

MINUTES OF THE SPECIAL MEETING OF THE DURANT CITY COUNCIL ON FEBRUARY 3, 2010 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, 300 W EVERGREEN, DURANT, OK

CALL TO ORDER

Meeting was called to order at 4:18 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 Attorney Pat Phelps
Council Member Bobby Story City Manager James H. Dunegan
Council Member Leon Sherrer City Clerk Leta McNatt
Council Member Thomas Marcum

Absent: None

ORDER OF BUSINESS

1. Consider Appointment of Council Member in Ward 4 to Fulfill Unexpired Term

Mayor Tomlinson stated that the appointment of Rick Hammel at the last council meeting. It was later discovered that due to the business conducted between the City and the Hammel family business it would create a conflict of interest. Mr. Hammel sincerely regrets being unable to serve.

Mayor Tomlinson stated that another individual that was seriously considered well represents his family, church, Southeastern University and the Durant Community Facilities Authority. Mayor Tomlinson highly recommended Dr. Jerry Polson as Council Member, Ward 4.

Motion made by Motion made by Council Member Story and seconded by Council Member Sherrer to appoint Jerry Polson as Council Member representing Ward 4 through April 2011. Motion carried with the following vote:

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

2. Election of Vice-Mayor

Council Member Ron Cross served as Vice-Mayor for 7 years.

Motion made by Council Member Sherrer and Motion by Council Member Story to elect Tom Marcum as Vice-Mayor by acclamation. Motion carried with the following vote:

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

3. Consider Approval of Ordinance 1633 Defining the Duties of the City Treasurer

Assistant City Manager Ralph Houser presented the updated Ordinance and the job description for the City Treasurer. Crawford and Associates, City Clerk Leta McNatt, Compliance Officer Sarah Sherrer and other staff have worked together to define the duties of the City Treasurer

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to approve Ordinance 1633 Sections 1-3. Motion carried with the following vote:

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

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to approve Ordinance 1633 Section 4. Motion carried with the following vote:

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

Motion made by Council Member Sherrer and seconded by Vice-Mayor Marcum to approve the job description of the City Treasurer as presented. Motion carried with the following vote:

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

4. Consider Approval of Job Description and Authorization to Advertise for Assistant City Treasurer

This is an existing job description requiring amendment. It is different from the City Treasurer with the bulk of the changes being in the day to day process responsibilities. Mayor Tomlinson stated that our accounting firm has recommended the definition of job duties.

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to approve the job description for Assistant City Treasurer and authorize advertising for the position. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

5. Consider Request from Southeastern Oklahoma State University to Close N. 2nd Street for ½ Block South of University Boulevard and North of Willow Street

Assistant City Manager and Eddie Harbin from Southeastern OK State University presented the proposed changes to parking on the SE campus. The closure would allow for better landscaping and upgrades to the parking lot. There would still be a through avenue for emergency vehicle access. The street would not be closed completely. This would be a permanent change and maintenance would be the responsibility of Southeastern.

Motion made by Council Member Story and seconded by Council Member Sherrer to authorize the street closure request. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

Swearing In Ceremony of Council Member Jerry Polson administered by the Honorable Ken Rainbolt.

6. Consider Agreement with *CHA Construction* for Construction Materials Testing Services for the Reynolds Community Center / Library Site (C-2010-05)

Assistant City Manager Ralph Houser stated this is part of the ongoing process of the site preparation for the new community center / library. This was included in the original budget.

Motion made by Council Member Story and seconded by Vice-Mayor Marcum to approve C-2010-05. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

7. Consider C-2009-74 Addendum No. 1 with Wall Engineering for Permitting and Design of Construction and Demolition Landfill Phase 2 (C-2009-74)

Assistant City Manager Ralph Houser stated this will cover the additional area from the acquisition of land adjacent to the landfill site.

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to approve Addendum No. 1 to C-2009-74. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

8. Consider Request for Authorization to Purchase Furnishings for Newly Remodeled Criminal Investigation Building (RFAP No. 2010-010)

Chief Cook stated the city is wrapping up the remodel of the building. It is a beautiful facility and would like to place new furniture in it as well. There will be 11 total office spaces. Additional state and federal agencies have requested to be allowed space in this facility as well. This will be paid with loan funds through the Capital Improvement Budget.

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to authorize RFAP No. 2010-010. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

9. Consider Request for Authorization to Purchase Furnishings for New Central Fire Station (RFAP No. 2010-011)

Chief Dow stated this request is on state contract through Oklahoma Correctional Industries. A purchasing committee has worked to make the most of the funds available. City Manager Dunegan stated they worked hard to get the best furniture for the best price.

Motion made by Council Member Story and seconded by Vice-Mayor Marcum to authorize RFAP No. 2010-011. Motion carried with the following vote:

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

10. Consider Request for Authorization to Purchase Services for Design and Construction of New Police Department Facility (RFAP No. 2010-014)

Projects Director Jerry Yandell stated this request is to begin the process for a new Police Department facility. This is estimated to be a \$2 million dollar design/build expenditure. This will allow the commencement of surveying, site preparation, etc.

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to authorize RFAP No. 2010-014. Motion carried with the following vote:

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

11. Consider Agreement with *Theorem* for Design for New Police Department Facility (C-2010-06 Proposal)

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to approve C-2010-06 Proposal. Motion carried with the following vote:

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

12. Consider Agreement with *Howard Construction, Inc.* for Construction for New Police Department Facility (C-2010-07 Proposal)

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to approve C-2010-07 Proposal. Motion carried with the following vote:

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

13. Consider Request for Authorization to Purchase Services for Design and Construction of North Fire Substation Remodel (RFAP No. 2010-012)

Projects Director Jerry Yandell stated this request is to begin the process for the North Fire Substation Remodel. This will be a construction contract only. Construction cost will be on a not to exceed budget of \$300,000. Vice-Mayor Marcum asked if the \$45,000 amount was in line for design. Mr. Yandell stated that the industry standard is 7%. Council Member Story asked if this is the approval then if the design would be brought back to the council or if the Projects Director and City Staff would be proceeding. City Manager Dunegan stated that the architectural design will be coordinated for the new Police Station and the remodeled Fire Substation to be aesthetically uniform. This is a different process to best manage the budget for the project.

Motion made by Council Member Sherrer and seconded by Council Member Story to authorize RFAP No. 2010-012. Motion carried with the following vote:

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

14. Consider Agreement with *Mid-Plains Construction, Inc.* for Architectural Design and Construction for North Fire Substation Remodel (C-2010-08 Proposal)

Motion made by Vice-Mayor Marcum and seconded by Council Member Story to approve C-2010-08 Proposal. Motion carried with the following vote:

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

15. Consider Authorization for Dedicated Parking and Signage for New Central Fire Station

Assistant City Manager Ralph Houser stated because of the nature of the facility the signs have been requested so there would not be any obstruction with the emergency vehicles accessing the station. This would limit all day and overnight parking.

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to approve the placement of parking signage at the new central fire station. Motion carried with the following vote:

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

16. Consider Award of Financing for Two (2) Chevrolet Tahoe S.U.V. and Three (3) Dodge Charger Vehicles with Police Equipment

City Clerk Leta McNatt stated 6 requests were sent out and the recommendation is to go with Landmark Bank for 36 months.

Motion made by Council Member Sherrer and seconded by Vice-Mayor Marcum to award the financing to Landmark Bank at 3.15% Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

17. Consider Appointment of James H. Dunegan as Representative to the Southern Oklahoma Development Association

Mayor Tomlinson stated that the City Manager has served in this capacity for several years and recommended the appointment.

Motion made by Vice-Mayor Marcum and seconded by Council Member Sherrer to appoint James H. Dunegan as Representative to the Southern Oklahoma development Association (SODA) Board.

Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

18. Consider Appointment of Durant Industrial Authority Member

Mayor Tomlinson stated there is a vacancy on the Durant Industrial Authority. There are seven positions and the council appoints two of the positions. Mayor Tomlinson would like to recommend Rick Hammel to the Durant Industrial Authority.

Motion made by Council Member Story and seconded by Vice-Mayor Marcum to appoint Rick Hammel to the Durant Industrial Authority. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

19. Consider Authorization for City Clerk to Make Investments and Transfer Funds on Behalf of the City of Durant

Mayor Tomlinson stated that with the City Treasurer position vacant, this would allow the City to continue to conduct business as needed. City Clerk Leta McNatt stated the financial institutions have requested formal action by the Council for the authorization. All the banking institutions have two signatures on the account.

Motion made by Vice-Mayor Marcum and seconded by Council Member Story to authorize the City Clerk to make investments and transfer funds on behalf of the City of Durant. Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

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

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

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

Aye: Sherrer, Story, Marcum, Tomlinson

Mayor Tomlinson stated that no executive session required.

20. Executive Session

a. Consider Executive Session for Discussion and Consideration Employment for the Position of City Treasurer (This Executive Session Authorized by Title 25, Section 307 B(1) of the Oklahoma State Statutes)

b. Consideration Action Pursuant to Item 20a Above

No Action Required

ADJOURNMENT

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

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

MINUTES OF THE SPECIAL MEETING OF THE DURANT CITY UTILITIES AUTHORITY ON FEBRUARY 3, 2010 AT 4:00 P.M., ROSCOE J. HATFIELD COUNCIL CHAMBERS, 300 W EVERGREEN, DURANT, OK

CALL TO ORDER

Meeting was called to order at 5:27 p.m. by Chairman Jerry L. Tomlinson.

ROLL CALL

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

Absent: None

ORDER OF BUSINESS

1. Consider Accepting Concrete Debris for a Fee at Landfill for Stockpile and Future Crushing for Use as Base Rock

Assistant City Manager stated this would allow this landfill to accept concrete for a charge and would allow the city to use the crushed concrete for base rock. There is plenty of space at the landfill.

Motion made by Trustee Story and seconded by Trustee Sherrer to accept concrete at the landfill.

Motion carried with the following vote:

Aye: Sherrer, Story, Marcum, Tomlinson

Nay: None Abstain: None

ADJOURNMENT

Chair declared the meeting adjourned.

