

REGULAR MEETING
DUNCAN CITY COUNCIL
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA
JUNE 27, 2023
5:15 P.M.

INVOCATION Pastor Robert Teague, Elk Avenue Church of Christ

FLAG SALUTE Councilman Nick Fischer

ROLL CALL Mayor Robert Armstrong City Manager Kimberly Meek
 Vice-Mayor Patty Winger City Attorney David Hammond
 Councilman Nick Fischer Deputy City Clerk Christina Johnson
 Councilman Jimmy Peters
 Councilman Gene Brown

Proclamation honoring Kearsty McCoy for her swimming accomplishments and excellence in the Special Olympic World Games in Berlin.

This proclamation was not presented at the Regular City Council Meeting.

- ITEM #1: CONSIDER APPROVAL OF CONSENT AGENDA.
- a) Minutes of June 13, 2023.
 - b) List of Claims.
 - c) Purchase of fireworks through Western Enterprises, Inc. in the amount of \$25,000.00.
 - d) Accept the Technology Grants (\$53,179.00 and \$257,533.00) from The Priddy Foundation of Wichita Falls aimed at helping libraries that serve rural communities improve and expand their technology with no cost to the Library or City.
 - e) Accept contract with Bermex, Inc. for Meter Reading Services.

Councilman Gene Brown asked about item #1(c) Purchase of fireworks through Western Enterprises, Inc. in the amount of \$25,000.00. He asked if there were any private businesses who were partnering with the City of Duncan to purchase fireworks.

City Manager, Kimberly Meek, advised that the Chickasaw Nation was partnering with the City of Duncan to purchase fireworks.

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

AYE: Fischer, Brown, Peters, Winger, Armstrong

NAY: None

- ITEM #2: Consider the purchase of Police Ammunition from GT Distributors in the amount of \$59,843.67 off State Contract SW220-6267.

This item was presented by City Manager, Kimberly Meek, who advised that the City of Duncan, by contract, gives police officers yearly allotments of practice ammo to encourage and maintain necessary professional skills required. The Police department also has mandatory firearms training for all officers in April and in October, S.R.T. / Sniper training, and many other firearms training courses in which this ammo is used. The current lead times on ammunition is approximately 15 to 18 months.

Councilman Fischer stated he would like to speak with the Police Chief and Training Officer after the Council Meeting.

A motion was made by Councilman Fischer, seconded by Vice-Mayor Winger to approve the purchase of Police Ammunition from GT Distributors in the amount of \$59,843.67 off State Contract SW220-6267. Upon roll call:

AYE: Fischer, Winger, Brown, Peters, Armstrong

NAY: None

- ITEM #3: Consider and take action to approve amending City Ordinance 10-417, Prevention of Youth Access to Tobacco, to conform to changes in State Statute.

This item was presented by City Manager, Kimberly Meek, who advised that City Ordinance 10-417 was enacted to restrict the sale of tobacco products to those individuals under the age of eighteen (18). Recent changes in the State Law have raised the minimum age limitations for the purchase of tobacco products to the age of twenty-one (21).

Mrs. Meek advised that the proposed City Ordinance incorporates State Law by raising the minimum age for purchase to twenty-one (21) years of age.

A motion was made by Councilman Peters, seconded by Vice-Mayor Winger to approve amending City Ordinance 10-417, Prevention of Youth Access to Tobacco, to conform to changes in State Statute. Upon roll call:

AYE: Peters, Winger, Brown, Fischer, Armstrong

NAY: None

ITEM #3A: Consider declaring an Emergency in relation to the previous item.

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

AYE: Peters, Brown, Fischer, Winger, Armstrong

NAY: None

ITEM #4: Consider approving a lease and service agreement between the City of Duncan and Safe Haven Baby Boxes, Inc.

This item was presented by City Manager, Kimberly Meek, who advised that Oklahoma Statute 10A-O.S. Sec 1-2-109 governs the procedures for the relinquishment of a child that is 30 days old or younger to a medical services provider or a child rescuer. The statute allows for parents to relinquish possession of a child anonymously to a medical service provider or child rescuer. The statute also allows a parent to leave a child in a newborn safety device. The safety boxes are required to be placed in a Police Station, Fire Station, Child Protective Services, Hospital, or other Medical Facility. Safe Haven has agreed to enter into a lease and service agreement for the installation and servicing of the box. The contract is for one (1) year with the option to renew the contract for four (4) more additional years. The initial fee for the box and services is \$11,000.00 with an annual fee of \$300.00 per year. The Policies and Procedures of Safe Haven are attached to the contract as exhibit "A" for the Mayor and Councils review.

Gina Flescher addressed the Mayor and Council in support of the agreement between the City of Duncan and Safe Haven Baby Boxes Inc. She explained the box will have an alarm that alerts emergency personnel when a baby is placed inside the box. She noted that there are also post-natal care instructions for the parent. Ms. Flescher noted that the box would be placed at the Fire Station with no cost to the City of Duncan as all related costs would be covered as well as training for Fire Personnel.

Kimberla Treat, Executive Director Chris Pregnancy Center, addressed the Mayor and Council in support of the agreement between the City of Duncan and Safe Haven Boxes Inc. She noted that all fees would be covered with no cost to the City of Duncan. She noted that she has three (3) adopted children and her husband was adopted as well. She noted the goal is to save the lives of babies.

David Treat addressed the Mayor and Council in support of the agreement between the City of Duncan and Safe Haven Baby Boxes Inc. He stated that babies have been discarded in many ways. He explained that the goal is to prevent these types of occurrences within the community.

Councilman Fischer asked if there was a policy to check the baby boxes throughout the day.

David Hammond, City Attorney, explained that the baby boxes do have alarms and that there are policies and procedures regarding monitoring the boxes.

Mayor Armstrong stated that his grandfather was adopted, and he has an adopted child therefore adoption is near and dear to his heart and was happy to see the value of life within the community.

David Hammond, City Attorney, asked if the installation and setup fee would be covered by Charis as well.

Mrs. Treat advised that all costs would be covered.

Mr. Hammond asked if Charis had an Attorney on their board as he would like to draft a cost contract.

Mrs. Treat advised that Anthony Sikes, was the Charis Boards Attorney.

A motion was made by Councilwoman Winger, seconded by Councilman Peters to move to allow the City Manager and the City Attorney to enter into a revised contract, in an expeditious manner, with the City of Duncan and the Safe Haven Baby Box (SHBB) for the placement of a baby box within the city of Duncan, and to have that contract approved by the Council. Upon roll call:

AYE: Winger, Peters, Brown, Fischer, Armstrong

NAY: None

ITEM #5: Consider adjourning into Executive Session to discuss confidential communications between the City Manager, the City Council, and the City Attorney regarding the performance and evaluation of the City Manager, Kimberly Meek, and discuss entering into a new employment contract for the City Manager, Kimberly Meek, for the year 2023-2024, as authorized by O.S. Sec 307(B)(1).

A motion was made by Councilman Peters, seconded by Councilman Fischer to adjourn into Executive Session to discuss confidential communications between the City Manager, the City Council, and the City Attorney regarding the performance and evaluation of the City Manager, Kimberly Meek, and discuss entering into a new employment contract for the City Manager, Kimberly Meek, for the year 2023-2024, as authorized by O.S. Sec 307(B)(1). Upon roll call:

AYE: Peters, Fischer, Brown, Wininger, Armstrong

NAY: None

ITEM #5A: Consider reconvening the Regular Meeting of the Duncan City Council.

A motion was made by Councilman Brown, seconded by Councilman Fischer to reconvene the Regular Meeting of the Duncan City Council. Upon roll call:

AYE: Brown, Fischer, Peters, Wininger, Armstrong

NAY: None

ITEM #5B: Consider any action taken in relation to the Executive Session.

A motion was made by Councilman Fischer, seconded by Vice-Chairwoman Wininger to approve an employment contract with the City Manager, Kimberly Meek, with an effective date of August 18, 2023 at the same salary and benefits as last year. Upon roll call:

AYE: Fischer, Wininger, Brown, Peters, Armstrong

NAY: None

ITEM #6: 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.

Mary Cates, 909 W. Mulberry, addressed the Mayor and Council advising that she was having some concerns with a neighbor.

City Attorney, David Hammond, asked that Ms. Cates visit with him after the meeting regarding her concerns.

b) By the Council-

Councilman Brown thanked the local Church's for their donations to the pools that will allow children to enjoy the pools free of charge on certain days. He noted this was a great investment for the Youth and to the Community.

c) By the City Manager-There were none.

ITEM #7: Adjournment

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

AYE: Fischer, Brown, Peters, Wininger, Armstrong

NAY: None


Christina Johnson
Christina Johnson, Deputy City Clerk

Robert Armstrong
Robert Armstrong, Mayor
Patty Wininger
Patty Wininger, Vice Chairwoman

REGULAR MEETING
DUNCAN PUBLIC UTILITIES AUTHORITY
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA
JUNE 27, 2023
5:15 P.M.

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

ITEM #1: CONSIDER APPROVAL OF CONSENT AGENDA

- a) Minutes of June 13, 2023.
- b) Purchase of an Airport Hanger No. 1(A) located at the Duncan Municipal Airport from the Personal Representative of the Estate of Forrest C. Pittman, Jr. in the amount of \$15,000.00.

Trustee Fischer asked about Item #1(b) Purchase of an Airport Hanger No. 1(A) located at the Duncan Municipal Airport from the Personal Representative of the Estate of Forrest C. Pittman, Jr. in the amount of \$15,000.00. He asked why the hangar was being purchased.

Buddy Hokit, Public Works Director, stated that the hangar was being purchased to be torn down as it was in bad shape. He explained that the hangar was in the Northeast corner and the airport design team has advised that the hangar needed to be removed to clear the runway area.

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

AYE: Fischer, Brown, Peters, Wininger, Armstrong

NAY: None

ITEM #2: Consider Sunrise Construction Change Order No. 2 for the 28th/29th Street Waterline Replacement Project and authorize the Chairman to execute the Change Order.

This item was presented by General Manager, Kimberly Meek, who advised that on January 24, 2023 Chairman and Trustees approved the 28th/29th Street Waterline Replacement Project contract with Sunrise Construction.

Mrs. Meek noted that Change Order No.2 will overrun the contract by \$10,732.26 due to the contractors having to make corrections to fittings in order to properly tie the new water line into existing service lines, fire lines, and sprinkler lines.

A motion was made by Trustee Fischer, seconded by Vice-Chairwoman Wininger to approve Sunrise Construction Change Order No. 2 for the 28th/29th Street Waterline Replacement Project and authorize the Chairman to execute the Change Order. Upon roll call:

AYE: Fischer, Wininger, Brown, Peters, Armstrong

NAY: None

ITEM #3: Consider Pay Request No. 3 to Tetra Tech, Inc. in the amount of \$7,535.50 for services rendered in conjunction with the Sewer Rehabilitation Design Phase I 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 that this Pay Request is for design services for sewer rehabilitation (phase 1D).

Mrs. Meek noted that this pay request represents services through May 26, 2023.

A motion was made by Trustee Fischer, seconded by Trustee Brown to approve Pay Request No. 3 to Tetra Tech, Inc. in the amount of \$7,535.50 for services rendered in conjunction with the Sewer Rehabilitation Design Phase I Project. Upon roll call:

AYE: Fischer, Brown, Peters, Wininger, Armstrong

NAY: None

ITEM #4: Consider Pay Request No. 34 to Tetra Tech, Inc. in the amount of \$6,759.97 for services rendered in conjunction with the Sewer Rehabilitation Design Phase I 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 construction and inspection services for sewer rehabilitation.

Mrs. Meek advised that this pay request represents services through May 26, 2023.

A motion was made by Trustee Fischer, seconded by Trustee Brown to approve Pay Request No. 34 to Tetra Tech, Inc. in the amount of \$6,759.97 for services rendered in conjunction with the Sewer Rehabilitation Design Phase I Project. Upon roll call:

AYE: Fischer, Brown, Peters, Wininger, Armstrong

NAY: None

ITEM #5: Consider Pay Request No. 5 to Freese and Nichols, Inc. in the amount of \$86,656.53 for services rendered in conjunction with the El Rancho Water Replacement Project.

This item was presented by General Manager, Kimberly Meek, who advised that on December 13, 2022, Mayor and Council approved a contract with Freese and Nichols, Inc for professional services for the El Rancho Water Tower Replacement project.

Mrs. Meek noted that this pay request represents services through May 31, 2023.

A motion was made by Trustee Fischer, second by Trustee Brown to approve Pay Request No. 5 to Freese and Nichols, Inc. in the amount of \$86,656.53 for services rendered in conjunction with the El Rancho Water Tower Replacement Project. Upon roll call:

AYE: Fischer, Brown, Peters, Wininger, Armstrong

NAY: None

ITEM #6: Consider Pay Request No. 12 to Freese and Nichols, Inc. in the amount of \$39,918.18 for services rendered in conjunction with the Water Tower 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-L Water Project FY 2022.

Mrs. Meek noted that this pay request is for professional services rendered through May 31, 2023.

A motion was made by Trustee Fischer, seconded by Vice-Chairwoman Wininger to approve Pay Request No. 12 to Freese and Nichols, Inc. in the amount of \$39,918.18 for services rendered in conjunction with the Water Tower Project FY 2022. Upon roll call:

AYE: Fischer, Wininger, Brown, Peters, Armstrong

NAY: None

ITEM #7: Consider Pay Request No. 13 to Freese and Nichols, Inc. in the amount of \$8,088.55 for services rendered in conjunction with the Clear Creek Lake Dam Phase II Embankment Evaluation.

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 advised that this pay request is for professional services rendered through May 31, 2023.

A motion was made by Trustee Peters, seconded by Trustee Fischer to approve Pay Request No. 13 to Freese and Nichols, Inc. in the amount of \$8,088.55 for services rendered in conjunction with the Clear Creek Lake Dam Phase II Embankment Evaluation. Upon roll call:

AYE: Peters, Fischer, Brown, Wininger, Armstrong

NAY: None

ITEM #8: 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 #9: Adjournment

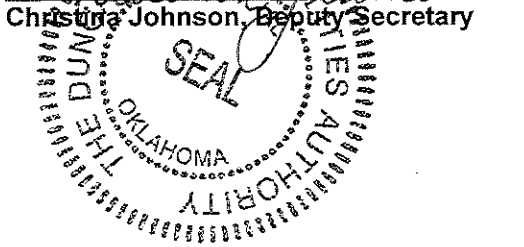
A motion was made by Trustee Fischer seconded by Trustee Brown to adjourn the meeting.

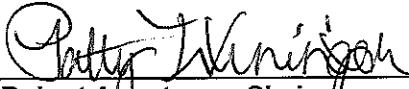
Upon roll call:

AYE: Fischer, Brown, Peters, Winger, Armstrong

NAY: None


Christina Johnson, Deputy Secretary




Robert Armstrong, Chairman
Patty Winger, Vice-Mayor