

#1a

REGULAR MEETING  
DUNCAN CITY COUNCIL  
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA  
JULY 11, 2023  
5:15 P.M.

INVOCATION Councilman Gene Brown

FLAG SALUTE Councilman Nick Fischer

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

ITEM #1: CONSIDER APPROVAL OF CONSENT AGENDA.

- a) Minutes of June 27, 2023.
- b) List of Claims.
- c) Enter into a Lease Agreement with Survival Flight EMS LLC. for the lease of office space located at 60 S. 7<sup>th</sup> Steet, Suite 200 in Duncan, Oklahoma.

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, Wininger, Armstrong

NAY: None

ITEM #2: Consider authorizing City Manager, Kimberly Meek, to sign the Memorandum of Understanding with the Communities Foundation of Oklahoma to serve as a fiscal sponsor to the Duncan Community Foundation for funding opportunities for the City of Duncan to contract a project coordinator for Duncan Community Heart and Soul Project.

This item was presented by City Manager, Kimberly Meek, who advised Community Heart and Soul is a proven, resident-driven engagement process used by towns to identify what people love most about their community, what future they want for it, and how to achieve it. The great opportunities that exist from community input that Community Heart and Soul programs provide was selected as a community project for a recent Leadership Duncan class.

Mrs. Meek noted that for Community Heart and Soul to be successful, a project coordinator is required to help facilitate community discussions and projects. The funding mechanism provided through this Memorandum of Understanding will allow the project coordinator position to be filled by contract, allowing the resident-driven engagement process to occur.

Mrs. Meek advised that Citizen input through the Community Heart and Soul process will be beneficial to all of Duncan, including our citizens, non-profit and for-profit organizations, economic development, and community development at many levels.

A motion was made by Councilman Fischer, seconded by Vice-Mayor Wininger to authorize City Manager, Kimberly Meek, to sign the Memorandum of Understanding with the Communities Foundation of Oklahoma to serve as a fiscal sponsor to the Duncan Community Foundation for funding opportunities for the City of Duncan to contract a project coordinator for Duncan Community Heart and Soul Project. Upon roll call:

AYE: Fischer, Wininger, Brown, Peters, Armstrong

NAY: None

ITEM #3: Consider authorizing the repair of the nitrification pump at the Wastewater Treatment Plant from Hanes Equipment in the amount of \$57,939.00.

This item was presented by City Manager, Kimberly Meek, who advised that the WWTP operates two nitrification pumps. Presently one pump is out of service and the second pump is operating at reduced efficiency. It is critical that the out of service pump be repaired as soon as possible.

Mrs. Meek noted that Haynes Equipment Company is the sole source for the repair of the pump.

A motion was made by Councilman Peters, seconded by Vice-Mayor Wininger to authorize the repair of the nitrification pump at the Wastewater Treatment Plant from Hanes Equipment in the amount of \$57,939.00. Upon roll call:

AYE: Peters, Wininger, Brown, Fischer, Armstrong

NAY: None

ITEM #4: 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.*

Frank Leptinsky 2001 Townsend St., addressed the Mayor and Council stating that the flags in the parks were looking bad during the Memorial Day Celebration in the parks. He stated he was a Veteran and would be willing to maintain the flags but was advised he was not able to do so. He noted that the flags are still in poor condition and asked that this be addressed.

Mr. Leptinsky expressed his concerns that there were no City Officials present during the Am Vets Memorial Day Celebration. He stated that the \$35.00 event fee should be waived for this event.

Mr. Leptinsky advised that the ditch at his house has still not been cut. He noted that this was in the contract years ago to have a ditch cut.

Mayor Armstrong asked that Mr. Leptinsky leave his contact information after the meeting.

Councilman Nick Fischer stated that there are several houses that are abandoned that need to be looked at.

Vice-Mayor Winger thanked the Chickasaw Nation, Chisholm Trail Casino, City Staff, and all that participated in making the annual 4<sup>th</sup> of July celebration a success. She advised that she was proud to see food trucks participate and all those in the community that rallied around this event.

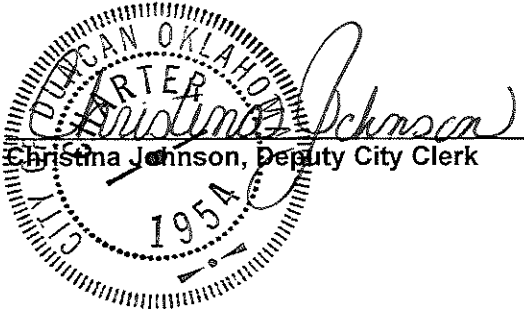
- b) By the Council-There were none.
- c) By the City Manager-There were none.

ITEM #5: Adjournment

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

AYE: Fischer, Brown, Peters, Winger, Armstrong

NAY: None



A handwritten signature, "Robert Armstrong", is written above a horizontal line. Below the line, the text "Robert Armstrong, Mayor" is printed.

#1a

REGULAR MEETING  
DUNCAN PUBLIC UTILITIES AUTHORITY  
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA  
JULY 11, 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 27, 2023.

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

AYE: Fischer, Peters, Brown, Wininger, Armstrong

NAY: None

ITEM #2:                      Consider approval of Sunrise Construction Pay Request No. 5 in the amount of \$35,184.00 for services rendered in connection with the 28<sup>th</sup>/29<sup>th</sup> Street Waterline Replacement Project.

This item was presented by General Manager, Kimberly Meek, who advised on January 24, 2023, Mayor and Council approved a contract with Sunrise Construction for replacement of the 28th/29th Street water line.

Mrs. Meek noted that this pay request represents services through June 20, 2023.

Trustee Fischer asked if this line was still breaking.

Buddy Hokit, Public Works Director, stated the line is still breaking, but it has been being evaluated and tested. He advised that the plan is to have the line up and running soon with weather permitting.

A motion was made by Trustee Brown, seconded by Vice-Chairwoman Wininger to approve Sunrise Construction Pay Request No. 5 in the amount of \$35,184.00 for services rendered in connection with the 28th/29th Street Waterline Replacement Project. Upon roll call:

AYE: Brown, Wininger, Fischer, Peters, Armstrong

NAY: None

ITEM #3:                      Consider approval of Hope Equipment and Construction Inc. Pay Request No. 2 in the amount of \$137,596.00 for services rendered in connection with Abe Raizen Restroom Improvements.

This item was presented by General Manager, Kimberly Meek, who advised On February 26, 2022, Mayor and Council approved a contract with Hope Equipment and Construction Inc. for the Abe Raizen Restroom Improvements project.

Mrs. Meek noted that this pay request represents services through June 6, 2023.

Vice-Chairwoman Wininger stated that the restroom improvements are a terrific addition to the parks and hopes they remain this way.

Mayor Armstrong asked if the roof foam filler has been placed on the roof.

Public Works Director, Buddy Hokit, advised that the roof foam filler has been placed on the roof.

A motion was made by Trustee Fischer, seconded by Vice-Chairwoman Wininger to approve Hope Equipment and Construction Inc. Pay Request No. 2 in the amount of \$137,596.00 for services rendered in connection with Abe Raizen Restroom Improvements. Upon roll call:

AYE: Fischer, Wininger,

NAY: None

ITEM #4:                      Consider awarding the bid for Trimming and Removal of Trees in the Duncan Power Electric System to Davey Tree for Items B, D, F, H, I, J, K, M, and R also reject Items A and E for a total amount of \$259,007.00.

This item was presented by General Manager, Kimberly Meek, who advised An "Invitation to Bid" dated June 5<sup>th</sup>, 2023 was mailed out to eight (8) approved bidders. Bids were opened on June 26<sup>th</sup>, 2023. Sealed Bids were received from only one vendor, Davey Tree Surgery.

Mrs. Meek noted that Davey Tree bid a total of \$ 305,916.00 for all items. Funding for trimming and removal of trees comes from the Tree Trimming Line Item. This is a part of the approved

2023 Budget which has a balance of \$263,000.00.

Mrs. Meek advised that Staff recommends Chairman and Trustees award the bid to Davey Tree for Items B, D, F, H, I, J, K, M and R in the total amount of \$ 259,007.00 and reject items A and E due to budget limitations.

Trustee Fischer asked about liability regarding accidents involving the trimming and removal of trees.

City Attorney, David Hammond, advised that this company is bonded and responsible for any negligence or accidents involving trimming and removal of the trees. He noted that this company has been used before in the past to trim and remove trees in the Duncan Power Electric System.

A motion was made by Trustee Fischer, seconded by Trustee Peters to award the bid for Trimming and Removal of Trees in the Duncan Power Electric System to Davey Tree for Items B, D, F, H, I, J, K, M, and R also reject Items A and E for a total amount of \$259,007.00. Upon roll call:

AYE: Fischer, Peters, Brown, Wininger, Armstrong

NAY: None

ITEM #5: Consider approval of Ferguson Waterworks, LLC Pay Request No. 2 in the amount of \$1,810,152.90 for services rendered in conjunction with the Advanced Metering Infrastructure Replacement Project.

This item was presented by General Manager, Kimberly Meek, who advised on February 28, 2023, Mayor and Council approved a contract with Ferguson Waterworks, LLC for replacement of the existing water meters to serve the City of Duncan.

Mrs. Meek noted that this pay request represents services through June 20, 2023.

A motion was made by Trustee Fischer, seconded by Vice-Chairwoman Wininger to approve Ferguson Waterworks, LLC Pay Request No. 2 in the amount of \$1,810,152.90 for services rendered in conjunction with the Advanced Metering Infrastructure Replacement Project. Upon roll call:

AYE: Fischer, Wininger, Brown, Peters, Armstrong

NAY: None

ITEM #6: 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.

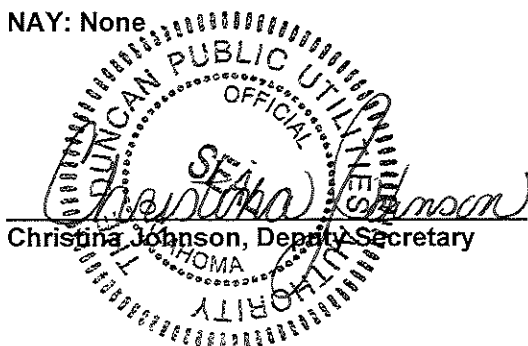
- b) By the Chairman and Trustees-There were none.
- c) By the General Manager-There were none.

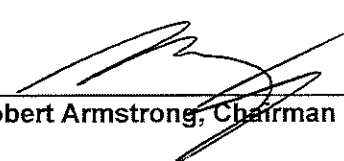
ITEM #7: Adjournment

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

AYE: Fischer, Brown, Peters, Wininger, Armstrong

NAY: None

  
Christina Johnson, Deputy Secretary

  
Robert Armstrong, Chairman

#10

REGULAR MEETING  
DUNCAN ECONOMIC DEVELOPMENT TRUST 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 May 23, 2023.

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

AYE: Wininger, Fischer, Brown, 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 Foundations 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 Peters, seconded by Vice-Chairwoman Wininger to adjourn 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 Foundations as authorized as an exception to the Open Meetings Act pursuant to 25 O.S. Sec. 307 B (4). Upon roll call:

AYE: Peters, Wininger, Brown, Fischer, Armstrong

NAY: None

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

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

AYE: Peters, Fischer, Brown, Wininger, Armstrong

NAY: None

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

There was no action taken in relation to the Executive Session.

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.

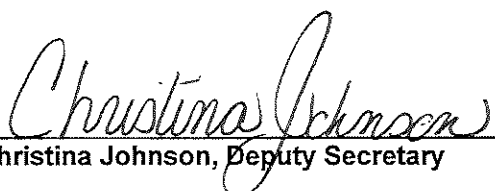
c) By the General Manager-There were none.

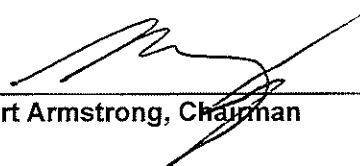
ITEM #4:                      Adjournment

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

AYE: Fischer, Peters, Brown, Wininger. Armstrong

NAY: None

  
Christina Johnson, Deputy Secretary

  
Robert Armstrong, Chairman