

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL ON JUNE 9, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 4:09 p.m. by Mayor Jerry L. Tomlinson.

INVOCATION

Invocation was given by Tommy Kramer, Economic Development 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 Items
 - a. Consideration Approval of Minutes for the City Council Regular Meeting of May 12, 2009 – *Approved*
 - b. Consideration Approval of Minutes for the City Council Special Meeting of May 18, 2009 – *Approved*
 - c. Consideration Approval of Minutes for the City Council Special Meeting of June 1, 2009 – *Approved*
 - d. Consideration Approval of Claims – *Approved*
 - e. Acknowledgement of Receipt of ODEQ Permit No. ST000007090107 – Choctaw Resort Area South Wastewater Treatment Plant Secondary Head-Works Project – *Acknowledged*
 - f. Acknowledgement of Receipt of ODEQ Permit No. SL000007090154 – Choctaw Resort Area Sewer Line Extension Project – *Acknowledged*
 - g. Consideration Recommendation from Oklahoma Municipal Assurance Group Regarding Tort Claim of Christopher Farris, No 27536-MP – *Claim Denied per Recommendation from OMAG*
 - h. Consideration Declaring Surplus and Authorization for City Auction to Dispose of Property that is no Longer of Use, Seizures, Found Property and Forfeitures – *Approved*
 - i. Consideration Request from PRC to Block Brookside Drive on July 11th for Company Family Picnic – *Approved*
 - j. Consideration Renewal of Annual Contracts with Non-Profit Organizations
 - 1) Big Five Community Services (C-2009-32) – *Approved*
 - 2) Durant Main Street (C-2009-33) – *Approved*
 - 3) Durant Historical Society (C-2009-34) – *Approved*
 - 4) Durant Literacy Council (C-2009-35) – *Approved*
 - 5) Durant Area Chamber of Commerce (C-2009-36) – *Approved*
 - k. Consideration Funding Agreement with District Attorney Drug Task Force (C-2009-37) – *Approved*
 - l. Consideration Resolution No. 2009-20 Supporting Continued Participation in the Main Street Program – *Approved*
 - m. Consideration Confirmation of the Following Appointments
 - 1) Municipal Judge – Ken Rainbolt – Expires June, 2011 – *Approved*
 - 2) Assistant Municipal Judge – Theresa McGehee – Expires June, 2011 – *Approved*
 - 3) Planning Commission
 - i. Clint Whitehurst – Expires June, 2012 – *Approved*

1.t. – Removed by Mayor Jerry Tomlinson – City Clerk Leta McNatt stated this is an extension of the current contract.

Motion made by Council Member Marcum and seconded by Council Member Story to approve C-2009-39. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

3. Information Items

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

Assistant City Manager Ralph Houser stated that the geo-tech bore holes have been drilled. CMS Willowbrook will provide an estimated building cost in July.

No action; information only

4. Administration

- a. Consideration Ordinance No. 1619 Amending City Manager's Threshold for Purchases

No Action Taken.

- b. Consideration Award of Bid for SCBA and Face Mask for Fire Department (Bid No 2009-87)

Motion made by Vice-Mayor Cross and seconded by Council Member Story to award the bid to Wayest Safety Inc for \$88,990.62 as best bid upon recommendation from purchasing committee. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

- c. Consideration Award of Bid for Bunker Gear (10 sets) for Fire Department (Bid No 2009-88)

Motion made by Vice-Mayor Cross and seconded by Council Member Marcum to award the bid to North America Fire Equip for \$17,650 as best bid upon recommendation from purchasing committee. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

- d. Consideration Award of Bid for Fire Hoses for Fire Department (Bid No 2009-89)

Motion made by Vice-Mayor Cross and seconded by Council Member Sherrer to award the bid to Chiefs Fire & Safety for \$26,133 as best bid upon recommendation from purchasing committee. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

- e. Consideration Lease Agreement with Durant Fabrication & Mfg., Corporation (C-2009-40)

City Attorney Pat Phelps stated this is a building located near the airport in the industrial area. The original lease holder will be closing their business and has relinquished their lease for the new five-year lease to be offered. Durant Fabrication & Mfg., Corporation may be interested in purchasing this building within the five-year lease term. A purchase clause has been placed in the contract. There is a possibility for CDBG funds to make improvements to the building.

Motion made by Vice-Mayor Cross and seconded by Council Member Sherrer to approve C-2009-40. 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 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 Story to go back into 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 Story 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 Story to go back into regular session. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

Presentations, Public Hearings and Citizen Requests

5. Presentations

a. SOSU Football Team – Community Clean-Up Project

Mayor Tomlinson congratulated the Savage Storm Football Team and coaching staff for their community service. Certificates of appreciation were presented for each team member.

6. Public Hearings

a. Consideration Ordinance No. 1616 (PC2009-06) to Rezone Property Located at 101 W Arkansas from General Residential R-3 to Medium Industrial I-2

Community Development Director Joseph Marquardt stated the use will be for a frame shop and the I-2 zoning is the only zoning allowing this type of shop.

Motion made by Council Member Marcum and seconded by Council Member Story to approve Ordinance No. 1616 Section 1. 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 Story to approve Ordinance No. 1616 Section 2. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

b. Consideration Ordinance No. 1617 (PC2009-07) to Rezone Property Located at 417 Criswell Blvd from Highway Commercial Recreation C-2 to General Commercial C-3

Community Development Director Joseph Marquardt stated this request is due to height restrictions for a new Hotel.

Motion made by Council Member Marcum and seconded by Council Member Sherrer to approve Ordinance No. 1617 Section 1. 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 approve Ordinance No. 1617 Section 2. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None

Abstain: None

c. Consideration Public Hearing for Oklahoma Department of Commerce FY09 CDBG Small Cities Program Grant

Grants Administrator Becca Parr commented the best use for these funds would be used at Lloyd Plyler Park and the building housing the Department of Public Safety. This project would benefit low-moderate individuals and will be presented to the Park and Recreation Advisory Board. This will be a dollar for dollar cash match. The grant is due July 24, 3009. Public Hearing Only. There were no comments from the public.

d. Consideration Resolution No. 2009-21 Approval to Submit Community Development Block Grant (CDBG) 2009 State Small Cities Program Application

Motion made by Vice-Mayor Cross and seconded by Council Member Story to approve Resolution No. 2009-21. 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 Story to enter into Executive 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 Sherrer 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 to Discuss Tentative Labor Agreement with FOP Lodge 113 (Executive Session Authorized by Title 25, Section 307 B(2) of the Oklahoma State Statutes)

- b. Consideration Action Pursuant to Item 7a Above

Motion made by Vice-Mayor Cross and seconded by Council Member Story to approve the labor agreement with FOP Lodge 113 and the City of Durant. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

- c. Consideration Executive Session for Purposes of Confidential Communication between the City of Durant and Its Attorney Concerning a Pending Claim (Executive Session Authorized by Title 25, Section 307 B(4) of the Oklahoma State Statutes)

- d. Consideration Action Pursuant to Item 7c Above

Motion made by Council Member Marcum and seconded by Council Member Story to accept the offer from REI of \$40,000 to satisfy both mortgages and approve the sale of the remaining 6.6 surface acres at appraised value. 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 authorize the City Attorney to represent the City on a Pending Claim. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

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

- f. Consideration Action Pursuant to Items 7e Above

No Action.

8. New Business

No New Business at this time.

ADJOURNMENT

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

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

Agenda posted on Durant City Hall Entry Door at 9:30 a.m. on the 5th day of June, 2009 by LaVona Staggs, Management Assistant.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY UTILITIES AUTHORITY ON JUNE 9, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 4:38 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 Items
 - a. Consideration Approval of Minutes for the Durant City Utilities Authority Regular Meeting of May 12, 2009 – *Approved*
 - b. Consideration Approval of Claims – *Approved*Motion made by Trustee Sherrer and seconded by Trustee Story to approve the Consent Items a & b 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
No Action.
3. Information Items:
 - a. Department Reports for May, 2009
 - b. Utility Billing Summary for May, 2009No action; information only
4. Consideration Contract Renewal between the Durant City Utilities Authority and the Durant Industrial Authority (C-2009-38)
Motion made by Vice-Chairman Cross and seconded by Trustee Sherrer to approve Contract No. C-2009-38. Motion carried with the following vote:
Aye: Marcum, Sherrer, Story, Cross, Tomlinson
Nay: None Abstain: None
5. Consideration Resolution No. 2009-23 Revising Fees Associated with Water, Sewer and Solid Waste Rate Schedule
No Action.
6. New Business
No New Business at this time.

ADJOURNMENT

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

Agenda posted on Durant City Hall Entry Door at 9:30 a.m. on the 5th day of June, 2009 by LaVona Staggs, Management Assistant.

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT AIRPORT AUTHORITY ON JUNE 9, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL

CALL TO ORDER

Meeting was called to order at 4:42 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 Items
 - a. Consideration Approval of Minutes for the Durant Airport Authority Regular Meeting of May 12, 2009 – *Approved*
 - b. Consideration Approval of Claims – *Approved*

Motion made by Vice-Chairman Cross and seconded by Trustee Marcum to approve the Consent Docket items a & b 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 May, 2009
 - b. Committee Reports & Minutes for May, 2009
 - c. Airport Terminal Update
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