DAVIS CITY COUNCIL AND DAVIS MUNICIPAL AUTHORITY
MONDAY, JUNE 12, 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. Consideration and possible action to approve amendments to the current City of Davis, DMA, and Turner Falls 2016-17 budget. Motion made by Knight to approve. Second by Jones. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Tom stated that some of the reasons are because the Sales tax is down by 8% so we need to change that figure. The Franchise fees are coming in above and police dept the salaries are higher due to some overtime and working on the vehicles. The insurance has gone up as well. The fire department does not show the donation we received and the budget didn't show this. The street had more because we had more repairs and also due to losing the inmates. We've had to hire more employees. Neither DMA nor Turner Falls had any amendments to be made just General Fund. These are just the adjustments we need to make to make it balance to close it out.

8. Consideration and possible action to approve Resolution #541 for FY 2017-18 Budget for the City of Davis, DMA, Turner Falls, and other Funds. Motion made by Knight to approve. Second by McCurtain. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.

9. Discussion and possible action to donate storm siren to the City of Hennepin. Motion made by Knight to approve. Second by Oakley. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Tom stated that this is an old siren the City has at the City Shop that is just lying around in the weeds. We have a back up siren at the Old Water Plant if we need one. Hennepin will come pick it up and fix any issues with the old siren. He did talk to the Attorney and he felt we did not have to surplus this since it has been sitting out there for so long.

10. Consideration and possible action to authorize city to demolish old building known as Soonerette located at 602 East Main, Davis Ok. Tom stated that we have discussed this several times. When he finally got the owner to answer his calls he sent one or two people to work on building. We have constant complaints from the public on this property and as you can see work is going at a slow pace. He did request that the owner show up but he didn't. His attorney told our code enforcer that they are working on it every day. Written notice was sent to owner about this meeting. Our Attorney asked if we are sure he has received written notice. Chipper stated that he did send certified mail. The City did issue him a building permit. Chipper stated that he has not got the green card back showing that he received the letter. Mark said that he did not feel we are legally sound to have exposure to tear down his building without giving him proper notice. I know that we have had several meetings in the past but Ordinance stated that we have to give him proper notice. Ed asked if Mark could give him the proper notice we need to give him. He would like to serve him personally and post it on the property as well. The hearing has to be 15 calendar days after we post it. Hearing date will be at the next Council Meeting, July 10th.

11. Presentation with John Murray in regards to purchase property at Industrial Park. Motion made by McCurtain to approve ten (10) acres at $1500.00 an acre. (which is Lot 3 & 4) Second by Oakley. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. John Murray stated that he would like purchase 5 acres in the Industrial Park and he has 2 other partners and they want to start a machine shop. They are looking to build a 15,000 square foot building to put some machines in it. They would like to build a concrete pad and put some people to work. They are thinking to hire 10-15 people within the next year but it's hard to say at this time. They are interested in purchasing Lot 3 and possibly 4 down the road. They talked to OG & E for electric and it won't cost them anything to bring it there. Tom stated that the commitment from the City Council was to bring water and sewer to each. We can bring a water and sewer line for them to hook up to so this can be done. Knight asked what their price was on the last one they approved. Tom told John Murray $1,500.00 an acre but he may be wrong. McCurtain asked me to go pull the last minutes they approved for a lot. The last one they approved was for $3,500.00 per acre for 2 acres. Tom stated that he gave John the wrong information.

12. No action was taken on discussion and possible action concerning City Policy on dilapidated houses. Junior Coppenbarger had concerns in regards to a house south of the Post Office, 900 block of East Davis and 200 block of South 9th. They are people staying in there at nights and the police have to run them out. It is just an unsafe condition. Oakley asked attorney if the Ordinance was written good enough for this. Brett stated if DHS came into this house and took kids out, then it is considered dilapidated. If it's just some windows knocked out and needs painting, he didn't feel that would be considered dilapidated. Tom stated that in the last meeting, if any house was in question, we would take photos and bring to Council to look at and vote if dilapidated. Mark stated that written notice would be required and will have to have a hearing 15 days after the homeowner has been notified. He also felt that the definition in the Ordinance was broad. Chipper said he did send letters out but have not got the green slips back. Darryl stated that if we post it, send letters publish it in the paper and we still don't get anything in return, that would still be proper notice. Mark stated yes we would be good then but no decision will be made beforehand. Darryl stated that in the mean time, we can have contractor go down there and secure the building and the house, whatever we have to do to keep people from going in and out, the City will have to pay the contractor but then we could file a lien on the property. Mark stated that the contractors do no t have to bid out. Tom said we do have a company here in town that we get to do it. Mary Ann Peters asked why the City couldn't just do it. Darryl stated that if he remembered right in the past there would be unfair rates because the City was doing the work. But this has been several years ago. So that's why we like to get someone else to do it. Tom stated that we do charge labor and material cost. Mark said we need to board these two houses up.

13. No action taken on discussion and possible action with Bruce Baumgartle in regards to flooding on South 4th and Atlanta due to poor street repair. Tom stated that this is being worked on but until we can move utilities in this drainage ditch, this will be an issue. We are trying to open all the underground drainage at this time. Bruce brought in pictures of his house and drive way. He stated that his living room has sunk in about 4 inches due to this. He said it happens every time it rains. He is going to have to pay $10,000.00 to have his foundation fixed. Does he wait till the roads are done, does he do it before they are done and have to pay 2-3 years later. When does too bad become too bad? Tom stated that if he wasn't mistaking that when they done the roads in front of his house a couple years ago, they paved up to the top of the gutter. Darryl stated if we don't clean the gutters out and don't clean the drainage creeks out, then water can't go through there. It's like this all the way down from the East side of town to the river. Until we start cleaning the creeks out, we're not going to solve the problems. There's too much tree limbs and trash and debris that is clogging it up. He stated that when it rains, to go out and drive around and look, get wet. Ed stated that they need to be dug all the way back down and rebuilt. Oakley stated instead of doing 10 streets of oil and chip for $120,000.00, let's do 2 streets and do them right. Knight stated that the contractor should have a responsibility to say this isn't going to create an issue. Everyone will say Pavers did these roads and I would think you would want to have some pride in that. Oakley told Bruce that that is exactly why he voted no for the oil and chip, because it keeps happening over and over again. Oakley also stated that since we have $500,000 set aside for 3rd street, we need to use that to fix people's houses first. Tom stated that we have $620,000.00 to do streets. It can be resent to different areas if needed. Darryl stated that they decided to spend that much money on 3rd street. We decided to go out and have the engineering done and cost estimate from the engineer so that the street would be done the right to begin with for the drainage, that's why that estimate was so high because we had the engineering and design done. Tom stated Myers Engineering said you would have to take 8 inches out and put 8 inches back in to build the base and pave the road. There's not a street in this town that has a good base in it. McCurtain stated for Tom to consult with an engineer on this project so that we will know what an engineer's recommendation is and know how to design the project to alleviate some of this problems and go from there without taking action on this tonight. Courtney Grinstead asked if they could call the City Hall of other places in town with the same problems. Tom stated yes they could that way they will know.

14. Consideration and possible action to pay Worker's Comp premium in the amount of $109,538.00 out of escrow account, which has $130,716.39. Motion made by McCurtain to approve. Second by Knight. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Tom stated that our Workers Comp payment is due and we have enough funds in escrow account to cover it.

15. Public Safety Report by Danny Cooper. His report is in the folders. Councilman Jones asked if he had done an alcohol sting yet. He stated that they will do one pretty quick.

16. No Chamber Report.

17. No MCIA Report.

18. City Manager Report by Tom Graham. Several inquiries about the new policy on grass height and unless otherwise stated we are going to go after neglected yards and areas first that is inside the City Limits. Several feel the new height is too strict however; we have told everyone we do not plan on measuring your yards but do plan on addressing the severe areas. To change that height, we will have to change the Ordinance again and wait 30 days. But with these properties, were not going to fine if it's just weeds in the corner that are 6-8 inches tall, we're talking about the whole area. Darryl stated that he does see a problem with the 6 inches but we need to wait till winter time to address this. Stan stated three of the five councilmen that were over 6 inches but with the rain, they haven't been able to mow. He thinks 6 inches is a little extreme and we need to have the code enforcer be consistent on what is too much. Because it could be that they couldn't get their lawn mower out because it was so wet. Brett stated that the consistent has to be what the Ordinance says though. Attorney stated that some of the discretion will be left up to the judge. It they get a ticket, they can come to court and explain to the judge as to why they haven't mowed yet. Tom stated that with this, people are cleaning up around their houses. Commercial is not defined in the Ordinance either, just says within the City limits. We continue to add stop signs in residential areas where speed is an issue. Next area will be around 3rd and Ellis. We are making some headway on City streets that was earmarked for oil and chip project. The new addition to the cemetery has an issue concerning standing water. We are trying to give it time to dry out and see if the roads can be built, if this will not drain, then we might have to look at different expansions. This land may not be suitable for what we are trying to do. We have not started working on it nor spent a penny on it. We are not going to spend any money until we know that we can take care of it.

19. Appearances and petitions from the audience. (Limit of three (3) minutes for each.) David Watson, Tarron Estrada, Marcus Epps, also known as "Black Sheep Bunch," came and presented in regards to having a car show to raise $10,000.00 for the Fullerton Park for improvements, such as basketball goals and equipment, by having a kid friendly car show with vendor booths and bounce houses on September 2. They are just trying to go out of their way to help a local town and have a better place for the kids. They have not done this before; they are just getting started in smaller communities to help them out. The vendors will be from this community as well. They do have Brad Fenton of Ardmore as their corporate sponsor. Danny Cooper stated that he did some research of their group and everything he came across, they said that they were good, family orientated. Tom stated that they will have to have liability insurance in case someone gets hurts but we do not charge to rent the park out. McCurtain made a motion to approve renting the park to Black Sheep Bunch for car show depending on approval of insurance and availability of the park at no cost. Second by Oakley. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.

20. New Business: Discussion and possible action concerning any matter not known which could not have been foreseen prior to the posting of this agenda. Mary Peters was concerned where the City was putting up stop signs because there are tree branches hanging over them to where you could barely see them. She has run them several times. What's happening with our saw mill? Tom stated that he was given the wrong name and address. So it will be on next month's agenda along with new letters sent out. If the Council chooses to give them a permit to run a business in the residential neighbor, then yes, but that will be up to the Council. Tom stated that he thought it was settled but then it became a live issue again. All retail businesses in residential neighborhood have to have a conditional use permit.

21. Adjourn. Motion made by Oakley to adjourn. Second by Knight. 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, JUNE 12, 2017 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 Parks, yes, Vice-Chairman Josh Oakley, yes, Councilman Stan Jones, yes, Councilman Darryl McCurtain, yes, Councilman Brett Knight, yes.

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

4. No items removed from Consent Agenda.

5. Consideration and possible action to approve Resolution #541 for FY 2017-18 Budget for DMA and Turner Falls. Motion made by McCurtain to approve. Second by Jones. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.

6. Consideration and possible action to remove cap on Contingency Fund. Motion made by Knight to approve. Second by Jones. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.

7. Consideration and possible action to approve contract with Arbuckle Master Conservancy District with an estimated monthly OM&R increase in the amount of $439.91 for the 2018 Budget beginning on July 1, 2017. Motion made by McCurtain to approve. Second by Jones. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Tom stated that Arbuckle Master will increase our cost for water by $439.91 per month.

8. Turner Falls Report by Billy Standifer. Parks has been running pretty well. Darryl asked if the people at the gate let people know about the storms and if the officers go around and let people know as well. Billy stated that yes the employees at Ticket Office let customers know as we as the officers. The media are the ones making us look bad and telling lies about us. Our shelters out there are the restrooms.

9. Public Works Director Report by Bert Curtis. They have started spraying for mosquitoes and waiting on more spray to come in. We have lost a bunch at the Water Plant from the storms but everything will be fixed by the manufacturer and is covered by insurance. Darryl asked if we had surge protection. Bert stated yes we do and that OG&E didn't know what had happened. The adjuster hired and engineering company to come look at it.

10. Appearances and petitions from the audience. (Limit of three (3) minutes for each.) Chuck Bonham spoke in regards to the stop signs needing to be put up by standards. When you put a stop sign up at 4 foot from the ground, it doesn't meet standards. It has to be 7 foot. Tom stated that he talked to the state individual and he said there was no state code on anything inside residential, only at the intersection on Main Street. That came from Denny Boyd. The City has no guidelines, and he said there is no guidelines in residential unless they are connected to a state highway. We are replacing the ones that are faded out that you can't see as well.

11. New Business: Discussion and possible action concerning any matter not known which could not have been foreseen prior to the posting of this agenda.

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

ATTEST:

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Cheryl Merrell, City Clerk Ed Parks, Chairman