

Davis City Council

September 13, 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 Davis called the meeting to order at 6:00 PM.

Agenda Item #2: Roll Call.

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

Agenda Item #3: Prayer

- Vice-Mayor Stan Jones led prayer.

Agenda Item #4: Pledge of Allegiance

- Mayor Brian Davis led pledge.

Agenda Item #5: Consideration and possible action to approve Consent Agenda:

- a. Minutes of prior meeting: Motion made to approve by Jones. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes.
- b. Claims: Motion made to approve by Jones. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes.

Agenda Item #6: Consideration and possible action to approve items removed from Consent Agenda.

- No items removed from the consent agenda.

Agenda Item #7: Consideration and possible action to set date for Halloween activities.

- Motion made to approve by Jones. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Official date for Halloween activities is set for Saturday, October 30, 2021.

Agenda Item #8: Consideration and possible action to approve Ordinance 10-2021 Amending Title 11 Zoning Regulations to update definitions, adjust living size and lot size requirements, create R5 Tiny Home Residential District and remove various cross references.

- Motion made to approve by Jones. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation of Ordinance 10-2021 by City Manager, Andy Holland, explaining the changes, addition of tiny homes and some of the requirements for residential zones.

Agenda Item #9: Consideration and possible action to approve Ordinance 11-2021 Amending Title 6 Public Safety, Chapter 5 Animal Control.

- Motion made to approve by Davis. Second by Jones. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation of Ordinance 11-2021 by Assistant Chief of Police, Dee Gregory, and Holland. Complete overhaul of the existing ordinance updating every section and adding many more, including dangerous animal requirements and changing the number of days before disposition of an unclaimed animal from three days to ten days. Mayor Davis inquired about tethering, which is its own section in this ordinance. Holland acknowledged that feral cats are an issue but there is not a solution included in this ordinance because we could not offer a good solution to that problem at this time. Discussion of future changes once the Friends of Davis Animal Shelter group grows. Councilman Grinstead inquired about the requirement for “Friends” to obtain their 501(c)3 classification before the City could assist them with funding and/or donations. City Attorney, Mark Melton, and City Clerk/Treasurer, Susan Suther, did not believe that would be a requirement but will check into it.

Agenda Item #10: Consideration and possible action to approve Ordinance 12-2021 Amending Title

- Item stricken from the agenda because the description on the agenda was not complete.

Agenda Item #11: Consideration and possible action to approve Resolution #578 Authorization for JAG-LLE Grant Application.

- Motion to approve by Jones. Second by Bumgarner. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation by Gregory, if awarded grant will be used to purchase new radios.

Agenda Item #12: Consideration and possible action to approve the award of the Alley Paving Improvements project.

- Motion to approve by Davis. Second by Jones. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation by Holland, EMC Services, LLC to perform the work on Block 81 Alleyway (South 2nd to 3rd Streets), Block 64 Alleyway (North 2nd to 3rd Streets), Block 82 Alleyway (South 3rd to 4th Streets) for a total contract of \$440,000, which is \$40,000 above the amount budgeted for the project. Project timeline puts completion at late April 2022 if all goes according to plan.

Agenda Item #13: Consideration and possible action to approve Supplemental Budget Amendment for the Alley Paving Improvements project.

- Motion to approve by Davis. Second by Bumgarner. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation by Suther of the supplemental budget amendment increasing the allocation that was budgeted for the alley project by \$40,000.

Agenda Item #14: City Manager Report

- Holland introduced new Public Works Director, Sam Lambert, then reviewed the Public Works Service Call Log. Councilman Bumgarner inquired about the solution to the drainage problem behind the water treatment plant, Holland discussed the options that are being considered, Mayor Davis asked for a timeline and about what resources were being devoted to this project. Councilman Grinstead gave an update on how the temporary solution is performing and that the area has dried out considerably and he will soon be mowing down the cattails which will allow the area to dry out even more. Gregory presented the PD Incident Report including the Animal Pound Report. Holland presented the Code Enforcement update as this position is still open and candidates are being interviewed. Fire Chief, Dusty Parsons, presented the Fire Department Response Report and discussed the challenge of local businesses getting approval from the state Fire Marshall on opening new facilities. This is something that is being considered as the search for a Code Enforcement Officer continues, perhaps the duties can be combined with the right candidate. Parks and Recreation Manager, Ricky Harness, presented the Turner Falls Park report.

Agenda Item #15: Treasurer Report

- Suther presented the treasurer report highlighting current sales tax receipts compared to one year ago as well as transfer activity, fund balances, debt service balances and current DMA billing compared to one year ago.

Agenda Item #16: Davis Chamber of Commerce Report

- Davis Chamber of Commerce Director, Monica Popkess, presented the Chamber Report including a demo of the new website that went live today as well as upcoming golf tournament and HOOT events. The next chamber meeting will be September 23 and Ricky Harness will be the speaker to provide an update on Turner Falls. She invited everyone to attend and mentioned that meeting attendance has declined since in person meetings resumed. Councilman Bumgarner inquired about HOOT Sponsorships. In 2020 Turner Falls Park was a presenting sponsor but that commitment has not been made yet this year. A few sponsors have had to reduce their commitments this year due to the impact of the pandemic. The race route also does not go into Turner Falls Park this year as it did last year due to feedback from cyclists who did not want to enter the park and lose the momentum needed to make it to the top of the hill. Conversations with Holland have indicated that due to the route change, Turner Falls Park may not be a presenting sponsor this year, but the decision will be left to Parks and Recreation Manager Harness. Harness stated that he and Popkess have not yet discussed the sponsorship. Councilman Grinstead inquired about the total amount of the sponsorship deficit for the HOOT race and Popkess did not have that total available, but they agreed to get together later this week to discuss.

Agenda Item #17: 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 #18: Adjourn.

- Motion made to adjourn by Jones. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes.

ATTEST:

/s/ Susan Suther
Susan Suther
City Clerk/Treasurer

/s/ Brian Davis
Brian Davis
Mayor

Davis Municipal Authority

September 13, 2021 6:00 PM
Davis City Council Chambers
308 S 3rd St
Davis, Ok 73030

Agenda Item #1: Call to Order Davis Municipal Authority

- Chairman Davis called the meeting to order at 7:29 PM

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: Motion made to approve by Bumgarner. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes.
- b. Claims: Motion made to approve by Bumgarner. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes.

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 Sam Lambert as the SORD board member/representative for Davis Municipal Authority.

- Motion made to approve by Jones. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Holland requested that Public Works Director Sam Lambert be designated by the DMA board to serve as our representative of the Southern Oklahoma Regional Disposal, Inc board of directors.

Agenda Item #6: Consideration and possible action on 777 Zip and/or Curio Shop contract with Gary Fielding.

- No action taken. Presentation by Gary Fielding of the history of his relationship with City of Davis and Davis Municipal Authority as a past employee and lessee of the Curio Shop. Mr. Fielding shared communications in regard to the expired lease, lease payments, utilities, lack of water service and the most recent air conditioner repairs. Mr. Fielding provided copies of the lease agreement, an outline of the verbal understanding between he and former City Manager Tom Graham, and a memo from August 17, 2021, that has not been executed outlining the terms to extend the expired lease agreement which include Mr. Fielding purchasing and installing a split air unit for the Curio shop. Mr. Fielding stated that based upon the conditions of this memo he visited the District Attorney and the Murray County Sheriff's Office to request charges be filed against Mr. Holland for coercion and bribery. Attorney Melton cautioned the board/council members not to comment or respond. Trustee Oakley stated that he wanted to reference minutes from a prior meeting, Attorney Melton cautioned him not to respond. Trustee Oakley stated that he wanted to reference the minutes anyway and Chairman Davis asked Trustee Oakley to heed the advice of our City Attorney. Mr. Fielding attempted to share confidential financial data with members of the group based on a previous request by Holland to review the financial data for 777 Zip but at the advice of Attorney Melton all declined to review the data.

Agenda Item #7: Consideration and possible action to approve Garver USA Agreement for Professional Services on the Wastewater Treatment Plant Project.

- Davis made motion to approve pending agreed upon terms for section 9.2.3 regarding limitations of liability with Attorney Melton. Second by Bumgarner. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation by Holland of the WWTP project including the Agreement for Professional Services. As Holland began the presentation by discussing contract negotiation practices, Attorney Melton cautioned him by calling his name. Holland moved into reviewing the project timeline and if all goes as planned the project will be ready for bidding approximately November 2022. Attorney Melton wants to discuss section 9.2.3 regarding limitations of liability prior to execution of the agreement.

Agenda Item #8: 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 #9: Adjourn

- Motion made to adjourn by Bumgarner Second by Jones. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Time: 8:05 PM

ATTEST:

/s/ Susan Suther
Susan Suther
City Clerk/Treasurer

/s/ Brian Davis
Brian Davis
Chairman