

**REGULAR MEETING  
DUNCAN CITY COUNCIL  
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA  
FEBRUARY 14, 2023  
5:15 P.M.**

**INVOCATION** David Heitner, Good Shepard Lutheran 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 Wininger Deputy City Clerk Christina Johnson  
Councilwoman Lindsay Hayes  
Councilman Nick Fischer

- ITEM #1: CONSIDER APPROVAL OF CONSENT AGENDA.**
- a) Minutes of January 24, 2023.
  - b) List of Claims.
  - c) Declare Glock 34 Serial #BPPV639 as surplus equipment to be given to Lieutenant Patrick Norton as part of his retirement compensation.
  - d) Declare Glock 34 Serial #BPPV635 as surplus equipment to be given to Sergeant Layle Baker as part of his retirement compensation.
  - e) Ratify the City Manager's actions and authorize future actions to execute easements and accept payment from Public Service Company of Oklahoma (PSO) regarding their transmission line improvement project.
  - f) Professional Services Agreement between the City of Duncan and Freese and Nichols, Inc. (FNI) for a rate study analysis.
  - g) Appointment of John Cauthon to fill a vacant board position on the Lake Commission to expire May 5, 2025.
  - h) Authorize the Mayor to execute a real estate contract as previously approved by City Council on January 24<sup>th</sup> 2023 to purchase 3.67 acres of property located in The NW/4 of Section 20, Township 1 North, Range 7 West, I.M. Stephens County, OK.
  - i) Amendment to the Purchase and Sale Agreement on the Halliburton Motor Pool Building to extend the Closing date to March 31st, 2023.
  - j) Purchase of Kuriyama fire attack and supply hose for the Duncan Fire Department from Casco Industries, Inc. utilizing the Oklahoma Statewide Contract No. SW17241 for a total sum of \$13,450.00.
  - k) Purchase of four (4) sets (coat, pants, boots) of Structural Firefighting Gear for the Duncan Fire Department from Casco Industries, Inc. utilizing the Oklahoma Statewide Contact No. SW17241 for a total sum of \$15,500.00.
  - l) Purchase of Command Vehicle Uplift Package (emergency lighting, sirens, consoles, boxes, radios, etc.) for the 2022 F-250 Crew Cab (ordered 2022) from Casco Industries, Inc. utilizing the Oklahoma Statewide Contract No. SW17241 for a total sum of \$8,976.00.
  - m) Purchase of a Command Vehicle Upfit Package (emergency lights, sirens, consoles, boxes, radios, etc.) for the 2023 Chevy Tahoe SSV 4x4 (ordered 2022) from Casco Industries, Inc. utilizing the Oklahoma Statewide Contract No. SW17241 for a total sum of \$11,280.00.
  - n) Budget Amendments

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: Swearing in of Police Chief Bo Walker by Municipal Judge Joe Enos.**

Municipal Judge Joe Enos performed the swearing in ceremony of Police Chief Bo Walker.

City Manager, Kimberly Meek, read aloud and presented Chief Walker with a Certificate of Promotion.

Chief Walker's Major bars were changed to Police Chief bars by his wife Cindy Walker.

**ITEM #3: Signing Oath(s) of Office by Police Chief Bo Walker.**

Police Chief, Bo Walker, signed the Oath of Office as well as the Constitutional Oath of Office and the Statutory Oath of Office.

**ITEM #4: Consider discussion regarding City Code 4-303 as it relates to possessing chickens within the City Limits of Duncan.**

This item was presented by City Manager, Kimberly Meek, who advised that the City of Duncan's current Ordinance allows for chickens within City Limits if the property is Agriculturally zoned or if the applicant has had a Use on Review hearing and has been allowed to possess chickens.

Judy Ward, 102 North C Street, addressed the Mayor and Council in favor of possessing chickens within the City Limits of Duncan. She noted that chickens are good therapeutic pets and would like to see the City Ordinance remain as is.

Elsa Valdez, 1706 N. Country Club Road, addressed the Mayor and Council in favor of possessing chickens within the City Limits of Duncan. She presented the Mayor with an Ordinance from Oklahoma City that tallows chickens. She asked that the City of Duncan model an ordinance after the ordinance that Oklahoma City currently has. She noted that most people would not purchase chickens would asked that those be allowed to in order to provide fresh eggs.

Misty Gilley 407 W. Elm addressed the Mayor and Council in favor of possessing chickens within the City Limits of Duncan. She stated that the past few years have been a challenge with shortages and stated this would be a good way to help neighbors with eggs and show love for neighbors. She stated that may people, including herself, have allergies to store bought eggs due to feeds that are being consumed by the chickens.

City Attorney, David Hammond, stated that the current ordinance may need to be rewritten to avoid confusion. He explained the current ordinance and that currently zoning regulations are required to possess chickens within the City Limits of Duncan. He explained that a Use of Review process is currently available.

Mayor Armstrong noted that the current Oklahoma City Ordinance, relating to chickens within the City Limits of Duncan, would be reviewed.

Nate Schacht stated that the next Planning Commission Meeting would be held March 31<sup>st</sup> at 5:30 at the City Hall to review the current situation and ordinance as it relates to chickens within the City Limits of Duncan.

**ITEM #5:** Consider the purchase of a 2023 Ford F-150 Super crew Cab ½ Ton Pickup for Code Enforcement/Inspector from Confidence Ford for \$44,065.20. This is a State Bid Contract purchase.

This item was presented by City Manager, Kimberly Meek, who advised that the Code Enforcement and Community Development Department is seeking to purchase a Ford F-150 Super crew Pickup to replace an existing pickup. The pickup is used for conduction of mechanical inspections on commercial residential job sites, conducting investigations of violation complaints, and meeting contractors on worksites throughout the community.

Mrs. Meek noted that this purchase will replace a 2003 pickup that has over 146,000 miles. This vehicle will be made available to any other department that might need a vehicle or made available for future surplus.

Mrs. Meek noted that this purchase was approved as part of the Capital Fund requests for Code Enforcement.

Councilman Fischer asked when the last time a vehicle was purchased for the Code Enforcement Department.

Nate Schacht, Community Development Director, advised that the last vehicle that was purchased for the Code Enforcement Department was in 2018.

Councilman Fischer asked for a meeting with Mr. Schacht, City Manager Kimberly Meek, and Police Chief Bo Walker to look into Code Enforcement questions that that the Public has been asking.

A motion was made by Councilman Fischer, seconded by Vice-Mayor Peters to approve the purchase of a 2023 Ford F-150 Super crew Cab ½ Ton Pickup for Code Enforcement/Inspector from Confidence Ford for \$44,065.20. This is a State Bid Contract purchase. Upon roll call:

**AYE:** Fischer, Peters, Hayes, Winger, Armstrong

**NAY:** None

**ITEM #6:** Consider the purchase of a 2022 Ford Explorer Police Interceptor Utility with installed equipment from Phil Long Ford of Albuquerque NM at a combined National Contact and Oklahoma State Contract price of \$62,500.00.

This item was presented by City Manager, Kimberly Meek, who advised that The Duncan Police Department utilizes two canine officers requiring specially equipped patrol vehicles. One canine vehicle has had a catastrophic failure and has been removed from service. As a replacement for this vehicle, a 2022 Ford Explorer Police Interceptor Utility is available for purchase from Phil Long Ford Albuquerque NM. The vehicle is a new 2022-year model to save on the increased price of the 2023-year model. The vehicle will be equipped with all emergency equipment, canine equipment, decals, Etc. and will be ready for service on the street upon delivery. The turnkey purchasing of this vehicle will save time and money for the city by eliminating the need for the overtime rate of pay from multiple employees to install all the necessary equipment and it dramatically decreases the time it takes to get the unit into service. In addition, the equipment and installation will be covered by a full warranty.

Councilwoman Winger asked if this vehicle would be delivered and if Animal Control had any input in this vehicle.

Bryan Eades, Duncan Police Department, advised that Staff would go get the vehicle from Oklahoma City and that Animal Control did have input in the purchase of this vehicle.

A motion was made by Vice-Mayor Peters, seconded by Councilwoman Winger to approve the purchase of a 2022 Ford Explorer Police Interceptor Utility with installed equipment from Phil Long Ford of Albuquerque NM at a combined National Contact and Oklahoma State Contract price of \$62,500.00. Upon roll call:

AYE: Peters, Winger, Fischer, Hayes, Armstrong

NAY: None

**ITEM #7:** Consider purchasing one (1) Sutphen Heavy Duty Custom SPH100 Aerial Platform from the Texas BuyBoard National Purchasing Cooperative for the Fire Department from the Sutphen Corporation Contract #571-18 for a total amount of \$1,774,249.75.

This item was presented by City Manager, Kimberly Meek, who advised that after a lengthy and thorough process by the apparatus committee review of aerial platform engine standards, specifications, warranties, quality, craftsmanship, maintenance, service, parts, availability and customer service satisfaction, Sutphen Corporation was selected to construct the fire apparatus from the Texas BuyBoard National Purchasing Cooperative Contract No. SW571-18. This 100 ft. aerial platform will replace the aging 1998 75 ft. platform (Tr #1) for the City of Duncan Fire Department with an estimated front line service life of 20 years. The current 75 ft. aerial platform has been experiencing serious engine & hydraulic issues and has far exceeded its life span. The proposed 100 ft. aerial platform will allow the Fire Department to reach the tops of the City's multi-storage buildings (4 floors plus) whereas the current 75 ft. will not. The new aerial platform is also better equipped for multiuse assignments such as high angle rescue, scene lighting, pumping operations, etc. The estimated delivery time is approximately 34 months. The lease purchasing financing was researched with the following numbers provide to the City:

- Leasing 2, Inc. – 9-year 1.64% fixed 1<sup>st</sup> payment due March 2025
- First Bank & Trust Co. of Duncan-5-year 4.12% fixed 1<sup>st</sup> payment due August 2023
- Arvest Bank of Duncan-No return contact made

Mrs. Meek noted that the proposal and drawing is included in the council packet for consideration.

A motion was made by Councilwoman Winger, seconded by Councilman Fischer to approve purchasing one (1) Sutphen Heavy Duty Custom SPH100 Aerial Platform from the Texas BuyBoard National Purchasing Cooperative for the Fire Department from the Sutphen Corporation Contract #571-18 for a total amount of \$1,774,249.75. Upon roll call:

AYE: Winger, Fischer, Hayes, Peters, Armstrong

NAY: None

**ITEM #8:** Consider approving a Resolution to adopt the City of Duncan Citizen Participation Plan that will be used during the FY 2023 Community Development Block Grant Small Cities Program Grant process.

This item was presented by City Manager, Kimberly Meek, who advised that the Department of Community Development is working on a Community Development Block Grant (CDBG) for Small Cities Program in attempting to secure \$228,335.00 in matching funds (this is a 50/50 match). As part of the application process, a Citizen Participation Plan must be adopted for the final year in which funding may be awarded.

Mrs. Meek noted that the Citizen Participation Plan will allow citizens an opportunity to participate in the grant process through public meetings in which they can share their thoughts, recommendations, and ideas to the grant writing experience. Information and status updates will also be provided to citizens during these public meetings.

Mrs. Meek advised that the CDBG program allows funds to be used for a broad array of projects and activities. Some projects include but are not limited to:

- Water and wastewater system improvements
- Fire protection
- Street repairs and improvements
- Senior citizen centers
- Gas and electrical system improvements
- Removal of architectural barriers associated with handicapped areas
- Storm water drainage improvements

Councilwoman Winger asked if this could be used for to remove barriers associated with had capped areas at the gazebo at Fuqua Park.

Nate Schacht, Community Development Director, advised that this grant could be used for the removal of barriers associated with handicapped areas with certain restrictions.

Mrs. Meek noted that this grant is based upon low to moderate income areas and with a Citizen Participation Plan the funds must be in one area that citizens think would be the most beneficial.

A motion was made by Councilman Fischer, seconded by Councilwoman Hayes to approve a Resolution to adopt the City of Duncan Citizen Participation Plan that will be used during the FY 2023 Community Development Block Grant Small Cities Program Grant process. Upon roll call:

AYE: Fischer, Hayes, Peters, Wininger, Armstrong

NAY: None

ITEM #9: Consider and take action to amend City Ordinance 4-302 regarding the prohibition of dogs on City owned property and creating exceptions for dogs classified as service animals pursuant to the Americans With Disabilities Act.

This item was presented by City Manager, Kimberly Meek, who advised that the City of Duncan has in place Ordinance 4-302. The Ordinance prohibits dogs on jogging trails or sidewalks at any city park. The City has recently become aware of issues with dogs entering City owned property (the Library and Senior Citizens Center). The proposed amendment would address dogs entering city owned property, except for the Ordinance service animals.

A motion was made by Councilman Fischer, seconded by Vice-Mayor Peters to approve amending City Ordinance 4-302 regarding the prohibition of dogs on City owned property and creating exceptions for dogs classified as service animals pursuant to the Americans With Disabilities Act. Upon roll call:

AYE: Fischer, Peters, Hayes, Wininger, Armstrong

NAY: None

ITEM #9A: Consider declaring an emergency in relation to the previous item.

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

AYE: Peters, Hayes, Fischer, Wininger, Armstrong

NAY: None

ITEM #10: 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.*

Darren Bridges, Bridges Reality, addressed the Mayor and Council with concerns of customer being unable to switch utilities on Fridays, as the City Utility Department is closed on Fridays. He explained that an early purchase agreement poses liability and has become an issue. He asked that a solution be sought.

City Attorney, David Hammond, noted he would get with the City Manager and see if the form can be modified to meet the needs of customers who are closing on properties and need to switch their utilities on Fridays.

Jerry Shafer, Owner Preferred Real Estate, advised that he has the same issues with customers who close on properties and need to switch their utility service on Fridays. He stated the current form causes for liability and ask that this situation be reviewed.

Susan Shafer, Owner Preferred Real Estate, stating it was critical for Duncan to present themselves as a "welcoming community" and ask that a solution be sought to remedy this situation.

b) By the Council-There were none.

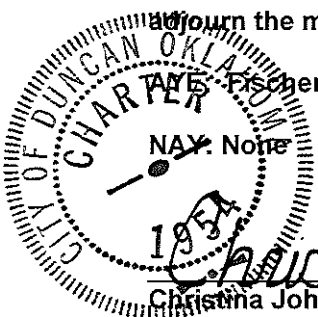
c) By the City Manager-There were none.

ITEM #11: Adjournment

A motion was made by Councilman Fischer, seconded by Councilwoman Wininger to adjourn the meeting. Upon roll call:

AYE: Fischer, Wininger, Hayes, Peters, Armstrong

NAY: None



*Christina Johnson*  
Christina Johnson, Deputy City Clerk

*Robert Armstrong*  
Robert Armstrong, Mayor

**REGULAR MEETING  
DUNCAN PUBLIC UTILITIES AUTHORITY  
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA  
FEBRUARY 14, 2023  
5:15 P.M.**

<b>ROLL CALL</b>	<b>Chairman Robert Armstrong Vice-Chairman Jimmy Peters Trustee Patty Wininger Trustee Lindsay Hayes Trustee Nick Fischer</b>	<b>General Manager Kimberly Meek Authority Attorney David Hammond Deputy Secretary Christina Johnson</b>
------------------	---	--

**ITEM #1: CONSIDER APPROVAL OF CONSENT AGENDA**  
a) Minutes of January 24, 2023.  
b) Budget Amendments

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

**AYE: Fischer, Peters, Hayes, Wininger, Armstrong**

**NAY: None**

**ITEM #2: Consider taking action to amend the City of Duncan, Duncan Public Utilities Authority Contract with Operations Management International.**

This item was presented by General Manager, Kimberly Meek, who advised that the current Duncan Public Utilities Authority contract with Operations Management International (OMI) is not in compliance with revised Internal Revenue Procedures regarding qualified management contracts. The proposed amendment will bring the Duncan Utilities contact into IRS compliance.

A motion was made by Trustee Fischer, seconded by Trustee Hayes to approve amending the City of Duncan, Duncan Public Utilities Authority Contract with Operations Management International. Upon roll call:

**AYE: Fischer, Hayes, Peters, Wininger, Armstrong**

**NAY: None**

**ITEM #3: Consider Freese and Nichols Pay Request No. 7 in the total amount of \$59,309.64 for services rendered in conjunction with the Water Project FY 2022.**

This item was presented by General Manager, Kimberly Meek, who advised that on June 14, 2022, Mayor and Council approved a contract with Freese and Nichols, Inc. to provide professional services for the FAP-22-2022-: Water Project FY 2022.

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

A motion was made by Vice-Chairman Peters, seconded by Trustee Fischer to approve Consider Freese and Nichols Pay Request No. 7 in the total amount of \$59,309.64 for services rendered in conjunction with the Water Project FY 2022. Upon roll call:

**AYE: Peters, Fischer, Hayes, Wininger, Armstrong**

**NAY: None**

**ITEM #4: Consider Tetra Tech, Inc. Pay Request No. 29 in the amount of \$19,674.98 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 noted that this pay request is for consideration and inspection services for sewer rehabilitation through December 30, 2022.

A motion was made by Trustee Fischer, seconded by Trustee Hayes to approve Tetra Tech, Inc. Pay Request No. 29 in the amount of \$19,674.98 for services rendered in conjunction with the Sewer Rehabilitation Design Phase 1 Project. Upon roll call:

**AYE: Fischer, Hayes, Peters, Wininger, Armstrong**

**NAY: None**

**ITEM #5:** Consider ratifying the actions of the General Manager in the purchase of electric cable from Anixter in the amount of \$81,050.00.

This item was presented by General Manager, Kimberly Meek, who advised that Duncan Power is under construction on two large commercial services that need 500 MCM cable with a full neutral to complete. There is only enough cable ton hand at the City Warehouse to service existing customers. This cable is needed now to keep these projects from being delayed.

Mrs. Meek noted that quotes were received from AECI \$69,400.00, TECHLINE \$64,550.00 and ANIXTER \$81,050.00; only Anixter quoted the 500 MCM Cable as requested, the other 2 vendors quoted smaller substitutes.

Trustee Winger asked if this cable would be used for the lab buildings and if there were any delays.

David Yeager, Electric Department Director, advised that this cable was needed for the use of one (1) lab building and for a residence on C Street. He noted that there were no delays.

A motion was made by Vice-Chairman Peters, seconded by Trustee Winger to ratify the actions of the General Manager in the purchase of electric cable from Anixter in the amount of \$81,050.00. Upon roll call:

**AYE:** Peters, Winger, Fischer, Hayes, Armstrong

**NAY:** None

**ITEM #6:** Consider approving the time extension for completion of the work designing a replacement wireless meter data collection system project (Task 001, Change Order No. 1) by RFIP, Inc. without any change in the overall cost.

This item was presented by General Manager, Kimberly Meek, who advised that on September 27, 2022, the Chairman and Trustees award the Bid to RFIP, Inc to design a replacement Wireless Meter Data Collection System.

Mrs. Meek noted that the original completion date has passed, but the work is still needed. RFIP has been delayed in their work because of data collection delays on our end.

A motion was made by Trustee Fischer, seconded by Trustee Hayes to approve ratifying the actions of the General Manager in the purchase of electric cable from Anixter in the amount of \$81,050.00. Upon roll call:

**AYE:** Fischer, Hayes, Peters, Winger, Armstrong

**NAY:** None

**ITEM #7:** 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-

Trustee Hayes advised that it was with regret to inform the Citizen of Duncan that she would be resigning as a Councilmember in March 2023 due to her business growing and having to move outside her ward. She thanked the Citizens of Duncan as well as the Chairman and Trustees for allowing her the honor of working with them.

Chairman Armstrong thanked Councilwoman Hayes for her service. He noted that many times the Council is a thankless job and members are not compensated. He thanked Councilwoman Hayes for her sacrifices noting she will be missed.

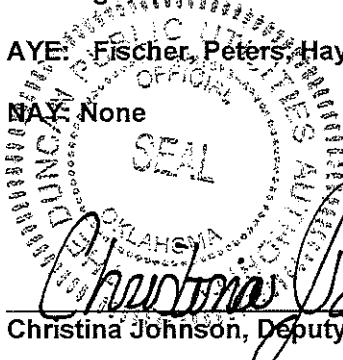
c) By the General Manager-There were none.

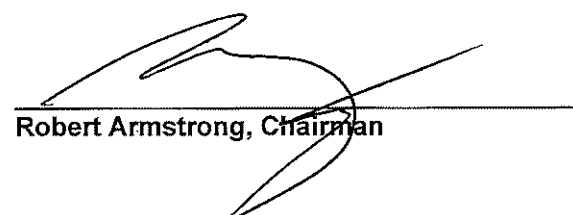
**ITEM #8:** Adjournment

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

**AYE:** Fischer, Peters, Hayes, Winger, Armstrong

**NAY:** None

  
*Christina Johnson*  
Christina Johnson, Deputy Secretary

  
Robert Armstrong, Chairman

#1a

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

ROLL CALL                      Chairman Robert Armstrong                      General Manager Kimberly Meek  
   Vice-Chairman Jimmy Peters                      Authority Attorney David Hammond  
   Trustee Patty Wininger                              Deputy Secretary Christina Johnson  
   Trustee Lindsay Hayes  
   Trustee Nick Fischer

ITEM #1:            CONSIDER APPROVAL OF CONSENT AGENDA  
   a) Minutes of October 25, 2022.  
   b) Minutes of November 8, 2022 (Special Meeting).  
   c) Minutes of December 13, 2022 (Special Meeting).

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

AYE: Fischer, Peters, Wininger, Armstrong

NAY: Hayes

ITEM #2:            Consider approving request of the Duncan Area Economic Development Foundation for withdrawal of sales tax dollars in the total amount of \$138,286.76 for the Two (2) Commercial Lab Buildings Construction Project.  
*(Tabled from December 13, 2022)*

This item was presented by General Manager, Kimberly Meek, who advised that this represents pay requests pay application #1 for the two (2) Commercial Lab Buildings Construction Project.

Mrs. Meek noted that this project was approved by the Chairman and Trustees on October 26, 2021.

Mrs. Meek advised that this item was tabled by Chairman and Trustees on December 13, 2022.

A motion was made by Vice-Chairman Peters, seconded by Trustee Fischer to table this item. Upon roll call:

AYE: Peters, Fischer, Hayes, Wininger, Armstrong

NAY: None

ITEM #3:            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.

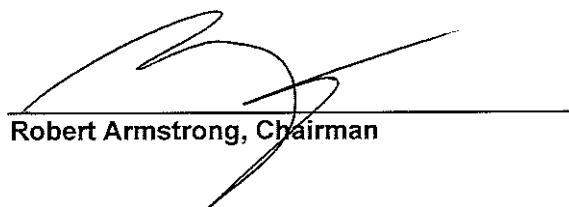
ITEM #4:            Adjournment

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

AYE: Fischer, Wininger, Hayes, Peters, Armstrong

NAY: None

  
Christina Johnson, Deputy Secretary

  
Robert Armstrong, Chairman