

Durant Industrial Authority

MINUTES OF THE DURANT INDUSTRIAL AUTHORITY MEETING APRIL 9, 2018, AT 3:00 P.M.

I. Call to Order – Acting Chairman Martin Tucker

Chairman Tucker called the meeting to order at 3:02 p.m., declared a quorum present, and opened the meeting.

II. Opening Invocation –Janet Reed

III. Roll Call – Paige Murray

The following Durant Industrial Authority members were present: Billy Blackburn, Sean Burrage, Dennis Garrett, Tammye Gwin, Jeff Hammock, Darrell Mendez, Janet Reed, Jerry Tomlinson, Martin Tucker

The following Support Staff members were present: Paul Buntz and Paige Murray

The following guests were present at this month's meeting: Cynthia Price – City Clerk, Charles Calhoun, Jim Thorpe, Tim Rundel – City Manager, Tom Marcum – City Attorney, John Cathey, Robert Holliday – OG&E, Michael Clements – Durant Democrat

IV. Acknowledge Resignation of Greg Massey as member of the DIA (no action required) – Acting Chairman Tucker

Several members acknowledged Greg Massey for his contributions.

V. Acknowledge Designation of Dennis Garrett to represent First United Bank on the DIA (no action required) – Acting Chairman Tucker

Several members welcomed Dennis Garrett to the DIA.

VI. Consideration and Action – March 12, 2018 Minutes of the Regular Called Meeting – Acting Chairman Tucker

A motion was made by Sean Burrage to approve. Jerry Tomlinson seconded the motion. The motion carried by:

Aye: Billy Blackburn, Sean Burrage, Dennis Garrett, Jeff Hammock, Darrell Mendez, Janet Reed, Jerry Tomlinson, Martin, Tucker

Nay: None

Non-Voting Members:Sean Burrage & Tammye Gwin

VII. Consideration and Action – April 3, 2018 Minutes of Special Called Meeting – Acting Chairman Tucker

A motion was made by Jerry Tomlinson to approve. Jeff Hammock seconded the motion. The motion carried by:

Aye: Billy Blackburn, Sean Burrage, Dennis Garrett, Jeff Hammock, Darrell Mendez, Janet Reed, Jerry Tomlinson, Martin Tucker

Nay: None

Non-Voting Members:Sean Burrage & Tammye Gwin

VIII. Consideration and Action –Selection of Chairman of the DIA – Acting Chairman Tucker

Jerry Tomlinson made a motion to nominate Martin Tucker, and it was seconded by Darrell Mendez. The motion carried by:

Aye: Billy Blackburn, Sean Burrage, Dennis Garrett, Jeff Hammock, Darrell Mendez, Janet Reed, Jerry Tomlinson

Nay: None

Abstain: Martin Tucker

Non-Voting Members:Sean Burrage & Tammye Gwin

IX. Consideration and Action – Selection of Vice Chairman of the DIA – Acting Chairman Tucker

Billy Blackburn nominated Darrell Mendez. Mendez stated that his term comes up soon, so he would like to politely decline. Jeff Hammock declined nomination as well, stating that he is too new. Sean Burrage also declined nomination. Darrell Mendez nominated Billy Blackburn for the position of vice chairman as a motion. Martin Tucker seconded that motion.

Aye: Billy Blackburn, Sean Burrage, Dennis Garrett, Jeff Hammock, Darrell Mendez, Janet Reed, Jerry Tomlinson, Martin Tucker

Nay: None

Non-Voting Members:Sean Burrage & Tammye Gwin

X. Review DIA Financial Report – Month Ending February 2018 – Tim Rundel

Tim Rundel stated that there was no one from the Treasurer’s Office to read and interpret the financial report and suggested we move on to claims, as agreed upon by Martin Tucker.

XI. Consideration and Action – Durant Industrial Authority Claims – Month Ending March 2018 – Acting Chairman Tucker

Martin Tucker stated that nothing appeared out of the ordinary with the claims. Janet Reed asked if the budget report was specifically meant to be reviewed by the DIA. Paul Buntz and Martin Tucker noted that the claims listing was a cumulative listing for the fiscal year.

A motion was made by Jerry Tomlinson to approve the claims for April. Janet Reed seconded the motion. The motion carried by:

Aye: Billy Blackburn, Sean Burrage, Dennis Garrett, Jeff Hammock, Darrell Mendez, Janet Reed, Jerry Tomlinson, Martin Tucker

Nay: None

Non-Voting Members:Sean Burrage & Tammye Gwin

XII. Consideration and Action – Contract Between the City of Durant and the DIA – Tim Rundel

Tim Rundel passed out a sheet of language (handout) proposed for the contract and stated that is was not passed by council at a vote of 2 to 3, specifying Mike Dills and Jerry Tomlinson as the two that approved it. Rundel said legal counsel was asked for a legal opinion on the proposed contract so he brought City Attorney, Tom Marcum, to the meeting to answer questions. He would like to have something considered by the DIA meeting at this time to present at the special called council meeting on April 16th. Tweaks or adjustments could be made. Marcum stated there were four options here with option number two as the primary, as previously addressed. Jeff Hammock asked if there were any other feasible options and Marcum replied that he was not aware of any others.

Marcum reiterated that the city council was in control of this matter because they control the revenue stream. There may be wiggle room to approve this previously denied version of the contract at this point. Rundel believes the council is favorable toward reaching a solution and wants to make it work. Neither side appears to be satisfied, but a middle ground must be reached. The director works for the city but will carry out the will of the board so there must be flexibility from both sides in order to benefit both sides. The previously appointed subcommittee could engage in the hiring process to ensure involvement.

President Sean Burrage expressed his concern with the lack of progress with this contract the past few months. Rundel responded that he thinks it can be worked out. Janet Reed inquired about the result of subcommittee meeting and Rundel stated that the contract handout was the result. Gust John Cathey asked to clarify who was on the subcommittee. Several members called out the names of Sean Burrage, Greg Massey, Tom Marcum, Mayor Tomlinson, and Tim Rundel as the members, with Darrell Mendez and Destry Hawthorne as absent members. Marcum stated that the committee narrowed the contract and there were in agreement to present the current handout. The last edits came from Greg Massey and he believes this version will pass with council. Guest Charles Calhoun suggested the City give money to the DIA like it does for Durant Main Street and Big Five and have that money used for the director's pay, but Jerry Tomlinson pointed out that sort of contribution is capped and not a stable source from year to year. Janet Reed expressed concern about the one year limit of the funding of the contract, but Rundel assured her that it was normal and would be beneficial for regular performance evaluations of the director.

Marin Tucker stated he saw a consensus amount the board. He understands why council would be hesitant to hire a director without oversight and why the board is hesitant to agree because a council member posed a question of legality and effectively removed the current system that were content with. Marcum pointed out that vocal opinions are not always the majority's opinions, and he thinks the council will meet the board halfway.

Janet Reed stated businesses are afraid of large retailers coming to Durant and harming mom and pop shops, so she was in favor of a director or solution that did not focus on retail. Tim Rundel clarified that the position is about forming relationships and rapport with existing business, not solely about bringing in new, large businesses. With that said, some on the council want citizen's money to stay here rather than go to Sherman, which requires retail development with a director.

A motion was made by Jeff Hammock to approve the contract wording on the handout with the following change: in paragraph 6 of the proposed agreement, the first sentence shall be changed to read: "The City shall employ an Economic Development Director (the Director) who shall oversee the economic efforts of the City and whose additional responsibilities may be to serve as the Executive Director of the DIA". Jerry Tomlinson seconded the motion. The motion carried by:

Aye: Billy Blackburn, Sean Burrage, Dennis Garrett, Jeff Hammock, Darrell Mendez, Janet Reed, Jerry Tomlinson, Martin Tucker
Nay: None
Non-Voting Members: Sean Burrage

Board member Tammye Gwin left the meeting at 3:47pm

XIII. Update on the DIA Projects – Paul Buntz

Paul Buntz stated that the TIF project site work on Country Club Road will begin mid-June with construction complete by the end of September and operation to begin by October.

Project H2O is still re-evaluating their situation because of soil issues at their location here. They have the same issue at their location in Texas as well

Project Hickory is moving ahead with the memorandum of understanding. There was a meeting here last Thursday with their engineering and design people. Buntz handed out two maps to show building layouts for the project portraying land use. They have been in contact with the city building inspector and planner asking questions.

Buntz suggested moving toward finding a TIF attorney by reaching out and obtaining proposals from them to the present to the board.

XIV. Consider Executive Session for the DIA – Executive Director Job Search (Executive Session Authorized by Title 25, Section 307B.1 of the Oklahoma State Statute) – Acting Chairman Tucker

No Action.

XV. Consider Motion to Return to Regular Session – Acting Chairman Tucker.

No Action.

XVI. Consideration and Action Pursuant to Item XIV. Above – Acting Chairman Tucker

No Action.

XVII. Consideration for Participation in Oklahoma Golf and Striper Tournament – Paul Buntz

Paul Buntz stated this was for sponsorship of the event. The DIA has supported this event since its inception. The amount is \$500.

A motion was made by Jerry Tomlinson to sponsor the event, provided funds are available. Darrell Mendez seconded the motion. The motion carried by:

Aye: Billy Blackburn, Sean Burrage, Dennis Garrett, Jeff Hammock, Darrell Mendez, Janet Reed, Jerry Tomlinson, Martin Tucker

Nay: None

Non-Voting Members: Sean Burrage

XVII. DIA New Business – Acting Chairman Tucker

None

XIX. Adjournment – Acting Chairman Tucker

A motion was made to adjourn by Jeff Hammock. Martin Tucker seconded the motion. The motion carried by:

Aye: Billy Blackburn, Sean Burrage, Dennis Garrett, Jeff Hammock, Darrell Mendez, Janet Reed, Jerry Tomlinson, Martin Tucker

Nay: None

Non-Voting Members: Sean Burrage