

REGULAR MEETING
DUNCAN CITY COUNCIL
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA
OCTOBER 25, 2022
5:15 P.M.

INVOCATION Pastor Israel Lopez, Hispanic Church of God Prophecy

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
Councilman Nick Fischer

ABSENT Councilwoman Lindsay Hayes

Proclamation by Mayor Robert Armstrong proclaiming October 23-31, 2022, as “Red Ribbon Week”.

Mayor Robert Armstrong read aloud the Proclamation proclaiming October 23-31, 2022 as “Red Ribbon Week”.

Brian Webb read aloud the history of Red Ribbon Week.

Presentation from Apollo Hospitality Firm

Mitesh Patel, Apollo Hospitality Firm, addressed the Mayor and Council with a brief presentation for an incentive request for a second hotel in Duncan. He outlined the estimated costs, jobs, and hotel information for the second hotel.

Councilman Fischer asked if another hotel would also include a restaurant as they did with Applebee’s.

Mr. Patel stated that they do not have plans for another restaurant at this time.

Councilwoman Winger asked where the hotel would be located.

Mr. Patel stated it would be located on Apollo Drive beside Holiday Inn Express.

Mr. Patel stated that this would be an extended stay hotel. He explained the need for an extended stay hotel for oilfield workers, etc.

ITEM #1: CONSIDER APPROVAL OF CONSENT AGENDA.

- a) Minutes of October 11, 2022.
- b) List of Claims
- c) Engagement letter with Eifrink and Associates, PLLC for the audit Year ending December 31, 2022, and authorize the Mayor to execute the Agreement.
- d) Mayor’s reappointment of Jimmy Tilley on the Duncan Airport Commission Board as a local representative for a term to expire in May 2027.
- e) Consider for approval a lease agreement with Delta Community Action Foundation, Inc for the property located at 1110 N 7th Street. The terms of this agreement are consistent with previous agreements with the foundation
- f) Amend Section 16.5 of the City Retirement Defined Contribution Plan pertaining to the one-time withdrawal of employee contributions.

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

AYE: Fischer, Winger, Peters, Armstrong

NAY: None

ITEM #2: Consider presentation and acceptance of the 2021 audit and financial statements from Anne Eifrink, MS, CPA.

Anne Eifrink, MS, CPA, presented the 2021 audit and financial statements to the Mayor and Council.

She advised that her firm’s opinion was unmodified.

Mrs. Eifrink briefly outlined the financial highlights.

Councilman Fischer asked if the City of Duncan was in a better financial position than last year.

Mrs. Elfrink stated that the City of Duncan's net position decreased due to the City of Duncan not charging sufficient utility rates to cover costs.

Councilman Wininger asked if a single audit would have to be done for the ARPA Funds and if the Finance Department was aware of the compliance procedures.

Mrs. Elfrink stated that the City of Duncan will have several single audits over the next few years when the ARPA Funds are spent as they will be over \$750,000.00. She noted that she has spent time with Buddy Hokit, Public Works Director, relaying the compliance information to him.

Mayor Armstrong stated OMPA has advised that the City of Duncan is at the bottom of the utility rate scale compared to others. He noted that they are doing a rate study on utility rates due to inflation.

Mayor Armstrong stated that the Mayor and Council has acknowledged and accepted the 2021 audit and financial statements.

ITEM #3: To hear an Ordinance for De-Annexation of property that will allow the property owner to enjoy uses of a property that is not limited by city ordinances and regulations. The subject property is located at 1802 E Chestnut Avenue, Duncan, Oklahoma.

This item was presented by Personnel Director, Kenzie Wheeler, who advised that The Department of Community Development was made aware of a unique situation where Duncan's Grove RV Park, as a functional business, is divided by a city limits sign. This means a portion of the RV park sits inside Duncan while the remaining portion sits in Stephens County.

Mrs. Wheeler noted that the Duncan Police Department explained to Community Development that this "split" between two governing jurisdictions has created some situations for first responders as to who is responsible at a time of need.

Mrs. Wheeler advised that the Community Development researched the properties and determined that no City of Duncan utilities are currently being provided to the property and therefore reached out to the owners of Duncan's Grove RV Park to determine their interests in being in or out of the corporate limits. On October 17, 2022, Mrs. Hagan, owner of the property, indicated that they "did not know" they had property inside the City of Duncan and would like those portions de-annexed.

Mrs. Wheeler noted that the de-annexation process will allow the entire Duncan's Grove RV Park to be better served by first responders in times of need.

A motion was made by Councilman Fischer, seconded by Vice-Mayor Peters to approve an Ordinance for de-annexation of property that will allow the property owner to enjoy uses of a property that is not limited by city ordinances and regulations. The subject property is located at 1802 E Chestnut Avenue, Duncan, Oklahoma. Upon roll call:

AYE: Fischer, Peters, Wininger, Armstrong

NAY: None

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

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

AYE: Wininger, Fischer, Peters, Armstrong

NAY: None

ITEM #4: Consider a request for a Use on Review application to allow a Daycare Facility to expand to a property located at 439 S 8th Street, Duncan, Oklahoma.

This item was presented by Personnel Director, Kenzie Wheeler, who advised that The City of Duncan Planning Commission reviewed an application filed by Mr. and Mrs. Kaus to permit an existing Daycare Facility expansion as a Use on Review for a property located at 439 S 8th Street (formally 409 S 8th Street), Duncan, Oklahoma.

Mrs. Wheeler noted that the subject property sits directly north of the existing Daycare Facility and is currently a residential structure that will be converted to a daycare facility. This property, once building permits are approved, will be converted to help the Daycare Facility expansion project to move forward. City Council previously approved other adjoining lots in this area for Daycare use.

Mrs. Wheeler advised that Members of the Planning Commission heard from a few citizens that expressed their support for the request and felt that the proposed use would be a good reuse of the church property.

Mrs. Wheeler stated that the Planning Commission sends a favorable recommendation to the City Council.

Councilwoman Wininger asked how many children would be in the daycare facility, the age range and if the applicant was permitted through the Department of Human Services (DHS).

Tammy Kaus, applicant, advised there would be thirty (30) children from 6-12 years old. She advised she has not obtained a license through the Department of Human Services at this time, but if this Use of Review is approved, she will begin that process.

A motion was made by Vice-Mayor Peters, seconded by Councilman Fischer to approve a Use on Review application to allow a Daycare Facility to expand to a property located at 439 S 8th Street, Duncan, Oklahoma. Upon roll call:

AYE: Peters, Fischer, Wininger, Armstrong

NAY: None

ITEM #5: 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.

Jame Vogel, 1216 N. 8th, addressed the Mayor and Council in relation to a letter she had received from the City of Duncan Code Enforcement Department. The letter addressed parking in the grass and yard. She advised that she had moved into that home many years ago and there was not a concrete driveway therefore she parks in her yard. She stated that the letter gave a December 5th deadline to remedy the situation.

Ms. Vogel asked if she was grandfathered in as the house did not have a driveway when it was built, how a driveway was supposed to be paid for by December 5th, and why the letter was sent in the fall instead of warmer weather months.

Mayor Armstrong asked Ms. Vogel if she would leave her information with City Attorney, David Hammond, or Community Development Director, Nate Schacht, after the meeting.

Ms. Vogel stated she was concerned with the December 5th deadline.

City Attorney, David Hammond, stated that this is an older ordinance, and he would investigate the possibility of some changes. He asked Ms. Vogel to remain after the City Council Meeting and he would discuss this issue with her.

b) By the Council-There were none.

c) By the City Manager-There were none.

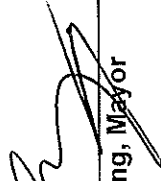
ITEM #6: Adjournment

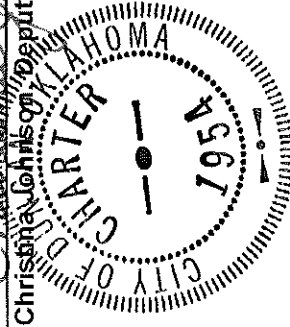
A motion was made by Councilman Fischer, seconded by Vice-Mayor Peters to adjourn the meeting. Upon roll call:

AYE: Fischer, Peters, Wininger, Armstrong

NAY: None

Christina Johnson
Christina Johnson, Deputy City Clerk


Robert Armstrong, Mayor



SPECIAL MEETING
DUNCAN CITY COUNCIL
DUNCAN CITY HALL (First Floor-Meeting Room)
1600 S. HWY 81 DUNCAN, OKLAHOMA
NOVEMBER 1, 2022
5:00 P.M.

ROLL CALL Mayor Robert Armstrong
 Vice-Mayor Jimmy Peters
 Councilwoman Patty Wininger
 Councilwoman Lindsay Hayes
 Councilman Nick Fischer

City Manager, Kimberly Meek
City Clerk, Rebecca Contreras
Assistant City Clerk, Brian Kriss

ITEM #1: PRELIMINARY DISCUSSIONS AND WORKSHOP FOR THE 2023 FISCAL
 YEAR CIP BUDGET.

Preliminary Discussion and a workshop were held for the 2023 Fiscal Year CIP Budget.

ITEM #2: ADJOURNMENT

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

AYE: Hayes, Fischer, Peters, Wininger, Armstrong

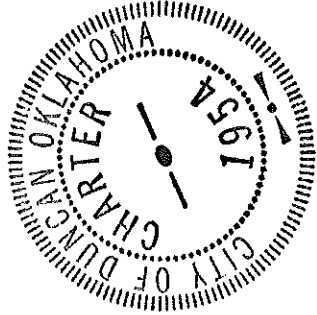
NAY: None



Brian Kriss, Assistant City Clerk



Robert Armstrong, Mayor



REGULAR MEETING
DUNCAN PUBLIC UTILITIES AUTHORITY
CITY COUNCIL CHAMBERS, DUNCAN, OKLAHOMA
OCTOBER 25, 2022
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 Nick Fischer

ABSENT Trustee Lindsay Hayes

ITEM #1: CONSIDER APPROVAL OF CONSENT AGENDA
 a) Minutes of October 11, 2022.

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

AYE: Wininger, Fischer, Peters, Armstrong

NAY: None

ITEM #2: Consider approving Tetra Tech, Inc. Pay Request No. 25 in the amount of \$16,091.92 for services rendered in conjunction with the Sewer Rehabilitation Design Phase I Project.

This item was presented by Personnel Director, Kenzie Wheeler, 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. Wheeler noted that this Pay Request is for construction and inspection services for sewer rehabilitation.

Mrs. Wheeler advised that this pay request represents services through September 30, 2022.

A motion was made by Trustee Fischer, seconded by Trustee Wininger to approve Tetra Tech, Inc. Pay Request No. 25 in the amount of \$16,091.92 for services rendered in conjunction with the Sewer Rehabilitation Design Phase I Project. Upon roll call:

AYE: Fischer, Wininger, Peters, Armstrong

NAY: None

ITEM #3: Consider approving Portland Utilities Construction Co. LLC Pay Request No. 12 in the amount of \$59,142.91 for services rendered in conjunction with the Sanitary Sewer Rehabilitation Project.

This item was presented by Personnel Director, Kenzie Wheeler, who advised that on March 23, 2021 Mayor and Council approved a contract with Portland Utilities Construction Co. LLC to provide construction services for the Sanitary Sewer Rehabilitation Project. (Phase 1A)

Mrs. Wheeler noted that this pay request is for services rendered through July 31, 2022 and represents 83% of the total contract.

Councilwoman Wininger ask if OWRB representative would be conducting a final walk through.

Buddy Hokit, Public Works Director, advised that the engineer will do a final walk through and representatives from OWRB are welcome to attend.

A motion was made by Vice-Mayor Peters, seconded by Councilman Fischer to approve Portland Utilities Construction Co. LLC Pay Request No. 12 in the amount of \$59,142.91 for services rendered in conjunction with the Sanitary Sewer Rehabilitation Project. Upon roll call:

AYE: Peters, Fischer, Wininger, Armstrong

NAY: None

ITEM #4: Consider approving Freese and Nichols, Inc. Pay Request No. 4 for services rendered in conjunction with the water project FY 2022 in the amount of \$50,308.37.

This item was presented by Personnel Director, Kenzie Wheeler, 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. Wheeler noted that this pay request is for professional services rendered through September 30, 2022.

A motion was made by Trustee Fischer, seconded by Vice-Chairman Peters to approve Freese and Nichols, Inc. Pay Request No. 4 for services rendered in conjunction with the water project FY 2022 in the amount of \$50,308.37. Upon roll call:

AYE: Fischer, Peters, Wininger, 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.

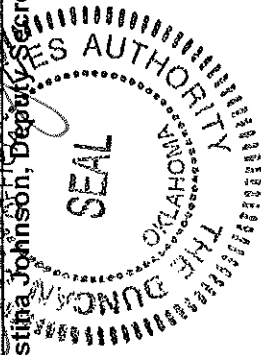
ITEM #6: Adjournment

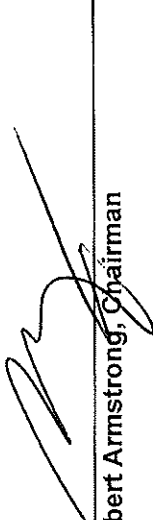
A motion was made by Trustee Fischer, seconded by Vice-Chairman Peters to adjourn the meeting. Upon roll call:

AYE: Fischer, Peters, Wininger, Armstrong

NAY: None


Christina Johnson, Deputy Secretary




Robert Armstrong, Chairman