

DAVIS CITY COUNCIL AND DAVIS MUNICIPAL AUTHORITY
MONDAY, FEBRUARY 11 2019 7:00 P.M.
DAVIS CITY HALL
227 EAST MAIN

1. Call to order Davis City Council by Ed Parks.
2. Roll Call: Mayor Ed Parks, here, Vice-Mayor Josh Oakley, here, Councilman Brian Davis, here, Councilman Darryl McCurtain, here, Councilman Stan Jones, here.
3. Prayer led by Stan Jones.
4. Pledge of Allegiance led by Ed Parks.
5. Consideration and possible action to approve Consent Agenda including minutes of prior meetings and claims. McCurtain made motion to approve. Second by Jones. Vote: Davis, yes, McCurtain, yes, Jones, yes, Oakley, yes, Parks, yes.
6. No items removed from Consent Agenda.
7. Consideration and possible action to consider entering into memorandum with Chickasaw Nation concerning city streets. Jones made motion to enter into memorandum with Chickasaw Nation concerning city streets. Second by Davis. Vote: Davis, yes, McCurtain, yes, Jones, yes, Oakley, yes, Parks, yes. Tom said the Chickasaw Nation wants Council to consider adding South B into the housing complex and Main Street leading into their farm on West side of town into their inventory of roads. This will allow the Nation to repair these roads if funds are available with understanding the City will maintain, once they are redone. The City will still retain ownership of these streets. They sent the paperwork to him with his name and signature on it and he requested that it be changed to the Mayor's name and signature. City Clerk has new version with the name change only. The attached map shows areas and questions they want to put in their inventory. The only thing this will allow is for them to use their funds, when available, to fix these roads. There are not any guidelines that say what they will do; it will have to be approved with the Chickasaw's and the City. McCurtain said one of the streets that they have done is in Sulphur on Cooper Memorial, from highway to Cultural Center entrance.
8. Public Safety Report by Dan Cooper. The report is in the packet. They made an arrest and closed the case on the Burgerland robbery. They received their nine bullets proof vests today from the Jag Grant in which they have applied for. They hired a SRO officer, Lauren Patchell, for the school, she was one of our dispatchers and she will start on the 25th of this month.
9. Chamber Report by Tom Graham. The Keep it Local January Business of the month was Cross Bar Ranch and the Murray County Farm Bureau was for February. Announced the awards given out at the Joint Chamber Banquet. The Civic Club of the Year is a new one that they haven't given out before and it went to Sulphur Rotary Club. These awards are voting on upon by board members of both Chambers. They're still actively helping with the fundraiser on the Splash Pad and they are helping with a food drive for Federal employees while they were not able to get their checks. The State Superintendent, Joy Hofmiester spoke at the Chamber Luncheon today at the Murray County Expo, which was sponsored by the Sulphur and Davis Chambers.
10. No MCIA Report. Tom said they are still working on location for bringing businesses in.
11. City Treasurer Report by Brandy Claxton. The bank account balances are in the packet but they are not reconciled to date. They are working on the budget. If there is anything you Councilmen want to add to it, please let her know.
12. City Manager Report by Tom Graham. Third Street is not coming along as fast as they would like but it is still progressing in spite of all the rain. Main Street and Sidewalk Project will be awarded by ODOT this month for work to start no later than June 4. Street lights have been removed so expect Main Street to be fairly dark for several months. Fourth Street to Tenth Street however; will remain dark until this project is over. This project is a seven month project.

They will replace all the wiring and go with LED lights from first to fourth. We have a customer that was pricey overcharged on the trash service. Their bill is paid from an independent firm so they didn't know what this person was suppose to be charged so he had someone check their records and we have never checked with SORD and have charged this customer an overcharge of \$7,570.00 for dumpster s and polycarts for several years. He wanted to let Councilmen know because normally they give them credits for something like this but to give them a credit this big, would take twelve and a half years to zero out. So we are going to give this customer a check for it being as high as it is and he just wanted to let Councilmen know. Oakley asked if there was something they could check into by doing something with the headstones out at the cemetery; give them a power washing or something. Tom said they would have to put something in the paper because we don't own the headstones and some people may not want us messing with them. If this is something the Council wants us to pursue, then he will do it. Oakley said he was just down there and it looks pretty bad. Last month something happened to the flag poles as well. Tom said it wasn't reported and that he would check into that.

13. No appearances and petitions from the audience. (Limit of three (3) minutes for each.)
14. No New Business: Discussion and possible action concerning any matter not known which could not have been foreseen prior to the posting of this agenda.
15. Adjourn. Davis made motion to adjourn. Second by Jones. Vote: Davis, yes, McCurtain, yes, Jones, yes, Oakley, yes, Parks, yes.

ATTEST:

Cheryl Dodds, City Clerk

Ed Parks, Mayor

DAVIS MUNICIPAL AUTHORITY MEETING
MONDAY, FEBRUARY 11, 2018 7:00 P.M.
DAVIS CITY HALL
227 EAST MAIN

1. Call to order Davis Municipal Authority by Ed Parks.
2. Roll Call: Chairman Ed Park, here, Vice-Chairman Josh Oakley, here, Trustee Brian Davis, here, Trustee Darryl McCurtain, here, Trustee Stan Jones, here .
3. Consideration and possible action to approve Consent Agenda including minutes of prior meetings and claims. McCurtain made motion to approve. Second by Jones. Vote: Davis, yes, McCurtain, yes, Jones, yes, Oakley, yes, Parks, yes.
4. No items removed from Consent Agenda.
5. Consideration and possible action to allow Jim and Julie Noland to terminate lease on Julie's Snoballs, located on Concession Row at Turner Falls Park. Davis made motion to approve to terminate lease on Julie's Snoballs. Second by Oakley. Vote: Davis, yes, McCurtain, yes, Jones, yes, Oakley, yes, Parks, yes. Tom said Jim and Julie Noland wish to terminate their lease of Julie's Snoballs along concession row. They will continue to have Riverside and concession in campground area. They just can't find the manpower or workforce to do all three. Oakley asked how much was left on it. Tom said lease was good until 2022. Councilman Davis asked how much they paid for the lease. Tom said \$2,674.10 and paid that yearly. These leases were all done last year on a five year span but they want out of this one. It has been the policy of the Council to let people out on their leases if they felt they no longer could do it. There is somebody interested in it that leases on both sides of this one.

6. Consideration and possible action to allow Turner Falls Park to go out for bids on Concession Row at Turner Falls Park. .
McCurtain made motion to approve concession to go out for bids with a minimum of \$3,600 per year for food service till December 31, 2022. Second by Oakley. Vote: Davis, yes, McCurtain, yes, Jones, yes, Oakley, yes, Parks, yes. Tom said we do have an interested party but we have always bid them out in the past and lately, the Council sets a minimum on how much they would like to have yearly. So he is asking if you want it to go out for bids and if you want to set a minimum on it. Trustee McCurtain asked how many square feet it was. Park Manager, Billy, said a ballpark figure would be around 300 to 350 square feet. Tom said it does have its own private bathroom. Trustee Davis asked how much they usually lease for. Tom said they vary; this is one of the cheaper ones we have. The last time we put one out for bids, Council asked for minimum of \$3,500. The gentleman that is interested in it is the one that has the concessions on either side of this one, and then he will have the whole concession row. It does have a window a/c; none of the freezers that were in it are there any longer, it has hand washing sink and a three compartment sink. The Cactus Patch leased for \$7,700/ yearly, pizza place, \$3,520, Riverside \$8,250, Snocone stand on top, owned by Keith Garrett, mind you we only own the land it sits on, leases for \$1849 and Main Grill, all we own is the land on it as well, leases for \$2200/year. He doesn't think you should have a bid less than \$3,500. Some of these bids were set a long time ago and he thinks Council has come up with a 10% increase on them. They can stay open as late as they want through the season. Once we put a bid out in paper, anybody can bid on it.
7. Consideration and possible action on update concerning property around Turner Falls Inn. Trustees tabled this again. Tom said this was looked at and the City has 78.35 acres inside section 30 which includes the entrance and most of front of Turner Falls to low water crossing. Legal was going to give you an opinion as to whether you can pick and choose pieces of property in this section to sell or not to sell by changing the Ordinance. Attorney Melton said in his opinion, the City can change and amend any City Ordinance but they have to follow procedures, publications, and follow everything through. The legislative body has the authority to amend an Ordinance, but once the City starts picking and choosing specific sections to excludes like this such as this property, he thinks it's really dangerous and would advise against that. But again, you are the legislative body. Trustee Oakley said he knew this has happened in the past, we have had something that was City property and someone put a fence on that had sat there so long, we couldn't do anything about it. He thinks this property has been sitting for 25-30 years, couldn't we just close the section there and call it domain since it's been sitting for so long. Attorney Melton said someone would have to pay to get it surveyed and get legal's for it. He doesn't think we can just give it away going by the Ordinance. Tom said he was not employed when that fence was put up. He thinks the City just let them do it back then but he's not for sure. Attorney Melton said he thinks realistic and practical manner the only way the City could do this is by exclude this specific property from the Ordinance and go through that process then the City would have to declare property surplus and put it out for bids. He thinks only changing the Ordinance would only be a part of this process and it would be a very long process. As stated in the last meeting, there is no guarantee that Mrs. Davis would even get this property once it goes out for bids. Mrs. Davis said the bank won't loan money if there's an encroachment on the property. Councilman Davis did advise Mrs. Davis that it was a long process and even if they changed the Ordinance, declare it surplus, publicize it, it would still have to go out for bids and it was not a guarantee that she would get it. Attorney Melton is going to submit an opinion from Attorney General as to how we proceed on the specific areas, the actual approachments, that way it will set criteria for the bank properly.
8. Consideration and possible action to consider proposal to convert water meters to electronics. McCurtain made motion to go out for bids on water meters using the specs we have been provided. Second by Oakley. Vote: Davis, yes, McCurtain, yes, Jones, yes, Oakley, yes, Parks, yes. Tom, Brandy, and Bert had a meeting with Hydropro this week over electronic meters. They also presented an AMR pricing it would take to get these started. Tom said this is proposal to upgrade our system for a more accurate reading and billing. We have talked about it in the past and we have found an electronic that would be compatible as to what all we want it to do. The issue is the price. I'm going to have to ask you to go out for bids on it. If we go out for bids, you will have to project what we are going to bid. One of the meters you looked at in the past had flyer antennae that came out of the back of it that laid on the ground, this one does not. Everything is inside of this one along with a twenty year life expectancy on battery. The initial price of doing this is expensive. We can go with the head and not the body. You can use the same body we have however; they are old and if the mechanism inside has slowed down, that meter isn't going to read accurately. There is less than twenty dollars per meter difference with dealing with the whole thing versus just getting the head part of it. One of the things we talked about was getting the meters and having them installed. We have over 1400 meters and it would take us a long time to install ourselves. They will send a crew down to install, then they would do the training. If we go to this, you are going to end up reading meters for a week and doing rereads for two days, these will do the same all in one day. Trustee Davis ask how long would it take for us to put one in. Bert, Public Works Director said it could be anywhere from fifteen minutes to two hours. Davis was wondering if we could at least put half in to save some money on. Bert said they could do it but may take us six weeks to do versus them doing it a lot quicker. Depending on how much water is on them, they can read up to three or four blocks away. Tom did ask in the presentation if the meter box was full of mud, could it still be read and the answer was yes.

Tom said the problem we're going to have by installing them ourselves is this is going to have to happen at the end of one meter reading to the next one starts. We don't know if we are going to have a major water leak in between the times or a major sewer problem, we may or may not be able to work on them. They will send a crew here to install and they will be here until they have them all installed. Brandy said she wanted to make it clear that going to electronic meters, no one will lose their job, these aren't taking away that. It increases their availability to get other stuff done. Tom said he understood Brian's concern on the cost to have them installed but after the guy explained how they would come here install them, train our guys, furnish us with a troubleshooter if we have any issues or whatever, they have a contact person to go with it. But with us going out for bids, there may be someone cheaper than this. This is just an estimate and it is strictly for the residential meters only for now, it does not include compound meters, nor does it include anything over the size of one inch. They can do the rest of them, but this is just the start. If this is the kind you want, we will set out bids for. There are other companies that make meters. Trustee McCurtain asked Bert what kind of meters we used now. His reply was Badger Meters. Tom said he is just asking if we could go out for bids on this project and we will bring it back next month.

9. Turner Falls Report by Billy Standifer. We are working on cabins and other maintenance throughout at the park.

10. Public Works Director Report by Bert Curtis. He said they have covered just about everything he had. They will just third street eventually sometime in his lifetime. Trustee Davis asked Bert what kind of safety he does with his employees for in hole, down below grade working in man holes too. Bert said we do in house training. He saw one of his employees down in a maybe five or six feet hole with no harness, no slope, and no nothing. Bert said normally we do but sometimes, we can't do it. Davis asked why we wouldn't do it. Bert said sometimes like where you are talking about we didn't have the utilities that made it to where you they didn't have room. Davis said that's his question, if there's not a way to do it, how do we keep it from caving in. Your employees face was right over a sewer line. He didn't see anyone with a monitor on or anything. Bert said we do have them at the Fire Department. Brian said no, not the Fire Department, your workers, the ones that are working over a sewer line. Bert said no, they don't have them. Brian said you do remember what happened at Falls Creek not long ago, it's the same thing. That is his question to him, is the training, he felt that Bert's employees didn't know or they wouldn't be down there doing it without all the safety precautions. Bert said they have all been trained. Bert said there's time where we can't do a slope. Brian said did they have a tripod with a harness on. What happens if that H2S comes up and hits them or anything? Then the next guy goes in there and it will happen just like what did at Falls Creek. Bert said hopefully his guys know not to go down there. Brian said hopefully but you have no idea. They were grown men that did that at Falls Creek, you just never know. Bert said we do have a tripod. Brian said then why didn't they have it out there. He questioned Tom if there was any kind of training that we could do. Tom said yes. Brian said to have his face this close to sewer, he knows that you have to do it but there has to be some kind of training that was dangerous. He has worked in an oil field, with H2S, you're done, and there isn't any smell or anything. Tom said there is training out there. It is usually done with OMAG, rural water. There's even been some confined entry space classes you can go through. Brian said he didn't even know how he got out unless he hung onto the backhoe and they pulled him out. Bert said yes, that's how he got out. Brian said he knows OSHA does not regulate state government employees but there has to be something that regulates if OMAG was to see this guy down in there, they wouldn't be happy. The City would be at fault then, if they don't have the proper training to go down in there. We have to Bert that is something that is very dangerous. Oakley said can we make a recommendation and have it enforced. Brian said absolutely, the HS monitor is something that needs to be bought. If you have an employee down in a five or six in hole with no ventilation, in the oilfield, you're done and fired because you were trained not to. I don't know how we go about it but do we go into manholes without it too. We just had incident couple years ago and we haven't learned anything from it nor are we taking any actions to prevent it for our City employers. It's up to somebody to do it. Tom said we will look into the extent and the training. Brian said it is mandatory. Tom said OMAG does come down and give us safety training occasionally, they don't get as detailed as your referring to. Brian said if we're in a situation to where H2S could be present, and we lose an employee, that is on the City of Davis, not OMAG for not having the proper equipment necessary. Tom said we just purchased some new ones for the Fire Department so we can look into purchasing some for the employees. Tom said this is the reason we purchased them for the Fire Department and the incident that had happened at Falls Creek. Brian asked Bert if we are dealing with the same gases. Bert said there's a chance not as high likely as Falls Creek because it was a total different deal with a series of things. It can happen at any time, he's been here for a long time and it's never happened. Brian said people back then didn't sue like they do now either. He's trying to do something about this before something like that happens. He's glad he stumbled upon it, he's glad he saw it but you can tell that they didn't think they were doing anything wrong. Oakley asked how long it would take to get them in. Tom said a couple of weeks if they have them available. Brian said and the training that goes along with it. Tom said yes, you can't stick one on a guy and tell him to turn it on not knowing what it indicates. Usually the factory that sells them does offer free training with them. Brian said he wanted to move forward and not see what had happened in the past.

11. No Appearances and petitions from the audience. (Limit of three (3) minutes for each.)
12. No New Business: Discussion and possible action concerning any matter not known which could not have been foreseen prior to the posting of this agenda.
13. Adjourn. Jones made motion to adjourn. Second by Davis. Vote: Davis, yes, McCurtain, yes, Jones, yes, Oakley, yes, Parks, yes.

ATTEST:

Cheryl Dodds, City Clerk

Ed Parks, Chairman