

**MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT CITY COUNCIL ON SEPTEMBER 8, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL**

**INVOCATION**

Invocation was given by James Dalton, Emergency Management Director.

**CALL TO ORDER**

Meeting was called to order at 4:38 p.m. by Mayor Jerry L. Tomlinson.

**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 August 11, 2009 – *Approved*
  - b. Consideration Approval of Minutes for the City Council Special Meeting of August 20, 2009 – *Approved*
  - c. Consideration Approval of Claims – *Approved*
  - d. Consideration Award of Bid No. 2009-111 for Hay Lease at Durant Multi-Sports Complex (C-2009-53) – *Bid Awarded to Rex Williams for \$800*
  - e. Consideration Award of Bid for Body Armor Vests for Police Department (Bid No. 2009-114) – *Bid Awarded to Oklahoma Police Supply for \$23,400 (see discussion under Item #2)*
  - f. Consideration Budget Amendment No. BA2009-13 – *Approved (see discussion under Item #2)*
  - g. Consideration Request for Authorization to Advertise for Bids for Paving Materials for Detectives Facility on North 1<sup>st</sup> (old OHP Building) (Bid No. 2009-127) – *Approved (see discussion under Item #2)*
  - h. Consideration Request for Authorization to Purchase Asphalt Compactor through Texas Buy Board for Street Department (Bid No. 2009-128) – *Approved (see discussion under Item #2)*
  - i. Consideration Request to Declare Surplus and Authorize the Police Department to Sell (2) Ford Explorer SUV Vehicles by Sealed Bid Process – *Approved (see discussion under Item #2)*
  - j. Consideration Request for Authorization of Sole Source Purchase for CAD/RMS Upgrade for Police Department Dispatch for 911 Wireless Implementation (Bid No. 2009-125) – *Approved (see discussion under Item #2)*
  - k. Consideration Request for Authorization of Sole Source Purchase for Upgrade of 911 Telephony Equipment for 911 Wireless Implementation (Bid No. 2009-123) – *Approved (see discussion under Item #2)*
  - l. Consideration Request for Authorization of Sole Source Purchase of MobileCop Software for Police Department (Bid No. 2009-124) – *Approved (see discussion under Item #2)*
  - m. Consideration Award of Bid No. 2009-112 for Lake Durant Bow Hunting Lease (C-2009-52) – *Lease Awarded to Tony Tubbs for \$750*
  - n. Consideration Agreement with the Bryan County Sheriff for Care and Housing of Municipal Prisoners (C-2009-42) – *Approved (see discussion under Item #2)*
  - o. Consideration Approval for Durant Independent School District to be Exempted from the City Building Permit Regulations for Construction of the High School Facility – *Approved*

- p. Consideration Lump Sum Distribution of Oklahoma Municipal Retirement Plan (Defined Benefits) for Mr. William W. Watkins – *Approved*
- q. Consideration Approval of Parade Route for Durant Independent School District Homecoming September 17, 2009 – *Approved*
- r. Consideration Resolution No. 2009-29 Approving Submission of Application for U.S. Department of Transportation (TIGER) Transportation Investment Generating Economic Recovery Grant – *Approved (see discussion under Item #2)*
- s. Consideration Resolution No. 2009-30 to Commit 20% In-Kind Labor and Equipment in Support of the U.S. Department of Transportation (TIGER) Transportation Investment Generating Economic Recovery Grant for Road and Bridge Improvements – *Approved (see discussion under Item #2)*

Motion made by Council Member Marcum and seconded by Council Member Story to approve Consent Items with the following item removed for discussion e, f, g, h, i, j, k, l, n, r, s.

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. – Item removed by Vice-Mayor Cross – have they not been purchased in the past? Chief Cook stated they need to be replaced about every 5 years. Only seven vests were purchased with the last grant awarded. With the grant, the City will only pay a little over one-half of the cost for the vests.

Motion made by Council Member Marcum and seconded by Council Member Story to approve award of bid for body armor vests. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None                      Abstain: None

1. f. – Item removed by Vice-Mayor Cross – requesting explanation of the budget amendments. Sarah Sherrer provided explanation. Payments must be in line with budget items. Some projections were unable to be determined at the time the budget was created. Legally adjustments must be made on line items to comply within budget amounts.

Motion made by Council Member Marcum and seconded by Vice-Mayor Cross to approve Budget Amendment No. BA2009-13. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None                      Abstain: None

1. g. – Item removed by Vice-Mayor Cross – with the eventual building of the new Police Department why spend that much on a parking lot that will be vacated? City Manager Dunegan stated with the tower located behind the building it would be more cost effective to maintain the parking lot than to move the tower. The building will also be used for other use if/when the Detectives move to another location.

Motion made by Council Member Story and seconded by Council Member Marcum to authorize to Advertise for Bids for Paving Materials for Detectives Facility on North 1<sup>st</sup>. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None                      Abstain: None

1. h. – Item removed by Vice-Mayor Cross – can the current compactor be repaired? Public Works Director Jerry Yandell stated the current compactor is worn out and not able to be repaired. The current compactor had been purchased used.

Motion made by Council Member Marcum and seconded by Council Member Story to approve the purchase of the asphalt compactor. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None                      Abstain: None

1. i. – Item removed by Vice-Mayor Cross – why must SUV's be used to transport dogs? Can they not use the back of a car? Chief Cook stated there is equipment necessary for the canine officers. Council Member Marcum stated that the replacement vehicles have already been purchased and that other towns have expressed an interest in these vehicles to purchase. Chief Cook stated that the vehicles will bring a better return if they are sold with lower mileage.

Motion made by Council Member Marcum and seconded by Council Member Story to approve the sale of two (2) Explorer SUV Vehicles. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

**1. j.** – Item removed by Vice-Mayor Cross – is the old software out of date? Captain Houser stated that the company has updated the software and the old software will no longer be maintained. Other software being used requires the updated software as well. This would also allow the City to become Phase II compliant and next generation compliant.

Motion made by Council Member Marcum and seconded by Council Member Sherrer to approve Purchase of CAD/RMS Upgrade for Police Department Dispatch for 911 Wireless Implementation.

Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

**1. k.** – Item removed by Vice-Mayor Cross – no discussion.

Motion made by Council Member Marcum and seconded by Council Member Story to approve purchase for Upgrade of 911 Telephony Equipment for 911 Wireless Implementation. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

**1. l.** – Item removed by Vice-Mayor Cross – no discussion.

Motion made by Council Member Marcum and seconded by Council Member Story to approve purchase of MobilCop Software. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

**1. n.** – Item removed by Vice-Mayor Cross – this is a 33% increase. The County may be coming to the City for the use of the Federal Building. Maybe the reduction of the cost could be in lieu of payment of the Federal Building. Chief Cook stated that additional healthcare mandated by the state as well as operational cost increases are in line with the increased fee requested by the County.

Motion made by Council Member Marcum and seconded by Council Member Sherrer to approve Contract with Bryan County Sheriff. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Tomlinson

Nay: Cross Abstain: None

**1. r.** – Item removed by Vice-Mayor Cross – concern with the City's ability to come up with the match if the grant were awarded. Becca Parr stated that with this grant there are no guidelines and no set amount of match. However, match funds will increase the rating priority for receiving the grant. The City may be able to use in-kind labor and equipment for the match.

Motion made by Council Member Marcum and seconded by Council Member Story to approve Resolution No. 2009-29. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

**1. s.** – Item removed by Vice-Mayor Cross – no discussion.

Motion made by Council Member Marcum and seconded by Council Member Story to approve Resolution No. 2009-30. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

Vice-Mayor Cross would like to apologize to the council for discussion on so many items, but felt like the council had voted on things in the past without full understanding. He would like to see a couple of paragraphs, in laymen's terms prior to each item.

Council Member Story stated that the agenda packets are provided well in advance of the meeting and recommended that if any Council Member had a question prior to the council meeting to call and ask the City Manager's office so that further information could be provided.

City Manager Dunegan stated that two years ago 45 projects were in progress now 248 projects are currently underway and sometimes full explanation is not conveyed.

3. Information Items

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

Dr. Davis stated they are in the process of updating cost estimates. Furniture is being reviewed.

- d. Durant School District Sales Tax Revenue Disbursements

No action; information only

4. Administration

- a. Consideration And Action On Resolution No. 2009- 32 Approving The Incurrence Of Indebtedness By The Durant City Utilities Authority (The "Authority") Issuing Its Utility System And Sales Tax Revenue Note, Series 2009a (The "Note"); Providing That The Organizational Document Creating The Authority Is Subject To The Provisions Of The Indenture Authorizing The Issuance Of Said Note; Waiving Competitive Bidding With Respect To The Sale Of Said Note And Approving The Proceedings Of The Authority Pertaining To The Sale Of Said Note; Ratifying, Confirming, And Approving The Sales Tax Agreement By And Between The City Of Durant, Oklahoma (The "City") And The Authority Pertaining To The Year-To-Year Pledge Of Certain Sales Tax Revenues; Ratifying, Confirming, And Approving The Lease, As Amended, Pertaining To The City's Utility Systems; Establishing The City's Reasonable Expectation With Respect To The Issuance Of Tax-Exempt Obligations By Or On Behalf Of Said City In Calendar Year 2009, And Designating The Note As A Qualified Tax-Exempt Obligation; And Containing Other Provisions Relating Thereto

Allan Brooks, Public Finance Law Group PLLC stated that the Durant City Utilities Authority would not be able to incur the debt without the approval of the City Council.

Motion made by Council Member Marcum and seconded by Council Member Story to approve Resolution No. 2009-32. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Tomlinson

Nay: None Abstain: Cross

- b. Consideration And Action On Resolution No. 2009-33 Approving The Incurrence Of Indebtedness By The Durant City Utilities Authority (The "Authority") Issuing Its Utility System And Sales Tax Revenue Note, Series 2009b (The "Note"); Providing That The Organizational Document Creating The Authority Is Subject To The Provisions Of The Indenture Authorizing The Issuance Of Said Note; Waiving Competitive Bidding With Respect To The Sale Of Said Note And Approving The Proceedings Of The Authority Pertaining To The Sale Of Said Note; Ratifying, Confirming, And Approving The Sales Tax Agreement By And Between The City Of Durant, Oklahoma (The "City") And The Authority Pertaining To The Year-To-Year Pledge Of Certain Sales Tax Revenues; Ratifying, Confirming, And Approving The Lease, As Amended, Pertaining To The City's Utility Systems; Establishing The City's Reasonable Expectation With Respect To The Issuance Of Tax-Exempt Obligations By Or On Behalf Of Said City In Calendar Year 2009, And Designating The Note As A Qualified Tax-Exempt Obligation; And Containing Other Provisions Relating Thereto

Allan Brooks, Public Finance Law Group PLLC stated that this is the companion Resolution approved by the Durant City Utilities Authority and the DCUA would not be able to incur the debt without the approval of the beneficiary, in this case the City Council.

Motion made by Council Member Marcum and seconded by Council Member Sherrer to approve Resolution No. 2009-33. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

- c. Consideration Safe Routes to School (Washington Irving) Resolution No. 2009-31; ODOT Agreement C-2009-54; Inter-local Agreement C-2009-55

Grants Administrator Becca Parr stated with the construction of the new High School and the Middle School (DMS) students moving to the existing High School facility, the DMS is no longer a viable option and the Oklahoma Department of Transportation has agreed to allow the original grant to be transferred to Washington Irving Elementary school. There will be no changes to the fund amounts, simply an amended contract with the change of location. City Attorney Pat Phelps stated it would be in order to take action on the Resolution and ODOT Agreement with contingency.

Motion made by Council Member Marcum and seconded by Council Member Sherrer to approve Resolution No. 2009-31 contingent upon approval by City Attorney

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 ODOT Agreement C-2009-54 with the same contingency

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 approved Inter-local Agreement C-2009-55.

Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

Motion made by Council Member Marcum, second by Council Member Story to take a 10 minute recess.

Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

Motion made by Council Member Marcum, second by Council Member Sherrer to reconvene in regular session. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

- d. **Consideration And Possible Action Upon Resolution No. 2009-36 Designating The Durant Development Authority As The Public Trust To Administer The Sales Tax Voted On By The Citizens Of Durant, Oklahoma For The Benefit Of The Durant Public Schools As Per Ordinance No. 1589; Directing The Durant Development Authority To Accept An Assignment Of The Land Lease Purchase Agreement Between The Durant Public Schools And Landmark Bank, National Association Dated May 2, 2006, From Durant Public Schools And Enter Into A Sublease Purchase Agreement From The Durant Development Authority To The School District In Regard To The Land Lease Purchase Agreement; And Directing The Durant Development Authority To Assign The Land Lease Purchase Agreement, The Sublease Purchase Agreement And All Other Necessary Documents Related Thereto To A Designated Trustee Bank For The Issuance Of Certificates Of Participation By The Durant Public Schools.**

Council Member Marcum stated there have been discussions with the Durant Independent School System and Section 1 will get the entities in order to get the school built. Sections 2 and 3 are not necessary. Bond Council for the Durant Independent School District, Glenn Floyd expressed his appreciation for the work of the Council. Vice-Mayor Cross verified that this will allow the School District to let the Bonds to begin construction. Dr. Simeroth, Durant School Superintendant, expressed his appreciation on behalf of the School Board and students.

Motion made by Council Member Marcum and seconded by Council Member Sherrer to approve Resolution No. 2009-36 Section 1 only. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

- e. **Consideration and Action Granting City Manager Authority to Investigate Federal Building for Possible Use by County as a Courthouse Annex.**

Council Member Story stated he attended the County Commissioners meeting and they are considering moving several offices over to the Waco Street County Health office. They are looking for an alternate downtown location. Council Member Story told the County Commissioners he would bring the use of the Federal Building to the Council for consideration. Most offices on the first and second floor of the County Courthouse would be moved. Mayor Tomlinson would like to see the offices remain in the downtown area for convenience of the citizens. The City Manager could start a dialogue with the County Commissioners and the City Council in the event the offices could be utilized by the County. Vice-Mayor Cross would like to see the offices remain in downtown, but it has been suggested for the building to be donated to the County and he believes there should be a financial exchange and not a direct donation to the County.

Motion made by Council Member Marcum and seconded by Council Member Story to the City Manager to Investigate Federal Building for Possible Use by County as a Courthouse Annex. Motion carried with the following vote:  
Aye: Marcum, Sherrer, Story, Cross, Tomlinson  
Nay: None Abstain: None

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

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 Trustee 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

Motion made by Council Member Sherrer 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 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

5. Executive Session

- a. 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)
- b. Consideration Action Pursuant to Item 5a Above  
No Action

6. New Business

No New Business at this time.

**ADJOURNMENT** – 6:40 p.m.

Motion made by Council Member Sherrer 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 SEPTEMBER 8, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL**

**CALL TO ORDER**

Meeting was called to order at 4:15 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 August 11, 2009 – *Approved*
  - b. Consideration Approval of Claims – *Approved*
  - c. Consideration Award of Bid No. 2009-110 for (7) 40-yard Hooklift Compatible Rolloff Open Tops for Solid Waste Department – *Bid Awarded to Mayfab for \$29,232*
  - d. Consideration Request for Authorization to Purchase (2) 3-axle Transfer Trucks for Landfill– *Approved*

Motion made by Trustee Marcum and seconded by Trustee Story to approve the Consent Items a - d 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 August, 2009
- b. Utility Billing Summary for August, 2009

No action; information only

4. Administration

- a. Consideration And Action On Resolution No. 2009-34 Authorizing The Durant City Utilities Authority (The "Authority") To Issue Its Utility System And Sales Tax Revenue Note, Series 2009a (The "Note") In The Aggregate Principal Amount Of \$6,000,000.00; Waiving Competitive Bidding And Authorizing The Note To Be Sold On A Negotiated Basis; Ratifying, Confirming, And Approving The Sales Tax Agreement By And Between The City And The Authority Pertaining To A Year-To-Year Pledge Of Certain Sales Tax Revenue; Approving And Authorizing Execution Of A Series 2009a Supplemental Note Indenture Authorizing The Issuance And Securing The Payment Of The Note; Providing That The Organizational Document Creating The Authority Is Subject To The Provisions Of The Indenture; Ratifying, Confirming, And Approving The Lease, As Amended, Pertaining To The City's Utility Systems; Establishing The Authority's Reasonable Expectation With Respect To The Issuance Of Tax-Exempt Obligations By The Authority In Calendar Year 2009, And Designating The Note As A Qualified Tax-Exempt Obligation; Authorizing And Directing The Execution Of The Note And Other Documents Relating To The Transaction; And Containing Other Provisions Relating Thereto.

Jon Wolff, Municipal Finance Group and Allan Brooks, Public Finance Law Group PLLC, presented the Resolution and reported on the bids received. Bank of America submitted a bid of 4.45% with an upfront fee of ¼% and First United Bank submitted a bid of 5.0%. The Note would be closed on September 14, 2009. First Principle and Interest payment will be due March 1, 2010. Bank of America submitted the lower bid.

Vice-Mayor Cross asked about the use of the funds, specifically the Police Department. City Manager Dunegan stated that preliminary designs have been completed and Chief Cook has them available for review upon request. The land cost would be included in the use of the funds requested. Some of the funds would be used to renovate City Hall, Fire Department Sub Station and Parks improvements.

Motion made by Trustee Marcum and seconded by Trustee Story to approve Resolution No. 2009-34. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

- b. Consideration And Action On Resolution No. 2009-35 Authorizing The Durant City Utilities Authority (The "Authority") To Issue Its Utility System And Sales Tax Revenue Note, Series 2009b (The "Note") In The Aggregate Principal Amount Of \$2,000,000.00; Waiving Competitive Bidding And Authorizing The Note To Be Sold On A Negotiated Basis; Ratifying, Confirming, And Approving The Sales Tax Agreement By And Between The City And The Authority Pertaining To A Year-To-Year Pledge Of Certain Sales Tax Revenue; Approving And Authorizing Execution Of A Series 2009b Supplemental Note Indenture Authorizing The Issuance And Securing The Payment Of The Note; Providing That The Organizational Document Creating The Authority Is Subject To The Provisions Of The Indenture; Ratifying, Confirming, And Approving The Lease, As Amended, Pertaining To The City's Utility Systems; Establishing The Authority's Reasonable Expectation With Respect To The Issuance Of Tax-Exempt Obligations By The Authority In Calendar Year 2009, And Designating The Note As A Qualified Tax-Exempt Obligation; Authorizing And Directing The Execution Of The Note And Other Documents Relating To The Transaction; And Containing Other Provisions Relating Thereto.

Jon Wolff, Municipal Finance Group and Allan Brooks, Public Finance Law Group PLLC, presented the Resolution and reported on the bids received. Bank of America submitted a bid of 4.98%; First United Bank submitted a bid of 5.0% and Vision Bank submitted a bid of 4.589%. The Note would be closed September 30, 2009. First Principle and Interest payment will be due March 1, 2010. Vision Bank submitted the lower bid.

Motion made by Trustee Marcum and seconded by Trustee Sherrer to approve Resolution No. 2009-35. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None Abstain: None

#### 5. 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 10:00 a.m. on the 3<sup>rd</sup> day of September, 2009 by LaVona Staggs, Management Assistant.

**MINUTES OF THE REGULAR SCHEDULED MEETING OF THE DURANT AIRPORT AUTHORITY ON SEPTEMBER 8, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL**

**CALL TO ORDER**

Meeting was called to order at 6:10 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 August 11, 2009 – *Approved*
  - b. Consideration Approval of Claims – *Approved*  
Motion made Trustee Sherrer by and seconded by Trustee Story 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 August, 2009
  - b. Committee Reports & Minutes for August, 2009
  - c. Airport Terminal Update
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

**MINUTES OF THE SPECIAL MEETING OF THE DURANT DEVELOPMENT AUTHORITY ON SEPTEMBER 8, 2009 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, DURANT CITY HALL**

**CALL TO ORDER**

Meeting was called to order at 6:08 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. Consideration And Possible Action Upon Resolution No. 2009-37 Authorizing The Administration Of The Sales Tax Voted On By The Citizens Of Durant, Oklahoma As Per Ordinance No. 1589 In Support Of The Durant Public Schools; Accepting The Assignment Of The Land Lease Purchase Agreement Between The Durant Public Schools And Landmark Bank, N.A. Dated May 2, 2006 From The Durant Public Schools And Entering Into A Sublease Purchase Agreement With The School District In Regard Thereto; And Authorizing The Assignment Of The Land Lease Purchase Agreement, The Sublease Purchase Agreement And Any Other Documents Necessary Or Related Thereto To A Designated Trustee Bank For The Issuance Of Certificates Of Participation By The Durant Public Schools.

Motion made Trustee Marcum by and seconded by Vice-Chairman Cross to approve Resolution No. 2009-37 with the following amendment – delete Paragraph 2 and 3 of the Whereas Portion and Section 2 and 3. Motion carried with the following vote:

Aye: Marcum, Sherrer, Story, Cross, Tomlinson

Nay: None                      Abstain: None

**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