

**MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL
ON JANUARY 13, 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 James Dalton, Emergency Management 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	City Clerk Leta McNatt
	Council Member Thomas Marcum	
	Council Member Bobby Story	

Absent: None

ORDER OF BUSINESS

1. Consent Docket

- a. Consideration Approval of Minutes for the City Council Regular Meeting of December 9, 2008 – *Approved*
- b. Consideration Approval of Minutes for the City Council Special Meeting of December 12, 2008 – *Approved*
- c. Consideration Approval of Claims – *Approved*
- d. Request for Authorization to Bid for Materials for Micro-Surfacing and Crack Sealing of Lost Street Parking Lot – *Approved*
- e. Request for Authorization to Purchase Four (4) Dodge Charger Police Vehicles (Bid No. 2009-01) – *Approved* (See agenda item #2)
- f. Request for Authorization to Purchase Equipment and Installation for Police Vehicles (Bid No. 2009-02) – *Approved*
- g. Consideration Approval of Budget Amendment 2009-07 – *Approved*
- h. Request for Authorization to Bid for Trees and Irrigation Materials for Oklahoma Department of Transportation Tree Grant # SAFETEALU-08-05 (Bid No. 2009-03 and Bid No. 2009-04) – *Approved*
- i. Consideration Acceptance of Additional Funds through the Office of Justice Program for Bulletproof Vest Program – *Accepted*
- j. Consideration Residential Anti-Displacement and Relocation Assistance Plan 13432 CDBG 08 Small Cities Program – *Approved*
- k. Consideration Acceptance of the Senior Citizen Facility Improvements 12463 OK Department of Commerce Community Development Center Program – 12463-CDC-07 as Complete and Ready for Closeout – *Accepted*

- l. Consideration Approval of Citizen Participation Plan for FY 2009 Community Development Block Grant (CDBG) Applications – *Approved*
- m. Consideration Authorization to Submit Application to Oklahoma Department of Emergency Management for Emergency Generators – *Approved*
- n. Consideration Authorization to Submit the FY 09 OHFA (OK Housing Finance Agency) HOME Program Summary Application with Applicable 18.75% In-Kind Match (up to \$46,875) – *Approved* (See agenda item #2)
- o. Consideration Award of Bid for Agricultural Hay Lease at Lake Durant – *Awarded Bid to Rex Williams III for \$2,000 per year*
- p. Consideration Approval of Chamber of Commerce Sponsored Parade Routes for 2009 – *Approved*
- q. Consideration Approval of Compensation for Two Employees with Maximum Step Eligibility – *Approved* (See agenda item #2)
- r. Consideration Acceptance of Resignation from Glenn Price from the Park and Recreation Advisory Board – *Accepted*
- s. Consideration Acceptance of Resignation from Shirley Webb from the Keep Durant Beautiful Board – *Accepted*
- t. Consideration Joint Contract between Choctaw Nation of Oklahoma and City of Durant for Mini Headworks and Waste Water Line (C-2009-01) – *Approved* (See agenda item #2)
- u. Consideration Appointment of Council Designee to 9-1-1 Board – *Council Appointed Keiller Haynie*
- v. Consideration Authorization for Additional Office Specialist Position in the Finance Office – *Approved*

Motion made by Council Member Marcum and seconded by Council Member Story to approve the Consent Docket items with the following items removed for discussion e, n, q, t

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.e –

Council Member Marcum asked for information for clarification of credit offered by Ford Motor Credit. City Manager Dunegan stated the City will also be requesting other methods of financing. Council Member Story asked what happens to the old cars. Chief Cook stated if they are not able to be used for reserve units, they will be auctioned off.

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

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

1.n. –

Council Member Marcum asked for clarification of the In-Kind Match. Becca Parr stated the In-Kind Match would be demolition and disposal at the landfill to prepare the site for construction. The only exception would be if water meter would need to be updated. Council Member Marcum stated a concern that this would be a considerable in-kind

amount to benefit 3-4 individuals. Vice-Mayor Cross stated this would clean up properties needing to be cleaned up, saving the City money in the end. Ms. Parr stated that other communities also have voiced the same concern. This application only allows the City to be placed in the "lottery drawing" for the program. There are usually 120 applicants across the state with 30 projects selected.

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

Aye: Sherrer, Story, Cross, Tomlinson

Nay: Marcum

Abstain: None

1.q –

Vice-Mayor Cross asked how many years these employees have with the City. City Clerk Leta McNatt stated they have been with the City for many years and they have reached the maximum step available on the current pay plan. Mayor Tomlinson asked when this pay plan was put in place – 2004. Ms McNatt stated that the pay plan should be reviewed about every five years. Mayor Tomlinson asked if reviews were given for the employees to merit the increase. Only salaried employees receive reviews at this time, but the merit increase is recommended by the supervisor.

Motion made by Vice-Mayor Cross and seconded by Council Member Marcum to approve Consent Docket item 1.q. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

1.t –

Vice-Mayor Cross stated the amount of work on this contract is impressive. He asked what the benefit to the City would be. Assistant City Manager Houser stated it would be in excess of \$1 million. Public Works director Jerry Yandell stated that plans are in the works for expanding the Wastewater Treatment Plant to ensure adequate treatment capacity.

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

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

3. Information Items

- a. Department Reports for December, 2008
- b. City Boards, Committees, and Commissions Minutes for December, 2008
- c. Reynolds Foundation Grant Report

Request for Qualifications for the construction company have been requested. Waiting on kick-off schedule. No action; information only

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

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

4. Presentations

- a. Recognition of the Durant High School Band Achievements
- b. Employee Quarterly Service Awards

5. Public Hearings

- a. Public Hearing for Final Performance Report Closeout on FY-06 Community Development Block Grant-Economic Development Infrastructure Grant (CDBG-EDIF)12620 CDBG-EDIF 06 Street Project to Serve Sanimax

Millie Vance, grant administrator, presented the final report on the project. Clark Avenue was reconstructed to serve Sanimax. The street is complete with the exception of striping, which will be completed prior to January 19, 2009.

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

- b. Consideration Final Acceptance of the Sanimax Street Project 12620 CDBG-EDIF 06 as Complete

Motion made by Vice-Mayor Cross and seconded by Council Member Story to accept 12620 CDBG-EDIF 06 – Sanimax Street Project as Complete. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

- c. 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.

Mr. Archie requested this item be tabled for further consideration at a later meeting. No action taken. Place on February 2009 agenda.

- d. Consideration Acceptance of Final Plat by North Star Development for Heritage Crossing Subdivision (PC2009-03)

Council Member Marcum asked how quickly permits will be issued. Community Development Director Joseph Marquardt stated there are final issues being resolved. Inspections are being completed and expect permits to be issued soon. There were no comments from the audience.

Motion made by Council Member Marcum and seconded by Council Member Story to accept the final plat for Heritage Crossing Subdivision. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

6. Consideration Approval Payment for Purchase of Land and 9-1-1 Towers

City Manager Jim Dunegan stated this is regarding the agreement to move 9-1-1 funds to the City of Durant for disbursement. The County was already in negotiations and committed to the sale of the towers. This money needs to be released to the County for the payment of the towers and the towers would then be deeded to the City. City Attorney Pat

Phelps stated the deeds are prepared and are to be placed on the County Commissioners agenda. The payment would be made directly to TotalNet.

Motion made by Vice-Mayor Cross and seconded by Council Member Sherrer, to Approve Payment for Purchase of Land and 9-1-1 Towers. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

7. Consideration Acceptance of Resignations of Trustee Scott Crain and Trustee Richard Gallegos from the Durant Community Facilities Authority

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

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

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

Aye: Marcum, Sherrer, Cross, Tomlinson

Nay: None

Abstain: None

8. Executive Session

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

b. Consideration Action Pursuant to Item 8a Above

No Action.

9. New Business

City Attorney Pat Phelps stated it will be necessary to publish an election by January 19, 2009 to pass a Resolution establishing the date of the election and setting the filing period.

Notice is hereby given to the City Clerk to have a special meeting at 8:30 a.m. on Friday, January 16, 2009.

Steve Dow reported the Regional Fire Training School at the Kiamichi Vo-Tech with approximately 300 attending. This is the largest training made available in the State of Oklahoma. He expressed his appreciation to the City and the Council for their support.

ADJOURNMENT

Motion made by Council Member Marcum and seconded by Council Member 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 CITY UTILITIES AUTHORITY ON JANUARY 13, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 4:44 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
Secretary Leta McNatt

Absent: None

ORDER OF BUSINESS

1. Consent Docket
 - a. Consideration Approval of Minutes for the Durant City Utilities Authority Regular Meeting of December 9, 2008 – *Approved*
 - b. Consideration Approval of Claims – *Approved*
 - c. Request for Authorization to Purchase Replacement Lift Station for Country Estates IV – *Approved*
Motion made by Trustee Story 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. Consideration Award of Bid for Materials for Relocation of Water and Sewer Lines for Crossing of Enterprise Boulevard and Highway 70 By-Pass
Jerry Yandell recommended the bid be awarded to Water Products of Oklahoma for \$16,766.60
Motion made by Trustee Story and seconded by Trustee Sherrer to award the bid as recommended. Motion carried with the following vote:
Aye: Marcum, Sherrer, Story, Cross, Tomlinson
Nay: None
Abstain: None
4. Information Items:
 - a. Department Reports for December, 2008
 - b. Utility Billing Summary for December, 2008No action; information only

5. 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

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT AIRPORT AUTHORITY ON JANUARY 13, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 4:49 p.m. by Chairman Jerry L. Tomlinson.

ROLL CALL

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

Absent: None

ORDER OF BUSINESS

1. Consent Docket
 - a. Consideration Approval of Minutes for the Durant Airport Authority Regular Meeting of December 9, 2008 – *Approved*
 - b. Consideration Approval of Claims – *Approved*
 - c. Consideration Award of Bid for Agricultural Hay Lease at Airport – *Approved*

Motion made by Trustee Sherrer and seconded by Trustee Story 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 December, 2008
 - b. Committee Reports & Minutes for December, 2008
 - c. Airport Progress Report
 - d. Update on Eaker Field Terminal Building Design
Bid packets are scheduled to go out mid February, 2009. No action; information only
4. New Business
No New Business at this time.

ADJOURNMENT

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