DAVIS CITY COUNCIL AND DAVIS MUNICIPAL AUTHORITY
MONDAY, MAY 8, 2017 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 Stan Jones, here, Councilman Darryl McCurtain, here, Councilman Brett Knight, 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. Motion made by Knight to approve. Second by Jones. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.

6. No items removed from Consent Agenda.

7. Discussion and possible action on request from Monte King on Land Surveys. Tabled since Monte wasn't here.

8. Consideration and possible action to update cemetery Ordinance concerning flowers and/or vases. Motion made by McCurtain to approve 7 days for flowers, 90 days for artificial flowers and vases, and for the City not to be held responsible for any damage other than headstones. Second by Knight. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Tom stated that the ordinance only covers flowers and vases and it states that they will be removed after 90 days. People are putting a lot of things like benches, figurines, structures out there and we're having a really hard time weed eating around this stuff. Other communities went as far as if you have things of this nature out, then the individuals are responsible for mowing and weed eating around it that way if we tear something up, we're not liable for it. Leaving real flowers for 90 days, they are dead and we're not allowed by Ordinance to take them off till the 90 days. It's just hard for 2 individuals to take care of without tearing things up. Oakley suggested that we change to have individuals take care of their own and change wording not responsible not any damaged items and run it in the paper to let citizens know. Tom stated that he isn't trying to take flowers that are still alive; it's just with the grass starting to grow and us losing the inmate crew of 7 to 8 workers that helped drastically, now we're down to 2 people. There is nothing in our Ordinance to cover that but flowers and vases. Stan asked if we checked to see what other cemeteries are doing; Tom stated that it is both. Sulphur has them tend to their own, Ardmore does both. If they tear something up besides the headstone, they are not responsible for. He's not asking for them to have them mow their own, he's asking if we can put in Ordinance that we're not responsible for anything other than the headstone, if we do damage. Brett asked how this was going to address the issue. They brought forth to you that they can't keep up with it with only 2 people and his concern is that if they are going 90 to nothing on a lawn mower all of a sudden, they wouldn't be with as much care. Stan said we may need to have another employee during summer to help with it. Tom stated that we are going to try and hire a student to help for summer; it's just whether or not we can get it done. Our budget didn't account for 2 fulltime people working there but next year will. Brett stated that the issue that was brought forward by the employees was that they couldn't keep up but the Council addresses it by saying, we're going to remove liability by the City. To him it sounds like it's giving the employees not to have much care. We're not really addressing the issue that they brought forward. It's almost like a green light to go as fast as you can to get it mowed. And about the fencing, what if we say you can't have one over 10 foot but someone already has one out there that is 11 foot. Are we going to make them take it down? But that still wouldn't address that issue as to where we are and to what's already happening. Ed stated that some only allow flowers only. Brett asked so are we going to make everyone go take everything else down or are we going to? Then that wouldn't really help the issue either. It's like we're putting a band aid on it and kicking it down the road. I think you're trying to help them out. Darryl stated that we suggest that people take care of their own and put stricter guidelines on the new cemetery we're about to open. Because right now, if you try to take away from what we already got, that peoples been doing for the last 50 years, everyone of us will be ran out of town.

For the people that have the extra orientation to try to take care of their own and go ahead and put the clause in there that we're not responsible for any damage that should occur. Tom stated that he talked with Sulphur's City Manager and they are adding a new addition and what they are going to do is go with level with the ground headstones. That way they can mow right over them. I know a lot of places are going with that. Stan asked if Marshall had the estimate of how many benches and etc out there. Tom stated that driving out there himself; we are looking at several dozen. Brett said that reading the agenda item he thought we were just discussing flowers and vases. Tom stated that if we deal with the flowers and vases now, we can write up a separate Ordinance for the future. We will keep doing what we are doing now. The agenda item only talks about flowers and vases because that the only thing the Ordinance covers. Brett stated that there have been other things like beer, liquor and alcohol being placed on gravesites as well that is a concern to him since we have open access. So there is an additional thing we may need to add when we get ready to update. Stan asked Tom if they could get a list of the dozens of the ones that are affected. Tom asked Attorney Mark if this was going to be an emergency or do we have to wait 30 days for this to go into effect. Mark advised that is wasn't an emergency and we can publish it in the paper.

9. Consideration and possible action to set fine amounts for Title 5 Health and Sanitation Ordinance. Motion made by Oakley to approve reduce the maximum height from 12 inches to maximum height of 6 inches in length and immediately to fine $100.00 plus $80.00 for court cost. Second by Knight. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Tom stated that we do not have a fine limit that we can use for properties that are unkept and needs attention. On structures the council can declare dilapidated and gives us the procedures to handle this however; grass, weeds, and trash are a constant problem and we need to be able to do something besides sending letters monthly. We're having a lot of issues and complaints of tall grass and trashy lots and some dilapidated buildings. The issue that we really have right now is writing letters requesting clean up and mowing and we really haven't been enforcing any fines in this area and I would like to do that. Mark stated that the City has the authority to oppose a fine up to $1,000.00 or imprisonment of up to 6 months which is a misdeamor or both. Tom stated that he really didn't want to fine someone $1,000 for their yard. If we just write our minimum fine now of $180.00, I think that is a little extreme. His recommendation would be to set a fine of $100.00 per occasion. Plus it was brought to his attention that letting the grass exceed 12 inches in height may be a little obsessive. Possible lower the height and impose $100.00 per occasion fine. Mark stated that it doesn't give a total fine amount in the Ordinance; it just states Oklahoma statute, in which Council can set an amount. Brett stated that he has heard some good things about our Code Enforcement Officer, that it isn't lack of effort of his part, that we need to back him up a little bit. Tom stated that he is sending out letters and being proactive. Mike Hellack spoke in regards to this is a beautiful town but you get off one block and it's a disgrace. Our town is going downhill big time. Tom stated there is a house is this town that will mow only after he is issued a letter. Come about 2 months later, we have to send another one. Brett stated that his concern is that we don't pick and choose; it should be straight across the board for everybody. It should be enforced for everyone. Tom stated that he thought we are doing this straight across the board and not showing favoritism towards anybody. Mark stated that he would recommend that we don't do the letter, just issue the citation based on the City Inspector and have that person come to court with the court date; otherwise, you're having Chipper go back and forth. The person that has been cited will have to come to court and show the judge that they did what they were suppose to do and if they don't , the judge can enforce the Ordinance. Tom stated that if they come to court and did what they was suppose to do, then the judge has the right to cancel the fine. Mark stated that taking out little more steps will make this more effective. Brett did mention that the Ordinance did stated that the City workers and police can report these as well not just the Code Enforcement. Mark stated that this wasn't an emergency, so we can begin fining in 30 days. After writing the fine, they will go to court the following Thursday. City court is every Thursday and Code Enforcement will have to be there as well. Junior Coppenburger asked about the dilapidated houses and the one on South 9th, it has dirt floors and has been in really bad shape. Chipper said he has sent letters out and they have all been returned. Tom said according to the Ordinance we have right now it states that once the Council declares a property dilapidated, they have to give the owners a set amount of time to clean it up. After that amount of time, then we can bill them for such labor and if they fail to pay us after 6 months, we can put a lien on their property. The building has to be a hazard to health and safety and welfare to the general public to be considered dilapidated. Mark advised that we need to bring dilapidated houses back to Council so it will be more definitive on the agenda and it will give people a chance to voice their concerns.

10. Consideration and possible action to set date for Budget Workshop to May 15, 2017. Motion made by Jones to approve Budget Workshop for May 15, 2017 at 7:00 p.m. Second by Oakley. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.

11. Consideration and possible action to set date for Budget Public Hearing for June 12, 2017 at 6:00 p.m. Motion made by Jones to approve Budget Public Hearing for June 12, 2017 at 6:00 p.m. Second by Oakley. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Tom stated we need a public hearing before budget is approved and we have always had the hearing before the regular council meeting in June.

12. Consideration and possible action on approving bids for new roads at cemetery. Motion made by McCurtain to approve Pavers bid in the amount of $49,800.00 for new roads at cemetery. Second by Oakley. Vote: Jones, yes, McCurtain, yes, Knight, no, Oakley, yes, Parks, abstain. Tom stated that we did not receive any bids or had anyone inquire about this project. He did talk with one Construction Company in town but they didn't bid. Pavers have said they will honor their first proposal for $49,800.00. We need these roads built so we can start using this area. Already platted just need roads.

13. Public Safety Report by Danny Cooper. The report is in the packet and it is going to be a very busy summer.

14. Chamber Report by Melissa Pratt. The City Wide Garage Sale went well. July 1, 2017 is going to be the Summer Fest.

15. MCIA Report by Melissa Pratt. They have the recycle bins in place and the other thing is they are asking us to put a separator in there so it can be sort better.

16. City Manager Report by Tom Graham. Update on Soonerette- He has talked with the owner several times and he states that they will be here Monday, May 8 to start back working on this building. He is working with FEMA on a water shed study they are doing in our area which would give us digital floodplain map with elevations at a low or possible no cost to the City. The sidewalk project is still progressing as the engineer is done and back in ODOT hands. It doesn't appear at this time that this project will be affected with Budget shortfalls the state is experiencing. Hope to know something soon. He is waiting on DEQ approval for the new 8" water line that will supply water to the new high school.

17. No Appearances and petitions from the audience. (Limit of three (3) minutes for each.)

18. No New Business.

19. Adjourn. Motion made by Oakley to adjourn. Second by Jones. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.

ATTEST:

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Cheryl Merrell, City Clerk Ed Parks, Mayor

DAVIS MUNICIPAL AUTHORITY MEETING

MONDAY, MAY 8, 2017

1. Call to order Davis Municipal Authority by Ed Parks.

2. Roll Call: Chairman Ed Parks, here, Vice-Chairman Josh Oakley, here, Trustee Stan Jones, here, Trustee Darryl McCurtain, here, Trustee Brett Knight, here.

3. Consideration and possible action to approve Consent Agenda including minutes of prior meetings and claims. Motion made by Jones to approve. Second by Oakley. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.

4. No items removed from Consent Agenda.

5. Consideration and possible action to enter into a 3 year agreement with Murray County Industrial Authority for Retail Consultant at a rate of $24,000.00 per year. Motion made by Jones to approve. Second by Oakley. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Tom stated that we have had several meeting with retail consultant, Richey Hayes, bringing retail business to Davis. This is a joint effort with Davis and Sulphur. We would pay half and Sulphur would pay half. The company would contract with MCIA for our share of this project. Recommend that we do a three year contract at a rate of $24,000.00 per year. We will have a 60 day notice to get out of it.

6. Turner Falls Report by Billy Standifer. We had a good month. FEMA projects are complete. The past weekend was down.

7. Public Works Director Report by Bert Curtis. We have been cutting grass, having lots of water leaks, and hauling off brush.

8. No Appearances and petitions from the audience. (Limit of three (3) minutes for each.)

9. No New Business.

10. Adjourn. Motion made by Jones to adjourn. Second by Oakley. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.

ATTEST:

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Cheryl Merrell, City Clerk Ed Parks, Chairman