

Notice of Public Hearing
Davis City Council
January 11, 2021 6:00 PM
Davis City Council Chambers
308 S 3rd St
Davis, OK 73030

Agenda Item #1 - Call to Order Davis City Council

- Mayor Brian Davis called to order at 6:00 PM

Agenda Item #2 - Roll Call

- Mayor Brian Davis - present, Vice-Mayor Stan Jones - present, Councilman Josh Oakley – present, Councilman Clint Grinstead – present, Councilman Jeremy Bumgarner – present.

Agenda Item #3 – Prayer

- Vice-Mayor Jones led prayer.

Agenda Item #4 - Pledge of Allegiance

- Mayor Davis led the Pledge of Allegiance.

Agenda Item #5 - Open Public Hearing

- Mayor Davis opened the public hearing.

Agenda Item #6 - Consideration of request for Specific Use Permit for 108 N 5th Street, Davis, Oklahoma 73030.

- Presentation by Ralph J. Coppenbarger, City Planner and Planning Board Secretary, of application by TH Rogers Lumber Company for a Specific Use Permit for their property located at 108 N 5th Street, Davis, OK 73030, including Planning Board approval and letter from an opposing property owner. Daniel Sierra, Manager of TH Rogers Lumber Company reviewed his plans for the site, including but not limited to, safe sliding gates, material storage yard, no additional truck traffic, no permanent structures, North/West (street side) black chain link six (6) foot tall fencing w/ slats, South/East (back side) metal panel six (6) foot tall fence erected three (3) foot off the property line. Landscaping will be maintained; the yard will be clean and organized.
1. Consideration of possible violation of Davis City Code 5-2-3 Certain Public Nuisances Enumerated; 5-3-3 Littering, 5-4-2 Storing, Parking or Leaving Abandoned, Wrecked, Junked Vehicles Prohibited; Nuisance Declared:
 - a. 205 E Curtis St, Davis, OK 73030
 - b. 500 Block of N 3rd St, Davis, OK 73030
 - c. 500 Block of N 3rd St, Davis, OK 73030 (Adjacent to the Tire Doctor)
 - d. 200 Block of E Curtis
 - Presentation by G. Dale Fullerton, Code Enforcement Officer, of investigative report; discussion of findings, including but not limited to Sodium Hydroxide (Caustic Soda), Sulphuric Acid, Formaldehyde, Phosphoric Acid, Hydrochloric Acid, Muriatic Acid-Hydrochloric Acid HCl, Ammonium Hydroxide-Amonia, Zinc Cyanide, Cyanide Indicator, Magnesium (metal form), and condition of structure. Andy Holland, City Manager, requested the council condemn the property for the safety of the surrounding residents and order the safe cleanup by a licensed agency. Mark Melton, City Attorney, provided a description of the Order Granting Emergency Injunction issued in the District Court of Murray County, State of Oklahoma and the pending hearing scheduled for

January 15, 2021. Mr. Melton was in communication today with the attorney for one of the heirs of the property owner.

Agenda Item #8 - Close Public Hearing

- Oakley made motion to close public hearing. Second by Davis. All councilmen in favor.

Agenda Item #9 – Adjourn

- Oakley made motion to adjourn. Second by Davis. All councilmen in favor.

Attest:

/s/Susan Suther

Susan Suther
City Clerk/Treasurer

/s/Brian Davis

Brian Davis
Mayor

Davis City Council
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Agenda Item #1 - Call to order Davis City Council

- Mayor Brian Davis called to order.

Agenda Item #2 - Roll Call

- Mayor Brian Davis - present, Vice-Mayor Stan Jones - present, Councilman Josh Oakley – present, Councilman Clint Grinstead – present, Councilman Jeremy Bumgarner – present.

Agenda Item #3 - Consideration and possible action to approve Consent Agenda:

- a. Minutes of prior meeting
 - Bumgarner made motion to approve. Second by Davis. All councilmen in favor.
- b. Claims
 - Bumgarner made motion to approve. Second by Davis. All councilmen in favor.
- c. Claims made in prior month unable to be approved as a result of not having a regularly scheduled meeting in December 2020 for lack of a quorum.
 - Bumgarner made motion to approve. Second by Davis. All councilmen in favor.

Agenda Item #4 - Consideration and possible action to approve items removed from Consent Agenda.

- No items removed from the Consent Agenda.

Agenda Item #5 - Consideration and possible action to approve Specific Use Permit for 108 N. 5th St. Davis, OK 73030.

- Davis made motion to approve with conditions. Second by Grinstead. All councilmen in favor. Conditions include safe sliding gates, material storage yard, no additional truck traffic, no permanent structures, North/West (street side) black chain link six (6) foot tall fencing w/ slats, South/East (back side) metal panel six (6) foot tall fence erected three (3) foot off the property line. Landscaping will be maintained; the yard will be clean and organized.

Agenda Item #6 - Consideration and possible action on code violation and abatement procedures on 205 E Curtis St, Davis, OK 73030; 500 Block of N 3rd St, Davis, OK 73030; 500 Block of N 3rd St, Davis, OK 73030 (Adjacent to the Tire Doctor); 200 Block of E Curtis St, Davis, OK 73030.

- Davis made motion to approve action and abatement as presented. Second by Jones. All councilmen in favor. The council declared that an emergency exists and ruled the following: The building located at 205 E Curtis St, Davis, Oklahoma 73030 is condemned and declared detrimental to the health benefit and welfare of the public, community, and surrounding property owners, and is a fire and traffic hazard. It is ordered that the removal of the items not properly cared for be completed within thirty (30) days on all four parcels of property including but not limited to equipment, machinery, vehicles, trash, weeds, and trees blocking the entrance doors. It is ordered that no water or sewer services be provided to the building or the lots until written documentation is received from the Department of Environmental Quality (DEQ) declaring the property/building has been rendered safe. It is ordered that expenses incurred by the City of Davis be paid, including but not limited to, mailings and attorney fees.

Agenda Item #7 -Presentation by Reagan Fire Department to Davis Volunteer Fire Department and City of Davis.

- Eric Coll and three other members of the Reagan Volunteer Fire Department awarded a plaque of appreciation to the Davis Volunteer Fire Department and the City of Davis for the recent donation of a surplus fire engine to their department.

Agenda Item #8 - Consideration and possible action to appoint Volunteer Fire Chief for Davis Volunteer Fire Department.

- Davis made motion to approve. Second by Grinstead. All councilmen in favor. City Manager presented Dustin Parsons as the elected Fire Chief by the Davis Volunteer Fire Department. He will serve in this capacity for a three-year term or until a paid Fire Chief is selected. First Assistant Chief is Jeremy Hoffman, Second Assistant Chief is Shane Archuleta.

Agenda Item #9 - Consideration and possible action to donate Surplus ATVs to Smokey Valley Fire Department.

- Jones made motion to approve. Second by Bumgarner. All councilmen in favor. City Manager presented the request by Smokey Valley Fire Department.

Agenda Item #10 - Consideration and possible action to approve Resolution #566 to Distribute OMAG Escrow Funds.

- Davis made motion to approve. Second by Jones. All councilmen in favor. Presentation of Resolution by Susan Suther, City Clerk/Treasurer, to allocate our OMAG Escrow Account balance to pay current policy premiums.

Agenda Item #11 - Consideration and possible action to approve Resolution #567 for General City Council Election Wards 1 & 2.

- Bumgarner made motion to approve. Second by Davis. All councilmen in favor. Presentation by City Clerk/Treasurer of upcoming election dates and deadlines for Wards 1 & 2.

Agenda Item #12 - Consideration and possible action to approve Resolution #568 approving ODOT School Zone Speed Limit Modification.

- Davis made motion to approve. Second by Oakley. All councilmen in favor. Presentation by City Manager of ODOT request to modify our school zone speed limit.

Agenda Item #13 - Consideration and possible action to approve Resolution #569 approving Guidelines for Face Coverings or Face Masks.

- Jones made motion to approve. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – abstain, Jones – yes, Davis – yes. Presentation by City Manager of resolution details, discussion of the difference between a resolution and an ordinance. Confirmation that the resolution is not requiring masks or face coverings and it is not enacting any laws pertaining to wearing masks or face coverings.

***Councilman Grinstead exited the council chambers.

Agenda Item #14 - Consideration and possible action to approve Ordinance 01-2021 to Amend City Code Title 1, Chapter 6, Section 3 – Meetings.

- Davis made motion to approve. Second by Jones. Vote: Bumgarner – yes, Grinstead – away, no vote, Oakley – yes, Jones – yes, Davis - yes. Presentation of amendment by City Clerk/Treasurer to update our meeting ordinance to reflect the change in time and location that occurred in March 2019.

Agenda Item #15 - Consideration and possible action to declare an emergency relating to Ordinance 01-2021 to Amend City Code Title 1, Chapter 6, Section 3 – Meetings.

- Jones made motion to approve. Second by Bumgarner. Vote: Bumgarner – yes, Grinstead – away, no vote, Oakley – yes, Jones – yes, Davis - yes. Presentation by City Clerk/Treasurer to declare emergency due to the previous meeting being cancelled.

Agenda Item #16 - Consideration and possible action to approve Ordinance 02-2021 to Amend the City Manager Retirement Plan.

- Bumgarner made motion to approve. Second by Davis. Vote: Bumgarner – yes, Grinstead – away, no vote, Oakley – yes, Jones – yes, Davis - yes. Presentation by City Clerk/Treasurer to amend ordinance to allow City Manager to contribute his own earnings to his retirement plan at the rate he requested.

Agenda Item #17 - Consideration and possible action to declare an emergency relating to Ordinance 02-2021 to Amend the City Manager Retirement Plan.

- Jones made motion to approve. Second by Oakley. Vote: Bumgarner – yes, Grinstead – away, no vote, Oakley – yes, Jones – yes, Davis - yes. Presentation by City Clerk/Treasurer to declare emergency due to effective date of the amendment and the previous meeting being cancelled.

***Councilman Grinstead returned to the council chambers.

Agenda Item #18 - Consideration and possible action to approve a Budget Amendment to reallocate budgeted funds from Training & Travel to Legal Publications/Advertising.

- Jones made motion to approve. Second by Bumgarner. All councilmen in favor. Presentation by City Clerk/Treasurer of the intention to engage in a complete legal review of our current city code by vendor Municode.

Agenda Item #19 - City Manager Report

- Presentation by City Manager of CP - Code Violation Log, PW Service Call Log, PD Incident Report, FD Response Report, TF Attendance/Sales Report, 2020-21 Budget Execution Update, and 2020-21 Capital Project Outlay Update. Discussion of progress and concerns with alley project. Justin Ramsey joined City Manager on presentation of Cross Bar Lease Options, Benchmarks and Improvements.

Agenda Item #20 - Davis Chamber of Commerce Report

- Presentation of report by Monica Popkess, Chamber Director.

Agenda Item #21 - New Business: Discussion and possible action concerning any matter not known which could not have been foreseen prior to the posting of this agenda.

- City Manager announced that Police Chief Dan Cooper has resigned from the Murray County 911 Board and the intent is for Andy Holland to replace him. City Manager encouraged citizens to participate in the upcoming City Council election process and shared his appreciation for the council members currently serving.

Agenda Item #22 - Adjourn.

- Bumgarner made motion to adjourn. Second by Jones. All councilmen in favor.

Attest:

/s/Susan Suther
Susan Suther
City Clerk/Treasurer

/s/Brian Davis
Brian Davis
Mayor

Davis Municipal Authority
January 11, 2021 6:00 PM
Davis City Council Chambers
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Davis, Ok 73030

Agenda Item #1 - Call to Order Davis Municipal Authority

- Chairman Brian Davis called to order.

Agenda Item #2- Roll Call

- Chairman Brian Davis - present, Vice-Chairman Stan Jones - present, Trustee Josh Oakley – present, Trustee Clint Grinstead – present, Trustee Jeremy Bumgarner – present.

Agenda Item #3 - Consideration and possible action to approve Consent Agenda

- a. Minutes of prior meetings
 - Jones made motion to approve. Second by Oakley. All trustees in favor.
- b. Claims
 - Jones made motion to approve. Second by Oakley. All trustees in favor.
- c. Claims made in prior month unable to be approved as a result of not having a regularly scheduled meeting in December 2020 for lack of a quorum.
 - Jones made motion to approve. Second by Oakley. All trustees in favor.

Agenda Item #4 -Consideration and possible action to approve items removed from Consent Agenda.

- No items removed from the consent agenda.

Agenda Item #5 - New Business: Discussion and possible action concerning any matter not known which could not have been foreseen prior to the posting of this agenda.

- No new business.

Agenda Item #6 – Adjourn

- Bumgarner made motion to adjourn. Second by Jones. All trustees in favor.

ATTEST:

/s/Susan Suther
Susan Suther
City Clerk/Treasurer

/s/Brian Davis
Brian Davis
Chairman