

REGULAR MEETING  
DUNCAN CITY COUNCIL  
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA  
JANUARY 24, 2023  
5:15 P.M.

INVOCATION Former Mayor Gene Brown, Antioch Baptist Church

FLAG SALUTE Councilman Nick Fischer

ROLL CALL Mayor Robert Armstrong City Manager Kimberly Meek  
Vice-Mayor Jimmy Peters City Attorney David Hammond  
Councilwoman Patty Winingер Deputy City Clerk Christina Johnson  
Councilwoman Lindsay Hayes  
Councilman Nick Fischer

Proclamation designating and proclaiming February 2023 as “Black History and Heritage Month” in the City of Duncan, Oklahoma by Mayor Robert Armstrong.

Mayor Robert Armstrong read aloud the Proclamation designating and proclaiming February 2023 as “Black History and Heritage Month” in the City of Duncan, Oklahoma.

Clayton Pickard, President of the Stephens County Historical Society addressed the Mayor and Council advising that on February 2, 2023 the Museum had displayed a “Black History and Heritage” section. He invited the Mayor, Council and Citizens to come by and visit the new display.

ITEM #1: CONSIDER APPROVAL OF CONSENT AGENDA.

- a) Minutes of January 10, 2023.
- b) List of Claims
- c) Declare the Glock 19 Serial # BPUU587 as surplus equipment to be given to Chief Danny Ford as part of his retirement compensation.
- d) Approving the City of Duncan Emergency Operations Plan.
- e) Budget Amendment

Councilwoman Patty Wininger thanked Tera Mathis, Emergency Management Director, for her hard work and effort in preparing a good and serviceable Emergency Operations Plan (EOP).

A motion was made by Councilman Fischer, seconded by Councilwoman Wininger to approve the Consent Agenda as presented. Upon roll call:

AYE: Fischer, Wininger, Hayes, Peters, Armstrong

NAY: None

ITEM #2: Consider affirming that a portion of the property owned by the City of Duncan, Oklahoma on ground that is generally described as “library property” is suitable for US Cellular to pursue working into a future lease agreement with the City of Duncan to build a future cellular tower. (*Tabled from January 10, 2023*)

This item was presented by City Manager, Kimberly Meek, who advised that Representatives from US Cellular have reached out to the City of Duncan about potentially placing a cell tower on property owned by the City of Duncan behind the Duncan Public Library. The proposed location for a future cellular tower is generally described as a “small triangle” of land that is located on the southwest side of the road where Library Lane makes a bend.

Mrs. Meek advised that the City of Duncan Land Development Review Committee met to discuss the proposal and believes that the proposed location, being on a “small triangle” of land owned by the City of Duncan, is an adequate use of the land. The proposed location would not limit any future expansion of library buildings, improvements, or activities and should not impact on the ability of future commercial development within the area.

Mrs. Meek noted that the City of Duncan Planning Commission held a public meeting on Tuesday, January 17, 2023, allowing property owners nearby an opportunity to speak for or against the use of land for a new cell tower. No citizens attended this meeting and Planning Commission members voted 4-0 to send a favorable recommendation to City Council.

Mrs. Meek noted that the recommendation by the Land Development Review Committee and the Duncan Public Library is to affirm this location is suitable for US Cellular to pursue preparing future agreements to be considered at a later date by City Council during a regularly scheduled City Council meeting.

A motion was made by Councilman Fischer, seconded by Councilwoman Wininger to affirm that a portion of the property owned by the City of Duncan, Oklahoma on ground that is generally described as “library property” is suitable for US Cellular to pursue working into a future lease agreement with the City of Duncan to build a future cellular tower. Upon roll call:

AYE: Fischer, Wininger, Hayes, Peters, Armstrong

NAY: None

ITEM #3: Consider awarding the bid to Sunrise Construction, LLC for the 28<sup>th</sup>/29<sup>th</sup> Street Waterline Replacement in the amount of \$301,159.00.

This item was presented by City Manager, Kimberly Meek, who advised that bids were solicited and opened on January 4, 2023 for the 28<sup>th</sup>/29<sup>th</sup> Street Water Line Replacement Project. A bid tabulation is included in the packet for review. Staff and Oklahoma Water Resources Board reviewed all bids and found that Sunrise Construction was the best bid received. Bid were received as follows:

Sunrise Construction	\$301,159.00
Rangeline Utility Services	\$372,342.00
Timco	\$378,347.74

Councilwoman Hayes asked when the work would start.

Buddy Hokit, Public Works Director, stated that the work would start immediately and should be complete within ninety (90) days.

A motion was made by Councilman Fischer, seconded by Vice-Mayor Peters to award the bid to Sunrise Construction, LLC for the 28<sup>th</sup>/29<sup>th</sup> Street Waterline Replacement in the amount of \$301,159.00. Upon roll call:

AYE: Fischer, Peters, Hayes, Wininger, Armstrong

NAY: None

ITEM #4: Consider approving an Ordinance to adopt the 2020 National Electrical Code (NEC)-NDPA 70 (NEC2020) as amended and modified in Oklahoma Administrative Code (OAC) 748:20-10-15, and to make it effective immediately.

This item was presented by City Manager, Kimberly Meek, who advised that the Department of Community Development and Code Enforcement would like to adopt the 2020 national Electrical Code for the City of Duncan as adopted by the State of Oklahoma, Oklahoma Uniform Building Code Commission (OUBCC). The 2020 Edition of the NEC was adopted by the OUBCC, with amendments, on September 14, 2022.

Mrs. Meek noted that the adoption of the NFPA 70 National Electrical Code will bring the City of Duncan into minimal code standards for commercial electrical construction as adopted by the State of Oklahoma pursuant to 59 O.S. §1000.23.

Councilwoman Wininger asked how this would be made available to electrical contractors.

Nate Schacht, Community Development Director, stated that his office would make the electrical contractors and warehouses aware of the new adoption. He advised that new vendors would be made aware when apply for their permit.

A motion was made by Vice-Mayor Peters, seconded by Councilman Fischer to approve approving an Ordinance to adopt the 2020 National Electrical Code (NEC)-NDPA 70 (NEC2020) as amended and modified in Oklahoma Administrative Code (OAC) 748:20-10-15, and to make it effective immediately. Upon roll call:

AYE: Peters, Fischer, Hayes, Wininger, Armstrong

NAY: None

ITEM #4A: Consider declaring an emergency in relation to the previous item.

A motion was made by Vice-Mayor Peters, seconded by Councilwoman Wininger to declare an emergency in relation to the previous item. Upon roll call:

AYE: Peters, Wininger, Fischer, Hayes, Armstrong

NAY: None

ITEM #5: Consider approving an Ordinance to rezone the property located at 104 W. Mulberry, Duncan, Oklahoma from R-1 to C-4 which would allow future commercial development to occur.

This item was presented by City Manager, Kimberly Meek, who advised that on January 17, 2023 the City of Duncan Planning Commission met during their regularly scheduled meeting to hear and discuss an application to rezone the property located at 104 W. Mulberry from R-1 to C-4.

Mrs. Meek noted that the Planning Commission members noted that property directly to the east were currently zoned and used for industrial purposes. Also noted was a block to the north were property that were zoned for commercial uses. Planning Commission members discussed the 2<sup>nd</sup> Street Corridor and noted that it has potential to be a commercial gateway connecting Highway 7 to the downtown district.

Mrs. Meek advised that hearing no other public comments, the City of Duncan Planning Commission voted 4-0 to send a favorable recommendation to approve the change in zoning to City Council.

A motion was made by Councilman Fischer, seconded by Councilwoman Wininger to approve an Ordinance to rezone the property located at 104 W. Mulberry, Duncan, Oklahoma from R-1 to C-4 which would allow future commercial development to occur. Upon roll call:

AYE: Fischer, Wininger, Hayes, Peters, Armstrong

NAY: None

ITEM #5A: Consider declaring an emergency in relation to the previous item.

A motion was made by Councilman Fischer, seconded by Councilwoman Hayes to declare an emergency in relation to the previous item. Upon roll call:

AYE: Fischer, Hayes, Peters, Wininger, Armstrong

NAY: None

ITEM #6: Consider adjourning into Executive Session to discuss the purchase of real property as authorized by 25 O.S. Section 307 (B)(3).

A motion was made by Councilwoman Hayes, seconded by Councilwoman Wininger to adjourn into Executive Session to discuss the purchase of real property as authorized by 25 O.S. Section 307 (B)(3). Upon roll call:

AYE: Hayes, Wininger, Fischer, Peters, Armstrong

NAY: None

ITEM #6A: Consider reconvening the Regular Meeting of the Duncan City Council.

A motion was made by Vice-Mayor Peters, seconded by Councilwoman Hayes to reconvene the Regular Meeting of the Duncan City Council. Upon roll call:

AYE: Peters, Hayes, Fischer, Wininger, Armstrong

NAY: None

ITEM #6B: Consider any action taken in relation to the Executive Session.

A motion was made by Vice-Mayor Peters, seconded by Councilwoman Wininger to authorize the City Attorney to prepare a contract and offer to purchase real property consisting of 3.67 acres from Branded S LLC for the future site of the new fire station. The purchase price will include \$585,000 for the real estate and \$550,000 for the streets and sewer. Upon roll call:

AYE: Peters, Wininger, Fischer, Hayes, Armstrong

NAY: None

ITEM #7: 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.*

There were no comments from the Public.

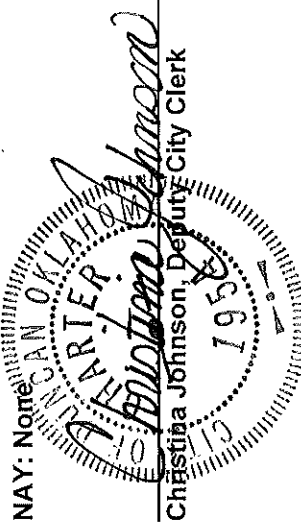
b) By the Council-There were none.  
c) By the City Manager-  
City Manager, Kimberly Meek, stated that she was pleased to inform the Mayor, Council and Community that Bo Walker has been selected as the City of Duncan's new Police Chief. She stated that there will be a pinning ceremony within the next two (2) weeks.

ITEM #8: Adjournment

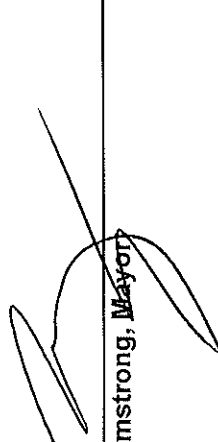
A motion was made by Councilman Fischer, seconded by Vice-Mayor Peters to adjourn the meeting. Upon roll call:

AYE: Fischer, Peters, Hayes, Wininger, Armstrong

NAY: None



Christina Johnson, Deputy City Clerk



Robert Armstrong, Mayor

REGULAR MEETING  
DUNCAN PUBLIC UTILITIES AUTHORITY  
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA  
JANUARY 24, 2023  
5:15 P.M.

ROLL CALL	Chairman Robert Armstrong Vice-Chairman Jimmy Peters Trustee Patty Winger Trustee Lindsay Hayes Trustee Nick Fischer	General Manager Kimberly Meek Authority Attorney David Hammond Deputy Secretary Christina Johnson
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ITEM #1: CONSIDER APPROVAL OF CONSENT AGENDA  
a) Minutes of January 10, 2023.

A motion was made by Trustee Fischer, seconded by Trustee Hayes to approve the Consent Agenda as presented. Upon roll call:

AYE: Fischer, Hayes, Peters, Winger, Armstrong

NAY: None

ITEM #2: Consider approving Tetra Tech, Inc. Pay Request No. 28 in the amount of \$7,387.50 for services rendered in conjunction with the Sewer Rehabilitation Design Phase 1 Project.

This item was presented by General Manager, Kimberly Meek, who advised that on February 25, 2020 Mayor and Council approved a contract with Tetra Tech, Inc. to provide Sewer Rehabilitation Design and preparation of construction plans.

Mrs. Meek advised this pay request is for construction and inspection services for sewer rehabilitation.

Mrs. Meek advised that this pay request represents services through August 26, 2022.

A motion was made by Trustee Fischer, seconded by Trustee Hayes to approve Tetra Tech, Inc. Pay Request No. 28 in the amount of \$7,387.50 for services rendered in conjunction with the Sewer Rehabilitation Design Phase 1 Project. Upon roll call:

AYE: Fischer, Hayes, Peters, Winger, Armstrong

NAY: None

ITEM #3: Consider approving Freese and Nichols Pay Request No. 7 in the total amount of \$3,153.76 on the Clear Creek Lake Dam Phase II Embankment Project.

This item was presented by General Manager, Kimberly Meek, who advised that on January 11, 2022 Mayor and Council approved a contract with Freese and Nichols, Inc. to provide professional services for the Clear Creek Lake Dam Phase II Embankment Evaluation Project.

Mrs. Meek noted that this request is for professional services rendered through December 31, 2022.

A motion was made by Trustee Fischer, seconded by Vice-Chairman Peters to approve approving Freese and Nichols Pay Request No. 7 in the total amount of \$3,153.76 on the Clear Creek Lake Dam Phase II Embankment Project. Upon roll call:

AYE: Fischer, Peters, Hayes, Winger, Armstrong

NAY: None

ITEM #4: Consider approving the time extension request for completion of Remote Meter-reading System Hosting and Analytics from AriesPro until June 30, 2023 without any change in the overall cost.

This item was presented by General Manager, Kimberly Meek, who advised that an "Invitation to Bid" dated June 20, 2022 was mailed out to three (3) approved bidders. Bids were opened on July 11, 2022 and the Chairman and Trustees awarded the bid to AriesPro. The original completion date was to have been 150 days after the Purchase Order was issued.

Mrs. Meek noted that AriesPro has been working diligently on their work items since the Purchase Order was issued on August 1, 2022. However they have been hampered in their work by other vendors that are an integral part of their work for us and due to a few time delays on our end.

A motion was made by Trustee Fischer, seconded by Trustee Winger to approve the time extension request for completion of Remote Meter-reading System Hosting and Analytics from AriesPro until June 30, 2023 without any change in the overall cost. Upon roll call:

AYE: Fischer, Wininger, Hayes, Peters, Armstrong

NAY: None

ITEM #5: 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.*

There were no comments from the Public.

b) By the Chairman and Trustees-There were none.  
c) By the General Manager-There were none.

ITEM #6: Adjournment

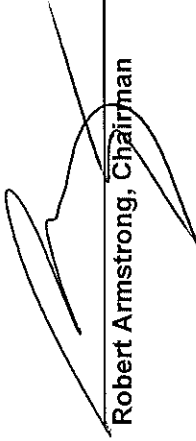
A motion was made by Trustee Fischer, seconded by Trustee Hayes to adjourn the meeting. Upon roll call:

AYE: Fischer, Hayes, Peters, Wininger, Armstrong

NAY: None

  
Christina Johnson, Deputy Secretary



  
Robert Armstrong, Chairman