

REGULAR MEETING
DUNCAN CITY COUNCIL
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA
AUGUST 22, 2023
5:15 P.M.

AMENDED AGENDA/ADDENDUM

INVOCATION

FLAG SALUTE

ROLL CALL

Presentation from Maddie's Fund

- ITEM #1: Consider approval of consent agenda.
- a) Minutes of August 8, 2023.
 - b) List of Claims.
 - Council Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #2: Consider relaxing the Alcoholic Beverage Code of the City of Duncan as it relates to Sections 3-109 (Condition of Sale), 3-110 (Consumption Prohibited), 3-111 (Compliance Required), 3-112 ((Compliance with Zoning), and 3-113 (Prohibited Location), which would be for the Wine'n on the Chisholm Trail Festival event located on Main Street, on Friday, September 8, and Saturday, September 9, 2023.
- Public Comments
 - Council Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #3: Consider relaxing the camping regulations within the City of Duncan to allow overnight camping to occur in conjunction with the United Way of Stephens County BBQ Showdown to be held in Fuqua Park September 15 through September 16, 2023.
- Public Comments
 - Council Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #4: Consider relaxing the Alcoholic Beverage Code of the City of Duncan as it relates to Sections 3-109 (Condition of Sale), 3-110 (Consumption Prohibited), 3-111 (Compliance Required), 3-112 ((Compliance with Zoning), and 3-113 (Prohibited Location), which would be for the United Way BBQ Fest event located in Fuqua Park, on September 16th, 2023.
- Public Comments
 - Council Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call

- ITEM #5: Consider awarding the bid to Global Energy Solutions as the best bid and authorize the repair of the storm pump at the Wastewater Treatment Plant in the amount of \$21,956.00.
- Public Comments
 - Council Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #6: Consider and take action on a request to vacate a platted utility easement on a property located at 2407 Mallard Avenue, Duncan, Oklahoma, and described as: Blk 5 Lot 10 & 11 Wilkinson Park Addition Part Four.
- Public Comments
 - Council Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #6A: Consider declaring an emergency in relation to the previous item.
- Motion _____
 - Second _____
 - Roll Call
- ITEM #7: Consider approving a request for rezoning of a property located at 3675 N Highway 81, Duncan, Oklahoma, from R-1 (residential) to C-4 (commercial).
- Public Comments
 - Council Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #7A: Consider declaring an emergency in relation to the previous item.
- Motion _____
 - Second _____
 - Roll Call
- ITEM #8: Consider executing a contract with the Oklahoma Department of Commerce/Community Development (ODOC/CD) accepting the FY 2023 Community Development Block GRANT (CDBG) Small Cities Program in the amount of \$228,335.00.
- Public Comments
 - Council Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #9: Consider and take action with respect to a resolution of the City of Duncan, Oklahoma (the "City") approving action taken by the Duncan Public Utilities Authority (the "Authority") authorizing issuance, sale and delivery of a promissory note of the Authority to the Oklahoma Water Resources Board; ratifying and confirming a lease by and between the City and the Authority pertaining to certain water, sanitary sewer, garbage and electric systems, and authorizing the execution and delivery of an amended lease agreement and operation and maintenance contract; ratifying and confirming a sales tax agreement by and between the City and the Authority pertaining to a year-to-year pledge of certain sales tax revenue; and containing other provisions related thereto. (Series 2023A CWSRF Note – Dam Improvements)
- Public Comments
 - Council Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call

ITEM #10: Consider and take action with respect to a resolution of the City of Duncan, Oklahoma (the "City") approving action taken by the Duncan Public Utilities Authority (the "Authority") authorizing issuance, sale and delivery of a promissory note of the authority to the Oklahoma Water Resources Board; ratifying and confirming a lease by and between the City and the Authority pertaining to certain water, sanitary sewer, garbage and electric systems, and authorizing the execution and delivery of an amended lease agreement and operation and maintenance contract; ratifying and confirming a sales tax agreement by and between the City and the Authority pertaining to a year-to-year pledge of certain sales tax revenue; and containing other provisions related thereto. (Series 2023B OWRB FAP Notes – Water Tower Project)

- Public Comments
- Council Comments/Questions
- Motion _____
- Second _____
- Roll Call

ITEM #11: Consider approving a lease schedule for the Abe Raizen baseball and football facilities.

- Public Comments
- Council Comments/Questions
- Motion _____
- Second _____
- Roll Call

ITEM #12: Consider approving an Ordinance of the City of Duncan, Oklahoma, amending Ordinance No. 1776 as amended by Ordinance 1812; City Code 7-106-Section A-10 which establishes the spending limit for the City Manager without Council approval and City Code 7-106-Section A-1 which establishes the competitive bidding exemption requirement.

- Public Comments
- Council Comments/Questions
- Motion _____
- Second _____
- Roll Call

ITEM #12A: Consider declaring an emergency in relation to the previous item.

- Motion _____
- Second _____
- Roll Call

ITEM #13: OTHER COMMENTS:

a) By the Public

Per State Statute the Mayor and Council will not be able to respond to any issues brought forward during this part of the agenda. The City Manager or the Staff will take your information and address the situation then reconnect with you. The Council Members are available before and after the meeting to address concerns on an individual basis.

b) By the Council

c) By the City Manager

ITEM #14: Adjournment

- Motion _____
- Second _____
- Roll call

**REGULAR MEETING
DUNCAN PUBLIC UTILITIES AUTHORITY
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA
AUGUST 22, 2023
5:15 P.M.**

AMENDED AGENDA/ADDENDUM

ROLL CALL

- ITEM #1:** Consider approval of consent agenda.
- a) Minutes of August 8, 2023.
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #2:** Consider approving Freese and Nichols Pay Request No. 14 in the amount of \$37,860.05 for services rendered in conjunction with the Water Project FY 2022.
- Public Comments
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #3:** Consider approving Ferguson Enterprises, LLC Pay Request No. 3 in the amount of \$987,791.40 for services rendered in conjunction with the Advanced Metering Infrastructure Replacement Project.
- Public Comments
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #4:** Consider approving Weeks Farms, LLC Pay Request No. 1 in the total amount of \$135,910.80 for services rendered in conjunction with the Settling Pond Improvements Project.
- Public Comments
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #5:** Consider approving Pay Request No. 7 in the amount of \$48,069.05 for services rendered in conjunction with the 28th/29th St. Water Line Replacement Project.
- Public Comments
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call
- ITEM #6:** Consider approving a rate increase for water main taps and setting water meters.
- Public Comments
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call

- ITEM #7: Consider and take action with respect to a resolution of the Duncan Public Utilities Authority (the “borrower”) approving and authorizing a Clean Water SRF loan from the Oklahoma Water Resources Board in the total aggregate principal amount of not-to-exceed \$4,200,000; approving the issuance of a promissory note in the total aggregate principal amount of not-to-exceed \$4,200,000, secured by a pledge of revenues and authorizing its execution; approving and authorizing the execution of a loan agreement for Clean Water SRF loan; designating a local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a security agreement; ratifying and confirming a lease by and between the City of Duncan, Oklahoma and the borrower pertaining to certain water, sanitary sewer, garbage and electric systems, and authorizing the execution and delivery of an amended lease agreement and operation and maintenance contract; ratifying and confirming a sales tax agreement by and between the City and the borrower pertaining to a year-to-year pledge of certain sales tax revenue; approving various covenants; approving and authorizing application to the Oklahoma Water Resources Board; approving and authorizing professional services agreements; approving and authorizing the establishment of a project costs disbursement account and the payment of fees and expenses; and containing other provisions relating thereto.. (*Series 2023a CWSRF note – Dam Improvements*)
- Public Comments
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call

- ITEM #8: Consider and take action with respect to a resolution of the Duncan Public Utilities Authority (the “borrower”) authorizing a loan from the Oklahoma Water Resources Board in the total aggregate principal amount of not to exceed \$9,200,000; approving the issuance of a promissory note in the total aggregate principal amount of not to exceed \$9,200,000, secured by a pledge of revenues and authorizing its execution; designating a local trustee; approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a loan agreement; approving and authorizing the execution of a security agreement; authorizing the execution and delivery of a lease agreement and operation and maintenance contract pertaining to the leasing of the City of Duncan utility systems to the borrower; ratifying and confirming a sales tax agreement by and between the City of Duncan, Oklahoma and the borrower pertaining to a year-to-year pledge of certain sales tax revenue; approving and authorizing a note purchase agreement; approving various covenants; approving and authorizing application to the Oklahoma Water Resources Board; approving and authorizing professional services agreements; approving and authorizing payment of fees and expenses; and containing other provisions relating thereto. (*Series 2023b OWRB FAP note – Water Tower Project*)
- Public Comments
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call

- ITEM #9: Consider approving Pay Request No. 15 for services rendered in conjunction with the Clear Creek Lake Dam Phase II embankment evaluation.
- Public Comments
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call

- ITEM #10: Consider approving a Resolution to adjust and raise rates for water and sewer for residential and business customers during the Fiscal Years of 2023, 2024, and 2025 as set forth in the Resolution.
- Public Comments
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call

- ITEM #11: OTHER COMMENTS:

a) By the Public

Per State Statute the Chairman and Trustees will not be able to respond to any issues brought forward during this part of the agenda. The General Manager or the Staff will take your information and address the situation then reconnect with you. The Chairman and Trustees are available before and after the meeting to address concerns on an individual basis.

b) By the Chairman and Trustees

c) By the General Manager

- ITEM #12: Adjournment
- Motion _____
 - Second _____
 - Roll Call

REGULAR MEETING
DUNCAN ECONOMIC DEVELOPMENT TRUST AUTHORITY
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA
AUGUST 22, 2023
5:15 P.M.

AMENDED AGENDA/ADDENDUM

ROLL CALL

- ITEM #1: Consider approval of consent agenda.
- a) Minutes of July 25, 2023.
 - Trustee Comments/Questions
 - Motion _____
 - Second _____
 - Roll Call

ITEM #2: OTHER COMMENTS:

- a) By the Public

Per State Statute the Chairman and Trustees will not be able to respond to any issues brought forward during this part of the agenda. The General Manager or the Staff will take your information and address the situation then reconnect with you. The Chairman and Trustees are available before and after the meeting to address concerns on an individual basis.

- b) By the Chairman and Trustees
- c) By the General Manager

- ITEM #3: Adjournment
- Motion _____
 - Second _____
 - Roll Call