

**MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL
ON FEBRUARY 10, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS,
DURANT CITY HALL**

CALL TO ORDER

Meeting was called to order at 4:12 p.m. by Mayor Jerry L. Tomlinson.

INVOCATION

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

ROLL CALL

Present:	Mayor Jerry L. Tomlinson	City Manager James H. Dunegan
	Vice-Mayor Ron Cross	City Attorney Pat Phelps
	Council Member Leon Sherrer	Deputy City Clerk Torri Johnston
	Council Member Thomas Marcum	
	Council Member Bobby Story	

Absent: None

Mayor Tomlinson welcomed members of the Choctaw Nation Youth Advisory Board. Gina Hutchings, Stacy Shepherd advisors.

ORDER OF BUSINESS

1. Consent Docket
 - a. Consideration Approval of Minutes for the City Council Regular Meeting of January 13, 2009 – *Approved*
 - b. Consideration Approval of Minutes for the City Council Special Meeting of January 16, 2009 – *Approved*
 - c. Consideration Approval of Minutes for the City Council Special Meeting of January 28, 2009 – *Approved*
 - d. Consideration Approval of Claims – *Approved*
 - e. Consideration Appointment of Tommy Fagin to the Durant Board of Adjustment – *Approved*
 - f. Consideration Acceptance of Safe Routes to School Grant Award (Durant Middle School) – *Accepted*
 - g. Consideration Acceptance of Federal Emergency Management Administration (FEMA) Grant for Fire Department Assistance to Firefighters EMW-2008-FO-12182 – *Accepted*
 - h. Consideration Approval to Apply for Department of Homeland Security Grant for Emergency Operations Center – *Approved*
 - i. Consideration Approval of ODEQ Permit No. WL000007081083 – Enterprise Road Water Line Relocation – *Approved*
 - j. Consideration Approval of ODEQ Permit No. WL000007080976 – S. 15th Avenue Water Line Extension – *Approved*

- k. Consideration Street Closures for Magnolia Festival 2009 Events
- l. Consideration Approval for Renewal of Annual Maintenance and Service Agreement for Software at Police Department – *Approved*
- m. Consideration Modification of Stop Sign Placement on University Blvd. – *Modified Recommendation. Approved Placement at Cornell and University. Tabled 3rd and University for further inquiry.*
- n. Consideration Acceptance of Deeds from Bryan County for Three (3) Tower Sites (2 – Bryan Co.; 1 – Choctaw Co.) – *Accepted*
- o. Consideration Authorization to Bid for Uniform Services for Public Works – All Departments (Bid No. 2009-18) – *Approved*
- p. Consideration Approval of Budget Amendment 2009-08 – *Approved*
- q. Consideration Approval of Budget Amendment 2009-09 – *Approved*
- r. Consideration Award of Bid for Trees through Oklahoma Department of Transportation Grant Project – *Bid awarded to Paul Lynch Landscaping for \$9,885 as recommended by staff*
- s. Consideration Award of Bid for Irrigation through Oklahoma Department of Transportation Grant Project – *Bid awarded to Paul Lynch Landscaping for \$6,960 as recommended by staff*

Motion made by Council Member Sherrer and seconded by Council Member Marcum to approve the Consent Docket with the following items removed for discussion k, m, n, p, q

Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

2. Consideration of Items Removed from Consent Docket

1.k –

Mayor Tomlinson asked where the carnival would be located. The carnival will be located on the First Baptist Church parking lot.

Motion made by Council Member Marcum and seconded by Council Member Story to approve Consent Docket item 1.k. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

1.m –

Council Member Marcum is in agreement with the stop signs on Cornell, but would like to see if there would be street marking to help notify drivers that this would be a yield to pedestrian crossing.

Jerry Yandell stated that the recommendation would be to replace the stop signs with yield to pedestrian sign. The crosswalks would be maintained. Mayor Tomlinson asked Jim Dunegan and Jerry Yandell to consult with Southeastern before changing the signage. Mayor Tomlinson asked Chief Cook to review traffic.

Motion made by Council Member Marcum and seconded by Council Member Story to approve the stop signs on Cornell and University and table the change of signage at 3rd and University. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

1.n –

Council Member Story asked for clarification of ownership. City Manager Dunegan stated these would follow the 9-1-1 ownership.

Motion made by Council Member Story and seconded by Council Member Sherrer to approve Consent Docket item 1.n. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

1.p –

City Manager Dunegan stated this is an adjustment do keep in budget with all line items.

Motion made by Council Member Sherrer and seconded by Council Member Story to approve Consent Docket item 1.p. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

1.q –

City Manager Dunegan stated this adjustment was to reconcile mid-year account line items. The only increase was where grant funds had been received and entered for disbursement.

Motion made by Council Member Sherrer and seconded by Council Member Story to approve Consent Docket item 1.q. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

3. Information Items

- a. Department Reports for January, 2009
- b. City Boards, Committees, and Commissions Minutes for January, 2009
- c. Reynolds Foundation Grant Report

No action; information only

4. Administration

- a. Consideration Appointment of City Council Budget Committee

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

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

- b. Consideration Resolution No. 2009-02 Executing Project Agreement with the Oklahoma Department of Transportation for Project No. NHY-22N (179)TR, J/P#25571(04) Right Turn Bay at the Intersection of US-70 and US-69 in the City of Durant, Bryan County

City Manager Dunegan stated this would be a 20% match by the City of Durant. The bids would be let mid March.

Motion made by Vice-Mayor Cross and seconded by Council Member Marcum to approve Resolution No. 2009-02. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

- c. Consideration Appointment to the Park and Recreation Advisory Board Term Expiring June 2010
No Action.
- d. Consideration Appointment to the Durant Community Facilities Authority Position Four/Sports
No Action.
- e. Consideration Appointment to the Durant Community Facilities Authority Position Five/Sports
No Action.

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

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

Motion made by Vice-Mayor Cross and seconded by Council Member Marcum to go back in to regular session. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

5. Presentations

- a. Recognition for Outstanding Conduct Related to Emergency Preparedness for the City of Durant
 - i. Street Department Supervisor and Crew
 - ii. Emergency Management Staff and Volunteers
 - iii. Water/Sewer Line Maintenance Supervisor and Crew

Mayor Tomlinson stated this is an effort on behalf of the Council, City Manager and Department heads to recognize effort above and beyond expectations.

City Manager Dunegan stated many of the City Employees do not wait to be called, but go ahead and get their job done.

The Street Crew didn't wait until the ice was here, but had already brought in the materials and prepared the streets. James Young, Street Department Superintendent saved the City a great deal of money by purchasing the materials prior to the need.

Don Darnell, water line maintenance superintendent and his crew was on the job with his crew before the lack of water was reported. Jerry Yandell stated that Don saved the City about \$40,000 with an idea on a water line relocate.

James Dalton, Emergency Management Director, along with Marlin Blankenship has a dedicated staff of volunteers that help to keep the City of Durant and Bryan County 24/7. He would like to publicly commend his volunteers. They are here because they want to be and are dedicated.

Mayor Tomlinson also stated that Larry Mitchell and the sanitation crews are dedicated to this City as well.

6. Public Hearings

- a. Consideration Ordinance No. 1610 – PC2008-19 – Request to Rezone the Property Located at 3400 Block of N. 1st Ave from the Agriculture “A-1” District to the General Commercial “C-3” District and the General Residential “R-3” District.

Clay Archie addressed the council and expressed his appreciation for the assistance in this process. He has spoken to the land owners and all are in agreement to change Lot

6. There has not been a consensus on lots 1-5. He asked that only Lot 6 be rezoned at this time.

Council Member Marcum asked what would be accomplished by delaying a vote on lots 1-5. Mr. Archie stated with the holidays it was difficult to meet with some of the land owners. They would like to come to an agreement that would accommodate most of the land owners.

Council Member Marcum asked Mr. Archie if he would be willing to continue this application until next month and the concerns have been addressed.

Motion made by Vice-Mayor Cross and seconded by Council Member Marcum to postpone to the next regular council meeting. City Manager and City Staff will schedule a meeting and give focused attention to this matter. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

- b. Consideration Resolution No. 2009-03 for Conditional Use Permit for Mid-Continent Energy Group for Gas & Oil Well Drill Site

Motion made by Council Member Marcum and seconded by Council Member Story to approve Resolution No. 2009-03. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

Motion made by Council Member Marcum and seconded by Council Member Sherrer to enter into Executive Session. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

Motion made by Council Member Sherrer and seconded by Council Member Marcum to go back into regular session. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

7. Executive Session

- a. Consideration Executive Session for Consideration for Purposes of Conferring on Matters Pertaining to Industrial Economic Development and Presentation of Memorandum of Understanding (This Executive Session Authorized by Title 25, Section 307 C(10) of the Oklahoma State Statutes)

- b. Consideration Action Pursuant to Item 7a Above

Motion made by Council Member Marcum and seconded by Council Member Story to approve Memorandum of Understanding for "Lavender" Project. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

8. New Business

ADJOURNMENT

Motion made by Council Member Story and seconded by Council Member Marcum to adjourn.
Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY UTILITIES AUTHORITY ON FEBRUARY 10, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 4:46 p.m. by Chairman Jerry L. Tomlinson.

ROLL CALL

Present: Chairman Jerry L. Tomlinson
Vice-Chairman Ron Cross
Trustee Leon Sherrer
Trustee Thomas Marcum
Trustee Bobby Story
City Manager James H. Dunegan
City Attorney Pat Phelps
Deputy Secretary Torri Johnston

Absent: None

ORDER OF BUSINESS

1. Consent Docket
 - a. Consideration Approval of Minutes for the Durant City Utilities Authority Regular Meeting of January 13, 2009 – *Approved*
 - b. Consideration Approval of Claims – *Approved*
 - c. Consideration Authorization to Repair #1 Effluent Pump at the Wastewater Treatment Plant (Bid No. 2009-11) – *Approved*
 - d. Consideration Approval of Lease Purchase Agreement for Sale of Jet/Vac Truck (C-2009-04) – *Approved*
 - e. Consideration Award of Bid for Replacement Lift Station for Country Estates IV – *Bid Awarded to Triple “D” Pump Co. for \$35,617.00 as recommended by staff.*

Motion made by Trustee Story and seconded by Trustee Marcum to approve the Consent Docket items a – e as presented. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson
Nay: None
Abstain: None
2. Consideration of Items Removed from Consent Docket
No Action.
3. Information Items:
 - a. Department Reports for January, 2009
 - b. Utility Billing Summary for January, 2009
Trustee Story asked if unpaid water bills were still being collected. Deputy Clerk Torri Johnston stated that the past due accounts were still collected
No action; information only
4. New Business
No New Business at this time.

ADJOURNMENT

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

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT AIRPORT AUTHORITY ON FEBRUARY 10, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 4:50 p.m. by Chairman Jerry L. Tomlinson.

ROLL CALL

Present: Chairman Jerry L. Tomlinson
Vice-Chairman Ron Cross
Trustee Leon Sherrer
Trustee Thomas Marcum
Trustee Bobby Story
City Manager James H. Dunegan
City Attorney Pat Phelps
Deputy Secretary Torri Johnston

Absent: None

ORDER OF BUSINESS

1. Consent Docket

- a. Consideration Approval of Minutes for the Durant Airport Authority Regular Meeting of January 13, 2009 – *Approved*
- b. Consideration Approval of Minutes for the Durant Airport Authority Special Meeting of January 28, 2009 – *Approved*
- c. Consideration Approval of Claims – *Approved*

Motion made by Trustee Sherrer and seconded by Trustee Marcum to approve the Consent Docket items a – c as presented. Motion carried with the following vote:

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

2. Consideration of Items Removed from Consent Docket

No Action.

3. Information Items:

- a. Department Reports for January, 2009
- b. Committee Reports & Minutes for January, 2009
- c. Airport Progress Report
- d. Update on Eaker Field Terminal Building Design

Industrial Authority Chairman John Cathey presented an update to the development and design for the new airport terminal and taxiway work at Eaker Field. Bid documents should be going out the end of this month or the first of next month. We are clear to move forward from a Federal Aviation Administration standpoint.

Jerry Yandell stated there was a pre-bid conference today and the bid opening will be February 20, 2009.

4. New Business

No New Business at this time.

ADJOURNMENT

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

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None