

DAVIS CITY COUNCIL AND DAVIS MUNICIPAL AUTHORITY
MONDAY, SEPTEMBER 11, 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. Knight made motion to approve Consent Agenda including minutes of prior meetings and claims. Second by McCurtain. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.
6. No items removed from Consent Agenda.
7. Presentation of FY 2014-2015 Audit by Chris Angel of Angel, Johnston, Blasingame, P.C. Skipped to Item 8 due to Chris running a little bit late. Came back after Item 8. Tom said that he was sorry that he didn't catch it earlier but this is supposed to be the audit of FY 2015-16. Attorney Melton stated that we could go ahead and go over this since it was generally clear of what we are discussing. Auditor Chris Angel said we are still having a little bit of problems with the utility still. Utility bills weren't printing out some of the reports that we needed. Some are time sensitive so that made it a little more cumbersome to do some of the testing. We had to do a different direction to get there to test the entire year. With the turnarounds and new software we are kind of smoothing out now. The governmental funds are basically funded taxes and charter services. General Fund we had \$1,320,665 collected and \$2,088,716 spent we had debt of (767,061.) We had to get Turner Falls to help fund this. We had a little improvement in cash flow with Davis Municipal Authority and Turner Falls for that year. It was definitely an improvement. One of the things for direct funding was we still have a revenue against this debt on utility service. The utility is supposed to generate enough revenue to cover non debt payment. Strictly from operations, we're only funding 69% instead of 125%. They could make you raise utility rates until we get up to the 125%. You could do is obligate the amount of transfer every year to meet that. Tom said we talked about this during the budget meeting and we are in the process of reviewing and making recommendation on raising utility rates up. General Fund exceeded total appropriations by \$10,701. We need to monitor that; we could always do a budget adjustment in the end so next year we don't come up short. The prior City Managers credit card balance of \$2,230.99 was paid without any receipts or other documentation attached. The purchase orders were signed by the City Clerk as purchasing officer stating that goods and services were received. After discussion with City Clerk it appears the signature was intended by the City Clerk to verify that the purchase was approved, budgeted fund were available and goods or services were received. Other signatures should be required to approve all of these procedures. In the later months of the year a purchase requisition procedure was initiated that implicated additional procedures for these authorizations. In addition, of the thirty-six purchase orders tested, thirteen purchase orders were dated after the invoice. Statutes say other department heads should sign to show that they were received. The City is not printing or maintaining month end utility reports; there are not reports for monthly billings, adjustments, payments, volumes consumed or accounts receivable. In addition, there is no monthly reconciliation of utility receivables. Even though City began printing month end utility billing reports in Sept 2016 they should also establish reconciliation procedures to ensure all cash receipts are recorded and that all adjustments are appropriate. Competitive bidding files should document and contain all bids. We did not locate bid documentation, other than the winning bid, in four of the six competitive bidding files that we tested. We were unable to determine if the winning bid was the lowest bid and/or the only bid received. A list of all bids received, the date they were received and the amount of bid and the actual bid sent by all vendors who bid on each project should be maintained. Tom stated that it was his understanding that every year that we do a new budget, we also do an amendment adjustment to make previous year balance.

We just did that in June for the year we just finished and they are fixing to start on. This was the year prior. They are getting ready to start the audit on the year we just finished. Chris stated that the consulting firm starts first and then they follow along behind them. Tom stated that a lot of this in the 2015-16 audit, we went through 2 different City Managers. The purchase orders that he is talking about; we did start a purchase requisition that has to be signed by him or a person that he leaves in charge if not here, before the City Clerk can issue a purchase order. So that issue hopefully has been taken care of. Chris said that it is getting better. Tom said that we had changes not only in City Manager but also up front. We are pretty stable now in the people we have in place. Brandy said on the utility billing that he mentioned, those issues have been addressed. We are printing the reports at the end of the month along with daily audit of the receipts.

8. No action taken on reviewing Ordinance on dilapidated buildings. Tom stated that this was put on here in request to Councilman Oakley wanting to go over the City's policy on dilapidated houses. Oakley stated that it was more of an update. The last time we talked about this, we were trying to find codes. Tom stated that we looked around for several different codes. We looked at Sulphur's and it was more detailed than ours however; it didn't have any kind of minimum standards in it. We did contact DHS. Brandy stated that she talked to a social worker and asked her what they looked at going in to different homes. She advised that each case is different. They look at it on an individual basis. The fact there is not electricity in the home, children would not be removed. Even if they don't have running water, they wouldn't be removed. They may have access down the road where the kids can go and take a bath. If no electricity, they can bring in flashlights. She could not tell her that there was a set list they go by. She said her version of cleanliness and her version may not be the same thing. Tom stated that everything they look at comes down to whether it is a danger to the public but there is no standard, it is left up to the opinion of our Code Enforcer, City Manager, and City Attorney to make sure everything is done correctly and the steps are followed. McCurtain said the one thing he like about Sulphur's is that if it is a vacant house and has been boarded up for 36 months and no repairs have been made, it can be considered dilapidated at that point and something can be done. If it is a vacant house with doors off, windows broken out, somebody can get hurt and can cause other action with it being vacant. It needs to be secured. Tom stated that if the Council so wishes, we can look at this Ordinance and go into more detail and bring it back for Council to adopt it. McCurtain said if the Councilmen could get a copy of it, they could revisit it next month. He doesn't know about adopting the entire thing over it since he just looked over it but there were some good points in it. Tom stated that he's not asking to adopt Sulphur's Ordinance. Ed stated that we could put it on Agenda next month and revisit it. Attorney Melton asked if the Council wanted something like a draft proposal or just examples of other cities. Mayor said to look at other cities and then maybe get a draft wrote up.
9. Consideration and possible action on update of status on house located at 905 E. Davis, Davis Ok. Oakley made motion to take action since nothing was done in the sixty days and this has been an ongoing problem so we tear down the property at 905 E. Davis Street. Second by Knight. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Tom stated that 2 months ago Council set 60 days for improvements to be done and no improvements have been done to this house. Last week the City crews went and mowed and picked up dead grass since it was extremely high and we have sent out citations on this with no response from the realtor and court dates have not come up for those citations yet. Chief Danny Cooper stated that we did get a bunch of it sent back in the mail. The original landowners were not even sure if they are stateside. I think they may be oversea. Tom stated that it is boarded up and secure to his knowledge. The fees and charges will be added to the bill. But I'm sure we will have to mow it again because grass continues to grow. He said two meetings prior Councilman McCurtain made motion to declare it dilapidated and give them 60 days for repairs and to bring to current building code. If needed additional time, if substantial work is done and can file for an extension. There is no building code that falls under these kinds of houses. Only one there is is for new construction. Oakley stated that we have given them 60 days and nothing has been done. Stan asked how much cost it was going to be for City workers cutting the grass. Bert stated that it took 45 minutes to an hour to weed eat, pickup the grass was another hour to two hours. Tom stated that we weren't able to use the lawn sweep that we use at the cemetery because the grass was too high. So we had to rake and pick up by hand. Councilman Knight asked Clint Grinstead how much it would cost to tear it down. He said he would have to look at them but probably around \$7,000 to \$8,000. A small house you are looking at around \$5,500 to \$6,000. Attorney stated that we will have to bid that out. Stan asked if this was the house that we didn't hear back from and we don't know how to get in touch with them. Code Enforcer, Chipper stated that he has phone numbers and addresses. They don't answer their phone and letters come back to us. There have been citations issued. We did get the address from the tax roles. Their taxes have been paid up. Tom said if we do tear it down, we have to send them a bill and we have to give them 6 months to pay us, if they don't pay, we can put a lien on the property. Ed stated that we have a motion on the table.
10. Consideration and possible action on update of status on house located at 208 S. 9th Street, Davis Ok. Oakley made motion same as Item # 9 to tear down the house at 208 S. 9th Street. Second by Knight. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Tom said it was same realtor with different home owner.

It is same circumstance. We mow it last week as well. We are having the same issue with this house. It was boarded up as well. It has not appeared that anyone has tried to get into it. Oakley said it was the same as Item #9. We have taken all the steps, no one has responded, citations have been issued. We are just wasting tax payer's money trying to upkeep it. Wes Webber ask if the property would be worth what we have in it, once you get it cleared and that we will be mowing a empty lot and put a tax lien on it, would it be able to auction it off. Knight said what he paid for his lot six years ago, what he had to pay for his lot to live in the City limits, there should be plenty there if it cost us seven grand to tear it down. Tom stated that we could not sell the lot. Darryl stated that we are filing a work lien on the property, not a tax lien.

11. Consideration and possible action to review Ordinance on grass. No action was taken. Tom said we are still having the same issues so he was asked to put it back on here. Stan said he drove around before meeting which will be the third consecutive month, it's harder to find a hundred homes over six inches and he didn't see any grass out in the streets but he didn't go down every street. But he tried to drive randomly through different places but if they're going to hold six inch. Chipper spoke up saying to be fair, that he was on vacation last week. Stan said this is 3 consecutive months that he has driven and seen over a hundred homes. We are saying six inches but to be fair. He asked Chipper how many tickets have been issued about the grass. Chipper stated around sixteen. Stan said the clippings in the street were a little more than what we were targeting and we are also trying to target in his understanding is the six inches. But weren't the houses a foot or taller. He thinks to be fair, if he got a ticket for grass being a foot high and he saw one hundred more homes over the six inches of what our Ordinance says, he would expect a hundred tickets to be written. Knight said we can't be selectively enforced. The Ordinance says six inches; we've got to enforce six inches. We can amend the Ordinance and go back and put another 30 day wait on it, that's fine, but we can't sit here and say that six was too aggressive so we are going to call it 12 inches and enforce that. We can't do that. That's not up to us to say that, we have to follow the Ordinance. We can change it. Mark stated that the court does have some digression in his mind, that as the City Attorney and City Prosecutor, it will be those people of the offenders who refuse to clean up their grass and after getting a lien that would be what that would be used for. To him, there is a big difference of 6 inches to 12 inches of grass. Stan said his point is is that Chipper said there was sixteen tickets written and he's not the Code Enforcer Officer but the 3 times he has drove around before meetings, he could of issued over a hundred tickets at the time. He thinks it's ridiculous to do that, so he thinks the code should be a reflection of what we write the tickets for. Not just it says its six inches but I'm going to wait till it's a foot tall. Because again, if he let it go to a foot and gets a ticket and he sees a hundred other homes like it, he will ask the Code Enforcer to go for a ride and see their tickets. And if he hasn't written a ticket for those hundred homes in violation, his ticket doesn't mean anything. Mark said yes your ticket does but you have the opportunity to go plead your case to the court. And if you say you've been down in your back for a couple of months and that you're sorry the grass got out of line, but it's ok now, then it's the discretion of the judge. Knight asked Attorney that our policy shouldn't follow when we should and when we shouldn't. Attorney stated no, we should trust our Code Enforcement Officer and our court. Brett asked if Mark was Code Enforcement Officer would these be in violation. Mark said yes if it was taller than 6 inches it would. Darryl ask Chipper how many of the tickets that he wrote were on these two properties. He stated there was 6 tickets total on those two properties. So ten tickets on other properties. Danny asked out of the ten tickets he wrote how many warnings he gave. He gave 40 warnings on tall grass but Tom came to him and said no more warnings, just tickets, so that's what he started doing. Knight asked Tom if the pictures he presented looked to appear in violation to him. Tom said yes and that they together looked at some of them. Knight stated to Tom that that was two months ago. Tom said we do have some senior citizens in this town that aren't able to get out and mow and we are trying to work with them and find someone to get out and mow. Knight stated that the property by Joe's Place out by EZ Mart, Tom said that is not one of them they are talking about. Knight said he had three people ask him about that just this past week. Tom asked Chipper if he had written anything on that and he said that he talked to the Secretary because he was out of town. Knight asked how long it's been over a foot tall not 6 inches. Tom said quiet awhile. Knight asked when we tried to make contact. Chipper said just before he left last week for vacation. Brett asked about our cemetery. Chipper said on that one, he doesn't have a map to tell him what agriculture is or not. Knight said he spoke to that man and he is no longer agriculture. Chipper said he called court house and they said that we don't have anything agriculture within the city limits. So, he has been working on it. Knight said the man told him two months ago that he was not agriculture. Clint Grinstead said his land out on Cherry and 110 is still agriculture as far as he knows. Tom said the properties that they are talking about are sometime back the Council voted to make everything on Main Street 150 foot of highway. Darryl stated that the property east of Hellack Chevrolet or even between the banks, that property is still in city limits and is zoned as agriculture. All except within the first 150 feet, it's zoned commercial. We still have agriculture land within the city limits. Tom said he was referring to 150 foot off of Main from the south side and the north side. This particular property we are referring to does fall in that category. Knight said that he was just asking and that he is sorry but he is tired of people calling him about it and he gets tagged in Facebook post, he gets messages and gets to hear about it several times a week and it appears the City is being selected on who they're enforcing it on and who they are not.

And that's a problem, a big problem because we have City Officials, City employees that are not being told. And if we're not doing it and our city properties are not in code, how can we enforce that on our citizens. When we know those drainage ditches are we bagging all the trash out of them? No, we are not so what's it matter if this grass being thrown in the street that goes into the drainage ditches when we're not raking or mowing in the drainage ditches. It's already there. I'm sorry, I walked those drainage ditches. I got out of my truck and brought you pictures of them. There are sonic cups, pop bottles, sticks and brush, rocks and junk. I guarantee there's not any grass clippings in those. I'm sick of it. I don't know what more to say. We've talked about this two months ago and we still haven't done anything. We're kicking the can down the street thinking it will pass. Fall will be here before long and the grass will be dormant. And guess what, next March we will start dealing with it then. There's people here tonight because of how we haven't done anything. That's why these people are here. They are sick of it. I get their phone calls maybe you don't, maybe they don't say anything to you. Stan said he has had people addressing him and that he has been on the Council for over ten years and we talked about the drainage ditches with grass cluttering them up. He highly doubts that every street in town grass ends up in that ditch on 3rd Street. But we're writing tickets for grass in the streets but we're not cleaning out the two thirds full culverts that have been that way for over ten years. Like Bert said, they're leaving the clippings there in the ditch and when it rains, it washes them down but we're writing tickets for some individuals who are putting a little bit of grass out on 4th Street or 10th Street or north side of town where it has nothing to do with the south side of town water drainage. But it's supposed to be on the north side of town too and all that water goes north. Knight presented Council members pictures of the railroad tracks. He mentioned it to Tom two months ago and guess what. It's still there and worse than it was. I understand it's going to stop eventually once it gets further down. But if we're not taking any action as a City to fix the drainage, that's what we said about the grass. That we're having problems with the City managing our grass that we were going to take it easy for some of the citizens here. But yet we're not fixing our drainage but we're going to throw it out. Clint Grinstead said that Tom has contacted them on some of the drainage ditches and try to help the City keep those maintained and he doesn't know how he feels with his hands being tied on the cleaning up those bridges or whatever but does Tom know that he has the authority to go out for bids to get that done if our City employees can't get to it if under staff. Does he know if he has the right to do that? Tom said that he has worked with Clint on drainage ditches up and down the railroads, Fullerton Park and drainage ditches out on Hanover. Mainly, we contracted out to mow these. Mainly because we're shorthanded and don't have enough people. I know that's not a good excuse but that's the truth of it. Knight asked when he is mowing these is he having his employees bag all this grass that we're mowing in these drainage ditches. Tom said the last time they did the drainage ditch by the railroad track; there was grass on 3rd Street. He sent Bert and his crew down to get it picked up and we did pick that up what was in the street. Clint said a way to remediate the problem with the cemetery and everywhere else, have we thought about going out for bids. Get a few companies to bid on clearing the drain ways and bridges and all the debris. The state has to do it year to year, maybe get some companies to go out for bids to help with the things we're under staff to do. Because the grass isn't going to wait for you to get somebody hired, it's going to keep growing. That's why we tried to help out as much as we can. I've been criticized for not doing the other side of the ditch on 3rd Street. It's not City property. I was told to go to the center of the ditch. I'm only going to do what I am told to do. But, to alleviate some of these problems let's go out for bids and get your rail way bridge cleaned out and maybe on up stream. Knight said he agreed but we need to find a solution to this. The bigger issue that he sees is when his yard was mowed and there were grass clippings in the street, the City Manager and Chipper was very quick to call him and address his grass being in the street. We have other City Officials and employees, as of Saturday, were not in code. But we haven't addressed that with them. What's good for the goose is good for the gander. Brett stated that if he was wrong, he was wrong, but if it's wrong for him, it's wrong for every other citizen in Davis, whether they are a Councilman, City Manager, or regardless if they are working at McDonalds making eight dollars an hour. We are all the same and we all live in this community. Wes Webber stated that what they do in Ardmore is they come by and take a picture of your property and send a certified letter and they tell you that you have to have it cleaned up by a certain date. You can in turn call the City and tell them that you can't be there or something, some kind of legitimate excuse. If you don't, they will do it for you and you will get a fine. Knight said that the problem with that is in his opinion is if someone has to take the initial picture and send it to City Official or to employee and notify them in some way, we're not even doing that right now. And Chipper, I'm not trying to throw you under the bus, you and I have had this conversation but if it's good for him, it needs to be good for everyone else. Wes said Chipper called him about a property that he hadn't even taken back possession of on 2nd Street. He told him that whenever he took possession back on it, he would take care of it. He understands what Knight is saying, it's tough to be singled out. Knight said from what people say to him, its favoritism. That's what people are seeing and calling him about. Wes said he called and talked to Code Enforcement in Ardmore and he could throw a rock three times and hit different properties around his. He thinks it has to do with people, a complaint that's issued by a citizen once that's been done, that's how they do it down there. Knight stated that the issue there is we don't have a big enough community that everyone should have to call and complain for something to be done. We should be proactive in taking care of these issues not waiting for someone to call about a complaint to fix it. Oakley stated that one of the problems is that we have someone doing dual jobs.

You have someone out doing Animal Control, traps with cats and other things, and then out doing Code Enforcement at the same time. Knight asked if the code said that any officer can write tickets. Yes, it does. We have enough officers to do a safety check on Friday night down here by his house, not saying that's not a great thing, but we don't have enough officers that can't see grass 4 foot tall by EZ Mart when they probably drive by their ten times a day. Stan said he thought the 6 warnings was a really insult for the policy. You could have written three hundred in the last three months if you're going to go by the policy. So to him, they're being picky on which ones you're giving tickets to and that's selective. Knight said if we have to have people call the City Hall or City Manager to make a complaint for us to go address an issue that is awful. Citizen Jeremy Fullerton said sounds like to him we have an Ordinance so the Code Enforcement Officer knows that that code is there and he under discretion to who he wants to write the ticket to, the same as our officers, but the other aspect of that is whether there's not been enough tickets issued or there's properties out there that hasn't been addressed yet. That's a personal issue between the City Manager and his employees, the way I see it. There are two different things here. If it's a personal problem, you work with the City Manager and it's not getting done, it's up to him to solve the problem. Tom said if Council wanted to leave the Ordinance the way it is, it will be enforced. It will be enforced on everybody including the City. I do think some of these areas that you are talking about six inches is a little bit much. Six inches to him is a definition for your yard not necessary a drainage ditch. I'm not saying this is good, because it is bad. Knight said he's not talking about the drainage ditch about the grass that is there, I'm talking about the grass clippings aren't doing anything when there is growth that tall. If we're not communicating here, then we have an even bigger problem. Citizen asked is all the streets have tin horn and culverts and will the grass not cumulate in those. Knight said when he checked there were all kinds of trash in them. He didn't see any grass clippings but he did see a bunch of junk. Darryl stated that he was the one that mentioned grass clippings all the time where it affects the drainage. When it's raining, the grass collects on those grates, it lays down over it. Knight said here is his question, if we don't have anyone to clip the grass clippings anyway, what happens when it rains the water runs back in your yard. So it's not running out in the street anyways. Citizen David Mann asked that since they were the grass experts if one of them could tell him how tall Bermuda grass takes before it seeds out and how long it takes for the seeds to fall off before you kill it. Darryl said it has to be over 6 inches probably. Davis said yes and it takes more than one day for the seed to fall off. He's not going to go down and buy \$90 bag of seed when he has to have his grass cut before it seeds out. He can plow it all up it doesn't matter to him but when it grows up before the seeds come off, he isn't cutting it, not till it's done. So you come by or send him a letter, he will send it back unless you want to take care of his land for him. Stan said that's a great point; there are different kinds of grass. Some of them don't look bad at 6 inches high, some of them, that is healthy. There are yards out there and people know more about grass than he does, that 6 inches isn't bad. Knight stated in his opinion when he went and took these pictures, six inches was way shorter violation. These were properties that were way over six inches. If he can do that in 30 minutes on a Saturday afternoon, I understand we are asking people to do things, and that is fine, but sounds like we need a more team effort and work together. Tom said he didn't know if we could change an Ordinance to say 6 inches in a yard and different height somewhere else but the Ordinance you had was 12 inches. That went for everything. The pictures would still be in violation. The grass we mowed last week, were three and a half foot tall. Knight stated that he and Tom had been by there once already. The date is on the back of the picture. Tom said he could only tell them right now that if they wanted to leave it the way it was, they will enforce it, if they want it changed, they will enforce it. Knight stated that he thought it needed to be changed. I think that 6 inches is a little overambitious. He thinks he's not afraid to admit when he makes a mistake, six may be a little much. But all these properties in the pictures, even 18 inches, they would violate the Ordinance. Stan said he didn't think they need to write 300 tickets a day, 100 tickets a day for six inches of grass. That's why I think we need to change the length of the grass. Some grass looks good higher and we talked about working with our citizens. It was raining earlier in the summer. There were people in the hospital. He was out of compliance on his dad's yard and when the sun came out and he mowed it, two days later, it sprouts over six inches. So he thinks changing it to a foot would get it back to where we could take care of the problem yards not the ones just because the lawn mower broke down or something. That way we don't get blamed for favoritism. When he can see 100 more homes in violation, he would be a little bit irritated because where are the other 100 people and why aren't they here with the judge. Wes asked if we change it above six, couldn't we just start with the worse ones and work through them and get everyone in compliance. Starting with the worse. Knight said he wasn't nit picking looking at 6 inch of grass. Tom said we are looking at the whole yard. Knight said he is the world's worse when it comes to weed eating. He only does it once in four months but it did have to be a little bit more because of all the rain we were getting. He doesn't weed eat every time he mows. Wes said then it will have to be up to the discretion of the people you have hired. Knight said then we need better discretion. Tom said these in the pictures will get taken care of and he knows that he told him he would before. Knight said two months ago. Mayor asked if they wanted to raise the height and Knight said no leave it the same. Knight said it's not only the grass, if we have an Ordinance, then we need to follow it. If its trash, junk, piles of wood, if he's expected to do it at his house, then we should do it everywhere. Davis Mann stated there is a house by his that has grass about 7 feet tall and no one has lived in it for years. He knows we don't have the convicts working here no longer and have that free labor but someone needs to do something about it. The City only mowed around the street side. He cares about the 7 feet of grass and house by his that has mice in it.

Stan said he drove by there today and saw that. Knight stated that when Tom found out about the other two properties over here, he had them mowed pretty quickly. I think if you let him know that you tried to get in touch with these people, this a major problem, Tom is going to address them. Tom said one of the issues that he talked about in the last newspaper was he wasn't going to slam face book, but there is a lot of people that get on face book just to complain with their friends. I ask people if you have a problem or want to address, to please call me at City Hall, leave a message if I'm not here and I will return your call. I have received zero response from the citizens. I do return every phone call, it may not be within the hour, but I will/do. I do address a lot of times when it does have to do with grass, I run down Chipper. Mayor said when it rains is the problem. Oakley agrees that 6 inches is too short. Knight said he wasn't ever worried about the ones over 6 inches, some didn't look bad at 6 inches, the problem is if you move it back to twelve, then all of a sudden, we're looking at eighteen. I understand there has to be some judgment in there on what's appropriate and what doesn't look appropriate. Tom said that he will let them know that there is a property in this town that do not have anything on them and are owned by someone that does not live here. He did talk to a lady last week on some properties that she owned that she is 84 years old and has no way of getting it mowed and does not live in Davis Oklahoma. Oakley stated that he was going to mow it. Tom said that he doesn't have a list of volunteers to mow yards. So for us to send a City crew over there, it has always been the policy that city employees don't work on private property unless there is a health issue. That's why we mowed these over here. I felt that they got to be a health issue as far as rats and snakes and everything else, that's why I sent them over there to do it. The City crews are not going to go mow private properties unless that order comes from his office. Normally, I haven't given that order unless it was a health problem. We will readdress these; some of this is City property. Some of it is, not all of them. Oakley said he talked with Chipper about finding out who the property owner is and make contact with those people, he doesn't mind going in and mowing it. He doesn't mind helping out. If there is anyone out there, spread the word, his number is in the paper, he will do the best he can. He can't afford do it every week, possibly every two weeks depending on how many there are. Tom said we are getting to the time when we're not going to be doing this but all that needs to be knocked down even after this so we have a good start on it next year. Knight said if we don't figure it out now, we will be sitting here at the same place next year. Tom said the reason he contracted with Clint Grinstead on the bar ditches and the park is because the cost of doing these have been within his spending limit. He didn't need to come to the Council. They talked about it and he told Clint he had to stay under a certain area and he was way under that area. We possibly need to give him some more work. Knight said he understood what he was talking about and that he went and looked at them. They're not the best design but what those things were full of was not grass. Darryl said then we don't need to worry about grass clippings then. Knight said it may very well contribute Darryl but there's a heck of a lot more stuff that's causing lot more problems that maybe compounding the grass, true, but go look. You always tell us to get our feet wet and go look. You go look and see what's in there because I looked tonight before the meeting.

12. Discussion and possible action for Meghan Rose to withdraw her contribution from OMRF. Knight made motion to approve. Second by Jones. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes. Brandy stated that Megan was an employee at Turner Falls Trading Post and she has gone back to college and she will not be with us anymore. This is just her contribution to OMRF, not the City's. We've asked standard, we've asked for this before and we will be back next month for another employee that is doing this as well. We just need to let the Council know.
13. Consideration and possible action to approve purchase of Lot 7 at the Industrial Park to Clint Grinstead. No action taken. Clint apologized for not having all of his stuff together. He would have liked to have an architectural drawing and everything on what he is planning on doing. He would like to know if it would be possible to require any of that land or purchase it before he planned on putting it in his business plan. His plan is to build about an 8,000 square foot building for his company Elite Maintenance to do manufacturing pipe, different things, maybe some trailers. The main building will be 25 foot tall so that it will give him some room to expand off to the side. He would like to have enough land so that he can grow that business, at the rate it's going now, in the next 5-6 years there won't be enough there but I'll have to make do with it. It will have an office in the front of it, approximately 60 feet wide and 40 feet out from the front directly centered in middle of the property. As we go we will try to concrete a little bit every year and eventually have the entire surface covered in cement. We figured it up, it's about 7.8 acres something like that. I don't know if it takes the right a way in with it or not. Tom said this is the area that had once been used at one time by DKA for soccer but it's apparent if you go out there right now, no one has used that land. If we want to trade out some houses for land, I'm game. He was just seeing if it was available for purchase or securing it until he can find out for sure. He is going to build a bigger building and expand that business. I was just thinking it would be better place to do it inside the Industrial Park for later plans if he ever sold it, it wouldn't be in the middle of one of his companies. It may be do some good to have in business doing business in the Industrial Park would perk the interest of some people to come into it. He did visit with John Murray and John is still interested in the one he got. He's going to continue on over there. Knight stated that everything is for sale. Tom stated that there has been an individual that would love to buy the remaining part of what was left of the Industrial Park but however they do not have a business plan in place.

They've also ask that it would be tabled for some time. He did talk to the individual prior to this meeting, and Clint, even though he didn't bring it with him, has a plan to develop his business out there. The other one didn't have a plan he was going to try to solicit businesses to come in. He has never told me that he had it full. Clint said he will have the capability to build pressurized vessels, storage tanks, and different things like that. We're planning on drawing it and it will create a lot of jobs. Right now I only have 6 full time employees and we work on average 25 contractor welders that work for us. It will grow and get bigger. I would like to have it somewhere where he can get easier access to try to get off the road at his place. He just thinks it will be a good deal for them. He will plan on starting on his foundation in about 6 months. Darryl asked if he wanted to buy this tonight, is that what you are wanting. Clint said if we wanted an agreement on it or he needed to know if it was available. He knows that there are a lot of other people wanting to buy it all, he didn't want to get in there way. Tom said it is available. Clint asked if there was any way to set it aside or reserve it for him until he sees what his business plan is going to be and get back with him next month and let them know what he's going to do. He thought he would have everything going and in place for tonight after talking with Tom he said to get on there to know if it's even going to be for purchase or not. Clint asked what the price was for it. Tom said he sold \$3,500 to first individual and \$10,000 for two lots, if not mistaken. He will have to look back. I think a lot of it has to do with the business you're bringing in as to what you're going to sell it for. Clint said for them to set it up for what they need for it and if he can make it work in his business plan, he will, but if not, then not. Tom said that if John Murray keeps what he did, and if you approve Clint, you will only have 2 spots left, which is 4 & 6. Because John took 2 & 3 and the other individual whose birthday it was took 5 and 1 has been gone for a long time. Clint asked that on the road that goes into the Park, is it going to be cement or asphalt because if you start talking about an Industrial Park heavy loads coming in and out, is the City going to go up that road further. I know it looks like it's been cut out. Tom said it's what is referred to as Grissom Road. He talks about the road on the south side. Clint asked is the City going to be looking at leaving it a gravel road for awhile. He's only concerned about bringing in heavy loads. Tom said maybe we could look at a possibility of some kind of deal with him if he helps build this road on this lot. We don't own a grader so if you would like, let him get with him and see if we can negotiate something for next month.

14. Public Safety Report by Danny Cooper. Danny said report is in the packet. We just complete the National DUI Campaign. That's what the check points were for. There was more than one the same night at Hanover & Cherry, Atlanta and 1st and 77 and 7th and 3rd. We did checks with the stores as well and only had one sell. He thought that was pretty good. Lieutenant English is working with Washita Mountain Conservative. We've had a lot of interest in businesses that want to do the compliance in class like we did last year. Knight asked if we had any DUI arrest and Danny stated no.
15. Chamber Report by Tom Graham. Tom stated that the Chamber has a new director whom is out on maternity leave. They discussed in the board meeting in regards to the Homecoming, Halloween, and Christmas Parade that was coming up. A different organization takes care of the Halloween parade and the school takes care of the Homecoming parade. Danny stated that Darryl attended the presentation put on by Emergency Management Director. It was about the OSU parade. The problems that they had on that, we are going to be changing up some things on how we do our parades. It just going to be moving some people around in different locations and try to keep it within two car links in between each participant in it, if anything, it will be nicer for the viewer because it will slow the parade down. If the parade seems longer, that is why to be safer for everyone.
16. No MCIA Report.
17. City Manager Report by Tom Graham. All material has been ordered and work should start on 8" waterline for school this week. Building permit has not been issued yet as we are waiting for evaluation certificate or letter from FEMA removing the portion of the property out of flood prone area. We have partnered with a local contractor on the repair and replacement of the fencing around tennis court at Fullerton Park. A new roof will soon be on the bandstand area at the park as well. We received a fund raising donation from the car show in the amount of \$3,187.95 for repair and replacement on playground equipment at the park. Appears the sidewalk project will take longer that they first thought as ODOT informed the City that all studies needed will take up to a year to finish. No definite date has been given at this time.
18. Appearances and petitions from the audience. (Limit of three (3) minutes for each.) Junior Coppenbarger said that with the discussion that took place tonight, he was happy and glad that the City did fix the problem on those two houses. We did a really god job on the City's part so thank you.
19. No New Business.

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

ATTEST:

Cheryl Merrell, City Clerk

Ed Parks, Mayor

DAVIS MUNICIPAL AUTHORITY MEETING
MONDAY, SEPTEMBER 11, 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, 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. Knight made motion 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 on amendment for Full Strut Media on existing contract for online ticket sales for Turner Falls Park. Knight made motion to approve amendment pending the changing of the words of the contract with review of the City Attorney . Second by Jones. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, no, Parks, yes. Full Strut said this was something that fell through the cracks while putting this together. We missed communication on sales tax. We are paying credit card processing fee on the full transaction. It was one of things we didn't talk about when we did the contract. We met with Tom and Billy on this back in February and it was given an amendment in regards to getting it fixed. We just let it fall through the cracks a little bit. But we brought it back up once we realized it wasn't right on how we originally gave you the numbers. So we are here to address and change it. Tom stated that Full Strut Media wants amendment to their contract where they receive 8% of online gate sale, maintenance fee and sales tax. We are being told they can't figure amounts without doing this. Still cannot compare this year's financial to last year correctly as online sales are credit on day they are purchased not day used. Full Strut said instead of taking 8% of the face value, it's taking 8% of the transaction, because we're paying credit card processing fee for the full transaction not just the ticket. To the customer of buying the ticket it's a difference of about \$0.10 for the consume of buying a \$12.00 ticket. Tom said it's more of \$.14. Some of these issues we're still having. Have you got the report to Rheba's office yet? Yes, they have been talking to Barbara in her office trying to make sure we can get everything to work correctly. It's just been a long process. Rheba said she thought we still have some statistical and refund issues cross spreading but they are simple things. Full Strut said all the issues are in the works right now. There is so much information that is needed on so many levels and it is so complex and so for all of us communicating together will help. He did not get to attend the meeting out at Turner Falls but had a really good meeting. We're trying to create this report that will be pleasing to folks here at the City, the ladies out at the park and coming back to who is on the accounting side. We're trying to meet the best we can with three entities all trying to work together. Some are doing it on a daily basis, some on monthly. It's been a lot and a beast. This is a learning process for them as well. The system itself has worked great. That aspect has been really good. Our hiccup has been trying to get the information out of the report for everybody. It's in the system just a matter of trying to get it out of the system to be readable for what everyone needs it for. The hard part is working with different entities on what they need, how they need it.

Tom said one of the things that we can't do anymore is give you every month a report that compares to last year. We can do that as far as what was spent that month but we can't compare like we used to. Full Strut said we can and Tom said he has asked for that. We can look at everything that was sold for the month of July; the system can show what was sold just for July. Tom said it does help on a holiday weekend if they get to park and look at the system they will know what/how many tickets they can sell that day because they presold that many. That part of it does help. But the issue still that we get actual figures for the end of the month, I have asked day in, day out. I've been told once that we could do it and told we couldn't. We still don't get them. He has looked at four different reports for August and had four different totals. Brandy asked since they keep saying "we" Are you referring to you guys or the ticket company. I really thought you guys were the ticket company. Then later find out that you are just the middle man. Our employees have to call a company to get answers. But yet when we call you, we're not getting our answers, your running in circles and not giving us our answers. Full Strut said part of that they tried to make available. That was something they fought hard for in this ticket company was to get someone that would be available at anytime to answer anyone's questions. The issue that we are having is with Andrew, the person we are working with at ShowClix. He is someone that we talk to on a weekly basis if not more than that. They work with us on trying to customize the system to make it fit and work. The report you are requesting didn't really exist until now. So what we really need to know what information you need. It will also be better contacting Andrew himself so we're not playing middle man nor having a miscommunication. Brandy said she asked for an invoice and got over 500 pages. That was just a miscommunication on what we thought you needed. But we did send those invoices over once we found out what exactly needed. It was just a matter of making sure of what was needed. Brandy said she asked them about a fee that comes out and you said it was taken care of. Yes, it's a \$2.00 fee but every time it grows more and more every month. What fee are you talking about? When a customer calls or goes online to change something with their ticket, we're being charged for that. You told me that we weren't being charged but we are. From their understanding, they were at a holding point to see if they were suppose to even be doing the phone call fees. Tom said that is just for next year. We ask you to hold on not making any reservations for the next year until 2018. You still should be making reservations for this year. We are still doing that. What she is referring to is if somebody calls on the phone to buy a ticket, that ticket is transferable to a different day and we have an 888 phone number that they can call 9 am to 9 pm and have that ticket changed Monday through Friday. If someone calls and say they want to move that ticket to a different date, but it is only a few that does that. Brandy said it is a few but a few can add up. That \$2.00 fee per ticket is that the customer pays a fee for doing that and yes, we do end up paying for it but that's money that they deposited. It's like the dollar and the quarter that goes into the bank and out of it. That's something that I will triple check on tomorrow. Rheba has some information that she would like to present. We cannot isolate the ticket sales only in order to charge the 8%, am I right? They stated that is the initial issue. We have gone to Andrew in regards to this so that we may better work with you on it. We got the sales tax done and fixed. Full Strut said the reason they wanted to amend the original contract is because they didn't have the sales tax figured in the contract. Once they started getting the stuff with the software they were lots of limitation that made it to where we put something here, it would affect and change the numbers. We found out the best optimum way to do it things and that's what we based off of the amendment that way the system will operate the best way for everything. Tom asked if the \$1.25 was for the ticket service fee and they said no it was for the software fee. Clint stated that he was at the meeting when they presented this and that they said they were taking on the credit card fee yourself. They said that was correct, they are taking it on the very end of the fee. The system itself has been a very complicating deal with everything that needs to happen with the Municipality issues that we came into contact with, the reports with all the numbers that everyone needs. Oakley said beyond leasing us the equipment and software what are you actually do for us if we have to contact the middle man. They said that they get contacted about 5 days a week, almost every single day relating to training issues with things happening over and over again. We made a 15 page cheat sheet that they could use on how to fix issues. Every now and then there is an equipment issue; the ticket company does not have anything to do with that. That is all us. Printers not printing right, we remote log in to fix that. It's not something we're saying to not call us. We have never said that. We want the system to work, to work fast, and to work well. And sometimes the most efficient way is to contact the engineer that is in the back end of the system to get it to do the things we need it to do. As far as the whole thing about being the middle man, yes we are here to make sure the system is running effectively and we everything we can do try to make this thing cost nothing for the park. Our invoices are based off of the software and reports and software drives. We do that so we don't take something that didn't go into the system. Tom said it doesn't cost our park anymore but it will cost our customers more. Darryl asked Rheba if this generates the reports she needs and the way she needs them. Rheba said not yet but there are two things. One is called getting the beta report to equal the master report. What we do is we take daily reports and want those to tie out. What is effectively happening is we have all those being worked on and the other thing that is a little more complex is that you have to add them in excel, they don't print totals. That is something that is being worked on right now. Full Strut said that this beta thing didn't exist two months ago. We've been working with ShowClix every single day to get a reporting system that's going to be the optimum system for what they all need. Rheba said that every time you get a chance to train someone, there is chance of errors. It's very critical in training that we get good numbers. Things are improving. The statistical information we want reliable along with the refunds. We're lacking good reports.

That's what we are hunting and yes there has been some progress. Again they stated that this whole thing has been a miscommunication on what exactly what everyone needs. Once they figure out what they want, we are working hard to get it to them. It is complicated. Billy said one thing he had a problem with is that Kasi printed out some reports and them having different figures. The master and beta should be the same. They said that they are the ones applying the word master to that report. That is not a master report, just a report that that system can escort. The report that they are working on now is catering to Turner Falls. He is working with Barbara right now with it. Darryl asked how long till we have that picture perfect report? They said they are working on it just as fast as they can every single day. It's one of those things that we may run into an issue again. The only issue we have right now is breaking out the reports itself. Long story short, we are working on it as fast as we can to get all the issues taken care of. All the information is there, it's just figuring out how to make it easy for everyone else. Darryl asked if they needed to be working with you guys or ShoClix. It depends on what the conversation is. Tom said it should be with them since they are the ones we have the contract with not ShoClix. So if there is an issue with us and ShoClix, then it's their job to justify. One of these issues that we have with calling ShoClix is that they are out in California and time frame isn't always best. They are all over the country. He has contacted Andrew at 6 am our time and he answers. He has always answered us when we have tried to call him. We've never tried to pass the buck, that's not our intention. Like we said before is efficiency and trying to get the fastest result. Citizen asked if we ever tried to do three way calling. They all said yes, they have done those times before. Another citizen said we needed some accurate reports so why don't we get all the information we need to run the business. Then we can do the testing on that once it comes back, and then move on to the next. Because when you test on something, you have 30 different more things you want a report on and one of them fails, then you have to test everything. Rheba said the ticket sales, the maintenance fee, the service fee of sales tax and total cost and if there is a refund on it, we need it to post backwards on it, then we will all be happy campers. As far as the reporting goes, the issue of the tax breaking back out, that is our last thing we are working on getting this report to function. That is a major issue because sometimes there is user error and the way refunds are processed. The goal is to get it functioning so that as they happen, they can be on them now. Another citizen asked them if we were the only Municipalities that they work with. They stated based on selling tickets, yes but they work with other Municipalities here in Oklahoma and Texas. You are so incredible and unique to have Turner Falls. Darryl asked them to get with Rheba and get these reports worked out pretty quick. They said they would.

6. Consideration and possible action concerning unauthorized use of City utilities. No action taken. Tom said he was asked to put this back on here from Councilman Knight. Knight stated that he wanted to offer his opinion since he wasn't here last Council Meeting. So he wanted to provide his two cents on the subject regarding the City Utilities and over 30,000 gallons of water that went through a meter over several months period without being accounted for it. I know in the past we authorized the City Manager to handle those and make sure we collected on accounts. His opinion when we expressed my vote for that was hard working, honest citizens for the City of Davis that are having problems month to month, that are coming forward to City Hall to work to get their bill paid. More than 30,000 gallons of water that goes unaccounted over periods of months, its theft, it's stealing and it's wrong. I'm voting into this office, nobody ran against me, but it's my job as a trustee to do what's right for the City of Davis and to protect them, its theft and it's stealing. Stan asked if we had any locks put on the meters and give us an update. Tom said we put 12 locks on and to his knowledge there is 8 still on. We had another house turn the water on and we didn't know it was there. There has been 20,000 gallons go through that meter and he has worked and made arrangements to get that paid. Knight stated that was still theft when someone turns it back on. When it's been cut off, they've been served a cut off notice and they turn it back on. Tom said these were not. The people that lived there left and closed their account. Then this house was rented by the landlord to someone else, the landlord told me they are not responsible for the debt that the landlord was paying it because it was turned back on when they moved in. After doing that, I worked with the person that has it rented and we're getting it paid with the landlord. I assume landlord must have turned it back on to clean it after the renter left. We were not notified of this but it is one that the water will be paid. That's the only other issue we've had. Knight asked when they do their meter checks every month no one ever notices it. Tom said that he couldn't tell him that. He can't answer that question for you. He gave them a list to go through and told the girls up front to make him a list of everything that is supposed to be off and they did, he gave it to them. Knight asked do we read every meter every month. Tom said no, we don't read every meter, every month but we do go back and check the ones. We didn't check this house because the person that left paid their bill and had it shut off. Far as we knew, the house was empty. We didn't know the landlord rented the house. Darryl asked if we needed to change our policy to read every meter every month. Tom said if that's what you want. Darryl said it might help prevent this. Rheba stated there is under Oklahoma Law what they have a performance contract. It is when you look like auto read meters that you can control from City Hall, smart meters you can even turn them off from inside. But in this performance contract it basically says that the savings due to so many meters that die every time, it comes just a minimum bill, it pays for them. So it can also do service orders. It's just something to consider. The savings will be enough to pay for the cost contract. Wes said that Wynnewood is going to them right now and they look for it to pay for themselves within three years.

Oakley spoke with a gentleman that does it out in Hennepin and his entire are wireless. He estimated that we could do our town in about a day. I asked him how many rereads he has had. He said he hadn't had any yet. We do, we have a bunch of rereads. Knight asked Bert to get those guys back and come talk to us. Bert preferred Badger in his opinion, they are the better meters. Knight said especially if our utilities are only hitting 69% and they're suppose to hit 125% then obviously we're looking at having some utility increases which means that water is more valuable going through that meter. Clint asked where the 30,000 gallon of water went. Knight said it evaporated. You can't have a leak if the meter is shut off. Knight said someone used it. Tom said we will have information on it next month.

7. Turner Falls Report by Billy Standifer. Summer is over now. Business had gone down a bunch out there. The budget is down a little from last year. We need to schedule the Turner Falls Workshop soon so we can get some stuff done this winter.
8. Public Works Director Report by Bert Curtis. We've been having issues with water on taste and odor. I think we have it taken care of. The key thing he didn't know anything about it until he got on facebook. Once we've found out about it, we were able to take care of the problem. His water tasted fine on Chigley. Knight asked what caused the smell and odor because he did have clothes bleached by it. Bert said he couldn't answer that. If he could have gone down there at the time, he would have been able to. When the water stays in the line and you start smelling the bleach, it's the pre chlorine. What chlorine you don't use, that's where your level sets. We test our water twice a day. Knight said some of the tanks may not have been drained because there wasn't a lot of water use. Do we test the water in our tanks or is there anything done at the point it leaves the plant that way we know because it sounds like the chemical proposition has changed. Bert said we check it twice a day out in the field. We do a random test. This is the reason of contacting us when there is an issue. We can actually go out to the scene and spot check that particular problem as to why your water had too much bleach in them. The addresses we did get, we went out and checked. Tom said his smelled and tasted bad but his was in safe limits as far as drinking. A citizen said hers has been bad for a year; we get bottled water because it is horrible. So, can you come to 306 E. Allen and fill up a jug and test it? Bert said he would. Tom said the importance is for people to call City Hall and let us know so that we can go and see what the problem is.
9. No appearances and petitions from the audience. (Limit of three (3) minutes for each.)
10. New Business. Tom stated that there is a deal in your packet about a class happening in regards to Open Meetings and Records. You do not have to sign up in advance. There is one in Ardmore, myself, Brandy and Cheryl will be at that meeting. You are welcome, if you want to.
11. Adjourn. Knight made motion to adjourn. Second by Jones. Vote: Jones, yes, McCurtain, yes, Knight, yes, Oakley, yes, Parks, yes.

ATTEST:

Cheryl Merrell, City Clerk

Ed Parks, Chairman