

#1a

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

INVOCATION            Pastor Steve Morcom, Duncan Police Department Chaplain  
  
FLAG SALUTE            Councilman Nick Fischer  
  
ROLL CALL            Mayor Robert Armstrong            Personnel Director Kenzie Wheeler  
                                 Vice-Mayor Jimmy Peters            City Attorney David Hammond  
                                 Councilwoman Patty Winger        Deputy City Clerk Christina Johnson  
                                 Councilwoman Lindsay Hayes  
                                 Councilman Nick Fischer

ITEM #1:            CONSIDER APPROVAL OF CONSENT AGENDA.  
a)            Minutes of February 28, 2023.  
b)            List of Claims.  
c)            Budget Amendment  
d)            Authorize the Mayor or Vice-Mayor to transfer real property consisting of 6.80 acres from the City of Duncan, Oklahoma to New Hope Baptist Church West, Inc. based on the City's decision to use another site for the construction of a Fire Station.  
e)            Resolution of the City of Duncan, Oklahoma adopting a lease purchase agreement for a Sutphen SPH-100 Aerial Platform. A 2023 budgeted Capital Improvement purchase approved at the February 14, 2023 City Council Meeting.

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

AYE: Fischer, Winger, Hayes, Peters, Armstrong

NAY: None

Police Chief, Bo Walker, read aloud and presented Patrol Lieutenant Mike Wilson, Patrol Captain Michael Davidson, Patrol Sergeant Suzannahe Smith, Ancillary Lieutenant Leland Parker, Ancillary Sergeant Joe Lard, and Investigative Sergeant Jason Egger each with a Certificate of Promotion.

At this time each individual's bars were changed to their current rank.

ITEM #2:            Swearing in of Patrol Lieutenant Mike Wilson, Patrol Captain Michael Davidson, Patrol Sergeant Suzannahe Smith, Ancillary Lieutenant Leland Parker, Ancillary Sergeant Joe Lard, and Investigative Sergeant Jason Egger by Municipal Judge Joe Enos.

Municipal Judge Joe Enos performed the swearing in ceremony of Patrol Lieutenant Mike Wilson, Patrol Captain Michael Davidson, Patrol Sergeant Suzannahe Smith, Ancillary Lieutenant Leland Parker, Ancillary Sergeant Joe Lard, and Investigative Sergeant Jason Egger.

ITEM #3:            Signing Oath(s) of Office by Patrol Lieutenant Mike Wilson, Patrol Captain Michael Davidson, Patrol Sergeant Suzannahe Smith, Ancillary Lieutenant Leland Parker, Ancillary Sergeant Joe Lard and Investigative Sergeant Jason Egger.

Patrol Lieutenant Mike Wilson, Patrol Captain Michael Davidson, Patrol Sergeant Suzannahe Smith, Ancillary Lieutenant Leland Parker, Ancillary Sergeant Joe Lard, and Investigative Sergeant Jason Egger signed the Oath of Office as well as the Constitutional Oath of Office and the Statutory Oath of Office.

ITEM #4:            Consider approving the purchase of one (1) Electro-Mechanical rotating Siren from Federal Signal in the amount of \$20,444.00.

This item was presented by Personnel Director, Kenzie Wheeler, who advised that the City of Duncan currently has 27 working storm sirens throughout the City Limits of Duncan. After evaluating the system, Staff found the need for additional coverage on the south end of town. More specifically the new housing addition off South 2<sup>nd</sup> Street. The purchase of this siren will provide sufficient coverage to that area. The siren will have an outside coverage area of approximately 7,300 feet and will have a battery backup which will allow it to continue to operate for approximately 15 minutes without electricity. The lead time for delivery is approximately 6 weeks. This project was budgeted for in the CIP Budget and will be purchased under the Statewide Contract SW0404F.

A motion was made by Vice-Mayor Fischer, seconded by Councilwoman Winger to approve the purchase of one (1) Electro-Mechanical rotating Siren from Federal Signal in the amount of \$20,444.00. Upon roll call:

AYE: Fischer, Winger, Hayes, Peters, Armstrong

NAY: None

ITEM #5: Consider approving an "Application Resolution" for the 2023 Community Development Block Grant (CDBG) Small Cities Program and authorize the Mayor or Vice-Mayor to execute the Resolution.

This item was presented by Personnel Director, Kenzie Wheeler, who advised that the Department of Community Development has been working with the Oklahoma Department of Corrections in order to secure matching funds from the 2023 CDBG Small Cities Program. For the 2023 Fiscal Year, the City of Duncan has been allocated \$228,335.00 in matching funds.

Mrs. Wheeler noted that the Department of Community Development has been working with other City of Duncan agencies and has determined, if funded, the City of Duncan will begin making repairs to the existing street network based on the Street Survey that was prepared for the City of Duncan noting that these repairs and improvements will benefit the targeted grant area.

Mrs. Wheeler advised that the CDBG Small Cities Program is to assist rural communities that face community and economic development challenges and was authorized under Title I of the Housing and Community Development Act of 1974, as amended. The primary objective of this program is the development of communities by providing decent housing and suitable living environment.

Councilwoman Winger asked if this was a matching grant and what the targeted areas were.

Nate Schacht, Community Development Director, stated that this was a matching grant and the targeted areas were: south of Highway 7, West of railroad tracks, North of Martin Luther King, and East of 13<sup>th</sup> Street.

Mrs. Schacht explained that this work would include both asphalt and concrete work. He noted that if the road was already asphalt it would remain asphalt and if the road was already concrete it would remain concrete. He advised that 200 surveys were mailed out last week by the Code Enforcement Department and they have begun to get some those surveys back.

A motion was made by Councilman Fischer, seconded by Vice-Mayor Peters to approve an "Application Resolution" for the 2023 Community Development Block Grant (CDBG) Small Cities Program and authorize the Mayor or Vice-Mayor to execute the Resolution. Upon roll call:

AYE: Fischer, Peters, Hayes, Winger, Armstrong

NAY: None

ITEM #6: Consider approving an Ordinance to rezone properties located at 405 and 407 North 10<sup>th</sup> Street, Duncan, Oklahoma from R-3 to C-1 which would allow future commercial development to occur.

This item was presented by Personnel Director, Kenzie Wheeler, who advised that on Tuesday, February 21, 2023, the City of Duncan Planning Commission met during their regularly scheduled meeting to hear and discuss an application to rezone the properties located at 405 and 407 North 10<sup>th</sup> Street from R-3 to C-1.

Mrs. Wheeler advised that the Planning Commission members noted that property directly to the south is currently zoned C-1 and is used as a gas station and convenience store. When asked what the intended use of the subject properties would be, the applicant indicated it would be a boutique style shop/salon.

Mrs. Wheeler stated that hearing no other public comments, the City of Duncan Planning Commission voted 5-0 to send a favorable recommendation to approve the change in zoning to City Council.

A motion was made by Vice-Mayor Fischer, seconded by Councilwoman Hayes to approve an Ordinance to rezone properties located at 405 and 407 North 10<sup>th</sup> Street, Duncan, Oklahoma from R-3 to C-1 which would allow future commercial development to occur. Upon roll call:

AYE: Fischer, Hayes, Peters, Winger, Armstrong

NAY: None

ITEM #7: Consider declaring an emergency in relation to the previous item.

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

AYE: Winger, Fischer, Hayes, Peters, Armstrong

NAY: None

ITEM #8: 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.

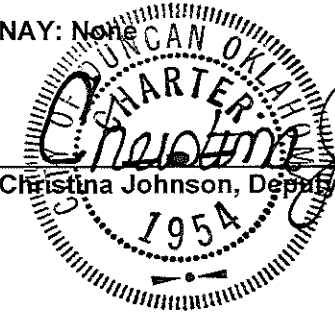
c) By the City Manager-There were none.

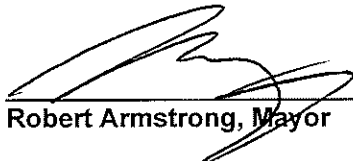
ITEM #9: Adjournment

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

AYE: Fischer, Hayes, Winger, Peters

NAY: None

  
Christina Johnson, Deputy City Clerk

  
Robert Armstrong, Mayor

#1a

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

ROLL CALL                      Chairman Robert Armstrong                      Personnel Director Kenzie Wheeler  
   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 February 28, 2023.

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

AYE: Peters, Fischer, 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, Inc. (OMI).

This item was presented by Personnel Director, Kenzie Wheeler, who advised that the current Duncan Public Utilities Authority contract with Operations Management International Inc., (OMI) is not in compliance with revised Internal Revenue Service Procedures regarding qualified management contracts. The proposed amendment will bring the Duncan Utilities contract into Internal Revenue Service (IRS) compliance.

Trustee Wininger asked if this was the contract for the Wastewater and Water Treatment Plants.

Mrs. Wheeler advised that this is the contract for the Wastewater and Water Treatment Plants.

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

AYE: Fischer, Wininger, Hayes, Peters, Armstrong

NAY: None

ITEM #3:                      Consider ratifying the actions of the General Manager in the use of Red Dirt Construction in the amount of \$164,982.00 for contract labor for emergency system reconstruction.

This item was presented by Personnel Director, Kenzie Wheeler, who advised that high winds on the evening of February 26 caused extensive damage in the area of 6<sup>th</sup> and Main. Duncan Powers main feeder line was demolished by windborne building materials. Due to the complete destruction of this important main feeder line, it was determined that hiring an outside contractor was the most efficient way to rebuild this section of power line. This left Duncan Power crews able to work on other less damaged areas of the electrical system.

Mrs. Wheeler noted that Red Dirt had to remove the foreign materials from the lines before construction could begin. Duncan Power poles had been heavily damaged in the area, Red Dirt removed and replaced the poles to rebuild the main feeder line. Red Dirt replaced a 3-phase transformer bank that was damaged beyond repair when the pole they were attached to was destroyed by the debris. Red Dirt also repaired and reconstructed three additional locations in this area to put the electrical system back to normal configuration.

A motion was made by Trustee Fischer, seconded by Trustee Hayes to ratify the actions of the General Manager in the use of Red Dirt Construction in the amount of \$164,982.00 for contract labor for emergency system reconstruction. Upon roll call:

AYE: Fischer, Hayes, Peters, Wininger, Armstrong

NAY: None

ITEM #4: 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.

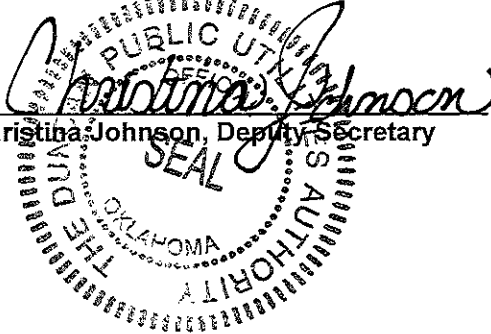
ITEM #5: Adjournment

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

AYE: Fischer, Hayes, Peters, Winger, Armstrong

NAY: None

  
Christina Johnson, Deputy Secretary



The seal is circular with the text "PUBLIC UTILITIES COMMISSION" around the top edge, "THE STATE OF OKLAHOMA" around the bottom edge, and "SEAL" in the center. The words "PUBLIC UTILITIES" and "COMMISSION" are also visible on the left and right sides respectively.

  
Robert Armstrong, Chairman

#1a

REGULAR MEETING  
DUNCAN ECONOMIC DEVELOPMENT TRUST AUTHORITY  
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA  
FEBRUARY 28, 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 January 24, 2023.

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

AYE: Fischer, Wininger, Hayes, Peters, Armstrong

NAY: None

ITEM #2:            Consider adjourning into Executive Session to discuss confidential communications between the City Attorney, Chairman and Trustees, and the General Manager concerning a potential or cause of action involving the City of Duncan, OK and the Duncan Area Economic Development Foundation as authorized as an exception to the Open Meetings Act Pursuant to 25 O.S. Sec. 307 B(4).

A motion was made by Trustee Hayes, seconded by Trustee Peters to adjourning into Executive Session to discuss confidential communications between the City Attorney, Chairman and Trustees, and the General Manager concerning a potential or cause of action involving the City of Duncan, OK and the Duncan Area Economic Development Foundation as authorized as an exception to the Open Meetings Act Pursuant to 25 O.S. Sec. 307 B (4). Upon roll call:

AYE: Hayes, Peters, Fischer, Wininger, Armstrong

NAY: None

ITEM #2A:            Consider reconvening the Regular Meeting of the Duncan Economic Development Trust Authority.

A motion was made by Vice-Chairman Peters, seconded by Trustee Fischer to reconvene the Regular Meeting of the Duncan Economic Development Trust Authority. Upon roll call:

AYE: Peters, Fischer, Hayes, Wininger, Armstrong

NAY: None

ITEM #2B:            Consider any action taken in relation to the Executive Session.

A motion was made by Vice-Chairman Peters, seconded by Trustee Hayes to authorize the City Attorney to take action that is authorized by law to determine the legality of Duncan Economic Development Foundation owning real estate and improvements that were purchased from sales tax proceeds disbursed by the Duncan Economic Development Trust Authority and on property transferred from the Duncan Industrial Authority to the Duncan Economic Development Foundation. Upon roll call:

AYE: Peters, Hayes, Fischer, 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.

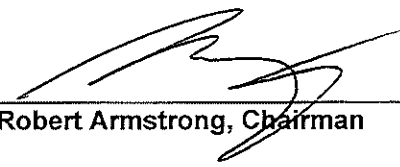
- b) By the Chairman and Trustees-There were none.
- c) By the General Manager-There were none.

ITEM #4: Adjournment

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

AYE: Fischer, Hayes, Wininger, Armstrong

NAY: Peters

  
Robert Armstrong, Chairman

  
Christina Johnson, Deputy Secretary

#1b

SPECIAL MEETING  
DUNCAN ECONOMIC DEVELOPMENT TRUST AUTHORITY  
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA  
MARCH 14, 2023  
5:15 P.M.

ROLL CALL                      Chairman Robert Armstrong                      Personnel Director Kenzie Wheeler  
   Vice-Chairman Jimmy Peters                      Authority Attorney David Hammond  
   Trustee Patty Wininger                              Deputy Secretary Christina Johnson  
   Trustee Lindsay Hayes  
   Trustee Nick Fischer

ITEM #1:                      Consider request of 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 January 24, 2023)

This item was presented by Personnel Director, Kenzie Wheeler, who advised that this represents pay requests pay application #7 for the two (2) Commercial Lab Buildings Construction Project.

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

Mrs. Wheeler advised that this item was tabled by Chairman and Trustees on January 24, 2023.

A motion was made by Trustee Wininger, seconded by Trustee Fischer to approve the request of 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 January 24, 2023) Upon roll call:

AYE: Wininger, Peters

NAY: Hayes, Fischer, Armstrong

ITEM #2:                      Consider request of Duncan Area Economic Development Foundation for withdrawal of sales tax dollars in the total amount of \$169,738.71 for the Two (2) Commercial lab Buildings Construction Project.

This item was presented by Personnel Director, Kenzie Wheeler, who advised that this represents pay requests pay application #6 (\$108,970.31) and #8 (\$60,768.40) for the two (2) Commercial Lab Buildings Construction Project.

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

A motion was made by Vice-Chairman Peters, seconded by Trustee Wininger to approve the request of Duncan Area Economic Development Foundation for withdrawal of sales tax dollars in the total amount of \$169,738.71 for the Two (2) Commercial lab Buildings Construction Project. Upon roll call:

AYE: Peters, Wininger

NAY: Hayes, Fischer, Armstrong

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.



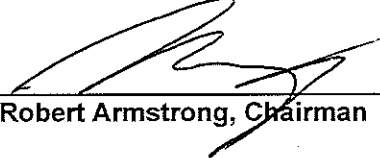
ITEM #4: Adjournment

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

AYE: Fischer, Peters, Hayes, Winger, Armstrong

NAY: None

  
Christina Johnson, Deputy Secretary

  
Robert Armstrong, Chairman