D. Williams & Company for Property Located in Section 1-Township 7S-Range 8E, Bryan, County, OK; 6.152 acres (C-2010-14)

City Attorney Pat Phelps stated Council take no action on items 4.c & 4.d. Some of the language in the contract is concerning. He has contacted the land man out of Ardmore and they are unwilling to change the contract language. This property is located in the Durant Landfill and must adhere to strict ODEQ guidelines.

No Action

- d. Consider Oil & Gas Lease with R.D. Williams & Company for Property Located in Section 6-Township 7S-Range 9E, Bryan, County, OK; 12.2 acres (C-2010-15)

No Action

- e. Consider Approval of Project between Durant Industrial Authority and Durant Cinema 8, LLC

Mayor Tomlinson stated the Durant Industrial Authority met this morning and approved the project with Durant Cinema 8, LLC. When the City Council agenda was prepared, it was unclear as to whether the Council would need to approve any portion of the action.

Council Member Story stated that in the letter from Tommy Kramer the funds to be used are Durant Industrial Authority monies and therefore the Council does not need to take action.

Vice-Mayor Marcum expressed his views on the project. This action is unprecedented to provide funds to a for-profit development without substantial job creation or tax revenue produced.

Council Member Story asked what action is required by City Council. City Attorney Phelps stated that these are not City of Durant monies, but public monies with the City of Durant being the beneficiary of Economic Development funds.

Council Member Polson stated he is in agreement with Vice-Mayor Marcum.

Motion made by Council Member Story and seconded by Mayor Tomlinson to approve the action taken by the Durant Industrial Authority.

Economic Development Director Tommy Kramer stated they were approached in 2007 that the City of Durant was losing a large amount of revenue to the area south of the Red River. There is a \$500,000 loan - \$250,000 of that would be a zero interest loan to be paid back over 25 years. The other \$250,000 would be forgivable but would include a guarantee on sales or the difference to be paid back to the Industrial Authority.

Council Member Story withdrew his motion and Mayor Tomlinson withdrew his second.

No Action.

5. Public Hearings

- a. Consider Ordinance No. 1634 – Zoning Case PC2010-01 Request to Rezone the Property Located at 1502 N 9th Street from R-1 Single Family Residential District to R-3 General Residential District

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to approve Ordinance No. 1634 Section 1. Motion carried with the following vote:

Aye: Sherrer, Story, Polson, Marcum, Tomlinson

Nay: None Abstain: None

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to approve Ordinance No. 1634 Section 2. Motion carried with the following vote:

Aye: Sherrer, Story, Polson, Marcum, Tomlinson

Nay: None Abstain: None

Mayor Tomlinson recognized Conner Judd with Boy Scout Troop 615.

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to recess out of regular session. Motion carried with the following vote:

Aye: Sherrer, Story, Polson, Marcum, Tomlinson

Nay: None Abstain: None

Motion made by Council Member Sherrer and seconded by Vice-Mayor Marcum to return to

regular session. Motion carried with the following vote:

Aye: Sherrer, Story, Polson, Marcum, Tomlinson

Nay: None Abstain: None

Motion made by Council Member Sherrer and seconded by Vice-Mayor Marcum to enter into executive session. Motion carried with the following vote:

Aye: Sherrer, Story, Polson, Marcum, Tomlinson

Nay: None Abstain: None

Motion made by Council Member Sherrer and seconded by Vice-Mayor Marcum to return to regular session. Motion carried with the following vote:

Aye: Sherrer, Story, Polson, Marcum, Tomlinson

Nay: None Abstain: None

6. Executive Session

a. Consider Executive Session for Purposes of Discussing the Purchase or Appraisal of Real Property (Executive Session Authorized by Title 25, Section 307 B(3) of the Oklahoma State Statutes)

b. Consideration Action Pursuant to Item 6a Above

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to direct the City Manager to obtain an appraisal on the property to the west of the new Central Fire Station.

Motion carried with the following vote:

Aye: Sherrer, Story, Polson, Marcum, Tomlinson

Nay: None Abstain: None

7. New Business

No New Business at this time.

ADJOURNMENT

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to adjourn. Motion carried with the following vote:

Aye: Sherrer, Story, Polson, Marcum, Tomlinson

Nay: None Abstain: None

Agenda posted on Durant City Hall Entry Door at 2:30 p.m. on the 4th day of March, 2010 by LaVona Staggs, Management Assistant.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY UTILITIES AUTHORITY ON MARCH 9, 2010 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 5:18 p.m. 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 Jerry Polson Secretary Leta McNatt
Trustee Bobby Story
Trustee Leon Sherrer

Absent: None

ORDER OF BUSINESS

1. Consent Items
 - a. Consider Approval of Minutes for the Durant City Utilities Authority Regular Meeting of February 16, 2010 – *Approved*
 - b. Consider Approval of Claims – *Approved*

Motion made by Vice-Chairman Marcum and seconded by Trustee Sherrer to approve the Consent Items a – b as presented. Motion carried with the following vote:
Aye: Sherrer, Story, Polson, Marcum, Tomlinson
Nay: None Abstain: None
2. Consideration of Items Removed from Consent
No Action.
3. Information Items:
 - a. Department Reports for February, 2010
 - b. Utility Billing Summary for February, 2010
 - c. Landfill Progress Report – Brandon Wall
Brandon Wall, P.E. updated the Trustees on the permitting process directly adjacent to the current landfill property. Still on track for a 2013 completion date at 5% completion.
No action; information only
4. Administration
 - a. Consider Oil & Gas Lease with R.D. Williams & Company for Property Located in Section 6-Township 7S-Range 9E, Bryan, County, OK; 35.63 acres (C-2010-16)
No Action.
5. New Business
No New Business at this time.

ADJOURNMENT

Motion made by Trustee Sherrer and seconded by Vice-Chairman Marcum to adjourn. Motion carried with the following vote:
Aye: Sherrer, Story, Polson, Marcum, Tomlinson
Nay: None Abstain: None

Agenda posted on Durant City Hall Entry Door at 2:30 p.m. on the 4th day of March, 2010 by LaVona Staggs, Management Assistant.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT AIRPORT AUTHORITY ON MARCH 9, 2010 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 5:22 p.m. 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 Jerry Polson Secretary Leta McNatt
Trustee Bobby Story
Trustee Leon Sherrer

Absent: None

ORDER OF BUSINESS

1. Consent Items

- a. Consider Approval of Minutes for the Durant Airport Authority Regular Meeting of February 16, 2010 – *Approved*
- b. Consider Approval of Claims – *Approved*
- c. Consider Resolution No. 2010-05 Accepting Federal Aviation Administration Airport Improvement Grant Agreement Project No. 3-40-0025-009-2010 (C-2010-18) – *Approved*
- d. Consider Application and Agreement with Oklahoma Aeronautics Commission - State Project # DUA-10-F for Airport Parallel Taxiway Construction as it Relates to FAA Project No. 3-40-0025-009-2010 (C-2010-17) – *Approved*
- e. Consider Approval of Supplemental Agreement #2 with CP3 Construction for Parallel Taxiway Construction (original contract C-2009-26) – *Approved*
- f. Consider Approval of Amendment # 9 with LBR, Inc. for Inspection Services for Parallel Taxiway Construction (original contract C-2007-28) – *Approved*
- g. Consider Approval of Proposal from Mass Architects for Inspection/ Construction Services for New Terminal Building– *Approved*

Motion made Vice-Chairman Marcum and seconded by Trustee Sherrer to approve the Consent Items a - g as presented. Motion carried with the following vote:
Aye: Sherrer, Story, Polson, Marcum, Tomlinson
Nay: None Abstain: None

2. Consideration of Items Removed from Consent Docket

No Action

3. Information Items:

- a. Department Reports for February, 2010
- b. Committee Reports & Minutes for February, 2010
- c. Airport Terminal Update

Projects Director Jerry Yandell stated due to weather conditions and relocation of utilities, the terminal is not yet under construction. He presented the concept of the terminal interior as provide by the architect.

4. New Business

No New Business at this time.

ADJOURNMENT

Motion made by Trustee Sherrer and seconded by Vice-Chairman Marcum to adjourn. Motion carried with the following vote:

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

MINUTES OF THE REGULAR MEETING OF THE DURANT DEVELOPMENT AUTHORITY ON MARCH 9, 2010 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 5:26 p.m. 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 Jerry Polson	Secretary Leta McNatt
	Trustee Bobby Story	
	Trustee Leon Sherrer	

Absent: None

ORDER OF BUSINESS

1. Consent Item
 - a. Consider Approval of Minutes for the Durant Development Authority Regular Meeting of February 16, 2010 – *Approved*

Motion made Vice-Chairman Marcum and seconded by Trustee Sherrer to approve Consent Item 1.a. as presented. Motion carried with the following vote:
Aye: Sherrer, Story, Polson, Marcum, Tomlinson
Nay: None Abstain: None
2. Consideration of Items Removed from Consent Docket
No Action
3. Information Items
 - a. Durant School District Sales Tax Revenue Disbursements
4. New Business
No New Business at this time.

ADJOURNMENT

Motion made by Vice-Chairman Marcum and seconded by Trustee Sherrer to adjourn. Motion carried with the following vote:

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