

Notice of Public Hearing

Davis City Council

May 9, 2022, 6:00 PM
Davis City Council Chambers
308 S 3rd St
Davis, OK 73030

Agenda Item #1: Call to order Davis City Council.

- Call to order Davis City Council by Mayor Brian Davis. 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

- Prayer led by Jones.

Agenda Item #4: Pledge of Allegiance

- Pledge of Allegiance led by Davis.

Agenda Item #5: Presentation of request to correct the legal description of previous annexation by Ordinance 15-2021 on December 13, 2021, for Murray County Tire & Auto located at 2275 E Main St., Davis, OK 73030.

- Presentation by Ralph Coppenbarger, Jr., City Planner, of request. This request was made in 2021 and completed on December 13, 2021, with an incorrect legal description. This request has a current survey with the correct legal description and will correct the previous error. No questions or comments from council or audience.

Agenda Item #6: Presentation of request by Washita Medical Center, LLC to annex their property located at 38509 Hwy 7, Davis, OK 73030 into the corporate city limits of the City of Davis.

- Presentation by Coppenbarger of request. Stephanie Fisher, owner was present at the meeting. No questions or comments from council or audience. Mayor Davis thanked Fisher for wanting to be a part of the City of Davis corporate city limits.

Agenda Item 7: Close Public Hearing.

- Public Hearing closed by Davis.

Agenda Item 8: Adjourn.

- Motion to adjourn by Jones. Second by Oakley. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. 6:03 PM

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.

- Call to order Davis City Council by Mayor Brian Davis. 6:03 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: Consideration and possible action to approve Consent Agenda:

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

- No items removed from the consent agenda.

Agenda Item #5: Consideration and possible action to approve Ordinance 05-2022 to Repeal Ordinance 15-2021 Annexation of Murray County Tire and Auto – 2275 E Main St, Davis, OK.

- Motion to approve made by Davis. Second by Oakley. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation by Ralph Coppenbarger, Jr., City Planner, of Ordinance 05-2022 to repeal previous ordinance 15-2021 approved on December 13, 2021. Davis inquired about the reason for the repeal, Coppenbarger stated the original ordinance had an incorrect legal description.

Agenda Item #6: Consideration and possible action to approve Ordinance 03-2022 to Extend the Corporate City Limits of the City of Davis to include Murray County Tire and Automotive located – 2275 E Main St, Davis, OK.

- Motion to approve made by Oakley. Second by Jones. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation by Coppenbarger of Ordinance 03-2022 to annex Murray County Tire and Automotive into corporate city limits of City of Davis. Previous attempt to annex this property had an incorrect legal description, current survey with correct legal description used for this ordinance.

Agenda Item #7: Consideration and possible action to approve Ordinance 04-2022 to Extend the Corporate City Limits of the City of Davis to include Washita Medical Center LLC – 38509 Hwy 7, Davis, OK.

- Motion to approve made by Oakley. Second by Jones. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation by Coppenbarger of Ordinance 04-2022 to annex Washita Medical Center LLC into the corporate city limits of City of Davis.

Agenda Item #8: Discussion of revised FY2022-2023 Budget Summary.

- Presentation of Budget Summary by Andy Holland, City Manager. Discussion of revised Budget Summary and Capital Outlay listing as well as the restrictions for the use of certain funds. The summary shared on the screen by Holland had been revised from the summary that was provided in the council packets. Discussion of changes, animal pound moved from General Fund to the WWTP project, addition of mobile computers for police units. Grinstead inquired about the estimated cost for the mobile computers being adequate to cover the cost for the units. George Burke provided the quote for the computers to Danny Cooper, Police Chief, just before the meeting began. Cooper provided the quote to Grinstead for review. Monthly lease would be \$2,500 per month or \$30,000 per year with purchase at \$33,000 with 4-5 year warranty. Burke

disclosed an annual service fee for the software and supplies would be at the cost to the City. Holland has concerns with being able to absorb the additional cost in the General Fund without giving up something on the list. Discussion of the concrete apron expansion at the Fire Department, Councilman Grinstead inquired about the size of the concrete apron and the proposed cost. Holland used the size and the concrete costs for current project to estimate the budgeted amount. Dusty Parsons, Fire Chief, did not recall the dimensions of the concrete apron. Holland moved ahead to other General Fund changes. Councilman Grinstead inquired of Parsons on where the concrete apron begins and ends to get a measurement on Google Earth. Discussion about the size and cost and timeframe for the project. Parsons shared that he used his best calculations for the request and Holland added additional to that for increased costs on construction projects. The use of the area was discussed. Clarification was provided on the exact location of the apron. DMA discussion began with the added WTP discharge/overflow control to remedy the overflow from our retention pond at the WTP. Update on our temporary solutions and desire to fund a long-term solution, which could be an open ditch or a pipe to divert the water. Mayor Davis commented that this is something that everyone has received calls about. Update on the WWTP Design Fee based on what has been invoiced and paid as of this meeting. Councilman Grinstead inquired about the \$1 million grant and the timing of the receipt of the funds. Holland stated that we will receive during the FY2022-2023 but the rules have not been released. He confirmed that these funds are being allocated in the FY2022-2023 budget. Susan Suther, City Clerk/Treasurer, inquired about the use of the \$1 million for design or construction. Holland stated it would be for design. Suther inquired about the email from OWRB that mention using the funds for construction. Holland clarified that the email addressed an additional \$500,000 that he did request to be pushed to next year and that it would be used for construction. Grinstead shared concerns about relying on these funds when we do not have a date that they will be received. Holland assured the council that the funds would be received in time for this project and that if we did not include it in this budget that many of the capital outlay projects on the list would not be completed. Grinstead continued to share concerns about basing such a large portion of our budget on this grant money. Holland agreed that we are “hedging our bets” and he believes it will work. Grinstead stated that he did not feel we are in a position to “hedge” with the WWTP project coming. Holland stated that he understands the concern but that he has it covered, he also does not believe he will be able to execute all of the capital outlay due to supply issues and contractors. Holland also stated that he is bound to get additional council approval due to his procurement threshold prior to executing many of these projects. Discussion of the monies that are already committed on the design of the WWTP project. Holland stated we will monitor the expenditures and manage the budget. Holland offered to cancel any of the capital improvement projects, he just needs feedback if the council desires that they be canceled. Mayor Davis stated he prefers to plan for the projects and defer them if there are funding issues. Grinstead stated that he needs a finished budget to review. Discussion continued. Holland inquired about the target date to publish the Budget Summary. Meeting and publication dates were discussed. Mayor Davis stated that if we have any changes, we can hold a special meeting or take our requests to City Hall. Holland requested that individually the councilman set an appointment to sit down and discuss any of their concerns. Holland continued to Street Maintenance Fund and Turner Falls Park capital outlay. Davis inquired if we were seeking grants for the mountain bike trails. Ricky Harness, Parks and Recreation Manager provided an update on this project and the grant opportunities for next year. Suther inquired about two commitments, \$22,000 for mountain bike trail design as well as another \$50,000+ for the hydrology study that could roll into the FY2022-2023.

Agenda Item #9: Consideration and possible action to approve the proposed first meeting date of the Cemetery Board.

- Motion to approve made by Jones. Second by Oakley. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation by Susan Suther, City Clerk/Treasurer of the proposed initial meeting date of Monday, June 6th as the first meeting of the Cemetery Board. At the meeting, the board will establish their meeting calendar for the remainder of 2022, and it will be presented to the council for approval. The 2023 Cemetery Board meeting calendar will be

presented at the same time as all other meeting calendars are presented for City of Davis and Davis Municipal Authority.

Agenda Item #10: Consideration and possible action to approve proposals for contract mowing of Greenhill Cemetery and Oakridge Cemetery.

- Motion to approve up to \$150,500, if original bids from contractors are honored, made by Jones. Second by Oakley. Vote: Bumgarner – no, Grinstead – no, Oakley – yes, Jones – yes, Davis – yes. Mayor Davis stated that he requested this be placed back on the agenda since he was not present for the meeting when it was originally proposed. Holland presented the previously received proposals for cemetery lawn maintenance contracts. This was originally solicited at the time our cemetery sexton retired. The work was divided into sections to provide for multiple entities to mow and keep up with the growth. Weekly mowing during season, monthly mowing during off season. Holland discussed the current organization chart and the difficulty in hiring and maintaining staff in various positions including Turner Falls Park. Overview of Cemetery & Parks Maintenance costs with hiring 1 full time and 2 part time employees. Mayor Davis inquired about the equipment that we have already purchased to maintain the cemetery. Davis inquired about who will open and close the graves. Holland stated that cemetery mowing is all of the maintenance that will be contracted. City employees will continue with the other maintenance that is required in the cemetery, such as leveling. Suther stated that what Holland was presenting on the screen for the Cemetery & Parks Maintenance overview was not the same as the council received in their packets. Councilman Bumgarner inquired as to the number of employees that were assigned to the cemetery prior to Marshall Brown's retirement. Danny Bumgarner, Streets & Maintenance Supervisor discussed the number of employees assigned to the cemetery. Holland stated that the minimum employees that can be assigned to the cemetery to perform the cemetery mowing, and maintenance is 1 full time and 2 part time. Suther inquired if any employees would be hired and charged to the cemetery if the cemetery mowing contracts are awarded. Holland stated that employees will still be used to open and closing. Councilman Bumgarner clarified that labor in the cemetery will still be required in addition to the mowing contracts, so the cost of the mowing contract is not the total cemetery costs. Holland reminded the council of the complaints that were made last year based on how poorly the cemetery was being maintained. Councilman Oakley asked Danny Bumgarner what the chances were of getting to do asphalt work if we do not have the mowing contract. Danny Bumgarner stated that they will get quite a bit of work completed. Councilman Bumgarner inquired of Oakley what kind of street repair he was talking about, to which Oakley responded potholes and Councilman Bumgarner shared that pothole repair is a one-man job. Holland then shared a slide of the Street Maintenance budget and action list. Councilman Grinstead asked Holland if he had contacted the Chickasaw Nation regarding the re-entry program he had suggested. Holland confirmed he had not had a chance to contact them. Grinstead provided a brief overview of the re-entry program that provides employees that are paid by the Chickasaw Nation to perform these types of duties. Councilman Oakley stated that based on his visit to the cemetery and seeing the condition himself, that this proposal needed to be reconsidered. Discussion of sharing employees with Turner Falls and trading out labor in different seasons to cover everything that needs to be done. After additional questions Holland stated that he would not be adding any cemetery staff for the additional cemetery responsibilities because they will be absorbed by the Street Department. Councilman Grinstead inquired about the rough-cut mowing in the City, along with the rough-cut mowing in the cemetery, to reduce some of expense related to this cemetery mowing contract and the existing mowing contract already awarded. Holland stated that he would work the cuttings with the contractors to manage the contract budget. Grinstead stated that his concern with our existing contracted mowing is that it is already over budget. Suther stated that contracted mowing services are currently over budget by \$2,665 with a claim on tonight's agenda for \$3,900 and there will be another claim paid for contracted mowing to be paid in June. Mayor Davis inquired about having city staff mow it or even volunteers to keep us within budget. Grinstead stated that the existing contracted mowing already in place did not get managed to budget in the current fiscal year. When the vote was taken and Councilman Grinstead voted no, he stated the reason for his no vote was that other alternatives should have been explored before we approve spending this money.

Agenda Item #11: Consideration and possible action to approve audit engagement letter from Andy Cromer of HSPG & Associates for the FY2021-2022 audit.

- Motion to approve made by Davis. Second by Jones. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation of engagement letter by Suther, after meeting with Mr. Cromer and former auditor Chris Angel, it is her recommended we hire Mr. Cromer of HSPG & Associates for the FY2021-2022 audit. Conducting a RFP this close to the end of the fiscal year would delay the completion of the audit and this year the goal is to have it completed by the end of the 2022 calendar year.

Agenda Item #12: Consideration and possible action to approve agreements between City of Davis and INCA Community Services, Inc for the use of the city owned building located at 701 E Benton, Davis, OK

- a. 2020-2021 Agreement: Motion to approve by Jones. Second by Oakley. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes.
- b. 2021-2022 Agreement: Motion to approve by Jones. Second by Oakley. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation of agreements by Holland, they are for past school years and they recently were requested by INCA as an audit identified they had not been executed.

Agenda Item #13: Consideration and possible action to approve Emergency Management Mutual Aid Memorandum of Understanding between the Chickasaw Nation Department of Interior Services, a part of the Chickasaw Nation, and the City of Davis.

- Motion to approve by Davis. Second by Jones. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Holland presented the agreement stating that the Chickasaw Nation has approached City of Davis Emergency Management to enter into this agreement. There is no financial obligation with this agreement. Mayor Davis thought one was already in place. Chief Cooper stated that the police department does have an agreement in place. Murray County Emergency Management Director Brian McDaniel stated that Murray County recently executed the same, it is putting on paper the cooperation that is already in place between the agencies.

Agenda Item #14: Consideration and possible action to approve the Managed IT Department Statement of Work and Master Contract Agreement for City of Davis.

- Motion to approve agreement, after City Attorney review and approval, by Davis. Second by Jones. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Presentation of Managed IT Department Statement of Work and Master Contract Agreement by Holland and George Burke, owner of The Computing Edge. Discussion of overall services provided to the City and Turner Falls Park as well as the proposed cost of those services \$5,757.35/month for City and \$4,448.10/month for Turner Falls. Burke stated there had not been a price increase passed along in at least 10 years. There are some security mandates that drive the one-year agreement, renewable annual for three years. Mark Melton, City Attorney does have some contract changes that will need to be met prior to execution. Burke will get his attorney with Melton to work those out.

**At City Manager request, Mayor Davis moved to New Business on the agenda.

Agenda Item #24: New Business: Discussion concerning any matter not known which could not have been foreseen prior to the posting of this agenda.

- Holland introduced Murray County Economic Development Executive Director Kenny Howard and Board President Lee Bahner. Howard gave a brief overview of his connection to Murray County.

Agenda Item #15: Consideration and possible action to enter executive session pursuant to 25 O.S § 307 (B)(1) to discuss the performance of and conduct the annual performance review of the City Manager.

- Motion to enter into executive session by Grinstead. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Time 8:00 PM.

Agenda Item #16: Consideration and possible action to return from executive session.

- Motion to return from executive session made by Oakley. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Time 9:45 PM

Agenda Item #17: Presentation of the executive session minutes by City Attorney to the City Clerk/Treasurer.

- Suther received executive session minutes from Melton.

Agenda Item #18: Consideration and possible action regarding the performance and annual review of the City Manager.

- No action taken.

Agenda Item #19: Consideration and possible action regarding the spending limit of the City Manager.

- Motion made to reduce the spending limit of the City Manager to \$25,000 by Grinstead. Second by Bumgarner. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Councilman Grinstead stated that he is concerned about the economy with a looming recession and the responsibilities of managing a tight budget and it will take all of us to make it work. Holland shared history from minutes of the City Manager spending limit and the reasons for increasing it to reduce the burden of waiting for approvals or additional meetings for council approval. Holland shared examples of past requests below his limit that have been placed on the agenda for council approval even though they may not have been required.

Agenda Item #20: City Council Update

- Public Works update by Holland, some items have not been documented as closed but he believes they are, and he needs to follow up with staff to confirm.
- Police Department update by Danny Cooper, Police Chief. Reviewed Incident Report, Outstanding Warrants Report, Animal Pound Report, and Code Enforcement Report. Discussion of fine collections and progress on pursuing the outstanding warrants. Code Enforcement contacts discussed, questions about properties that were mowed last year and the process for obtaining a summary abatement, Cooper updated that citations will be issued in an attempt to encourage the property owners to maintain the properties.
- Fire Department Response Report reviewed by Dusty Parsons, Fire Chief. Updated on fire hydrant flow tests, 160 total hydrants tested this year, approximately 28 bad hydrants. Ten new fire hydrants have been ordered for replacements.
- Turner Falls Sales Report reviewed by Ricky Harness, Parks and Recreation Manager. Attendance is picking up; new shade structures and the cabin renovations are being well received by our guests.

Agenda Item #21: City Manager Report

- Holland presented City Manager Report. New Davis sign on Hwy 7E at County Road/Hwy 110 intersection has been installed with John and Sandy Slater providing project coordination and painting, Rick Lanoy of Triple L authorizing the placement of the sign on his property and providing pipes and heavy equipment to complete the project, Edd McNeil/Davis Development Group leading the project and funding the concrete, Thad Sandusky pouring the concrete, Scott Drennan welding the pipe, Darrell Hudson providing county approval and the boulder rocks. Alleyway project update, opened Monday, May 9th with redirection of traffic to a one-way (West to East) alley. US-7/77 & Main St Improvements projects update, including the ODOT projects, City business parking and sidewalks, Chickasaw Telcom fiber project, ODOT Railroad Safety Projects to add medians.

Agenda Item #22: City Treasurer Report

- Suther presented Treasurer Report including the May Sales/Use Tax Revenue compared to May 2021, fund transfers, fund balances, investment balances and debt service balance. Review of Davis Municipal Authority billing from April 2022 compared to April 2021. Review of budget

reports from current fiscal year 2021-2022 as of April 30, 2022. These reports are prior to supplemental budget amendments that will be required to reallocate monies to line items that have spent more than budgeted.

Agenda Item #23: Davis Chamber of Commerce Report

- Holland presented report with an update on the Twisted Wolf Poker Run scheduled for June 4th, the upcoming chamber meetings and the chamber education series that kicked off on May 5th with Social Media Marketing Class, next up May 19th for Quickbooks training.

Agenda Item #25: Adjourn.

- Motion to adjourn made by Jones. Second by Davis. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis – yes. Time 10:17 PM

ATTEST:

/s/Susan Suther
Susan Suther
City Clerk/Treasurer

/s/Brian Davis
Brian Davis
Mayor

Davis Municipal Authority

May 9, 2022, 6:00 PM
Davis City Council Chambers
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Davis, OK 73030

Agenda Item #1: Call to Order Davis Municipal Authority

- Call to order Davis Municipal Authority by Chairman Brian Davis.

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

Agenda Item #5: Consideration and possible action to approve Murray County EMS contract for services at Turner Falls Park.

- Motion to approve by Jones. Second by Oakley. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones – yes, Davis -yes. Presentation by Ricky Harness, Parks and Recreation Manager of proposed contract terms and service to be provided by Murray County Emergency Medical Services to Turner Falls Park. This will allow a broader spectrum of medical services to be provided to park guests and include First Aid Plus Training

Agenda Item #6: Consideration and possible action to approve Consideration and possible action to approve the Managed IT Department Statement of Work and Master Contract Agreement for City of Davis – Turner Falls Portion.

- Motion to approve, after City Attorney review and approval, by Oakley. Second by Jones. Vote: Bumgarner – yes, Grinstead – yes, Oakley – yes, Jones -yes Davis – yes. Same agreement previously presented for City Council meeting.

Agenda Item #7: New Business: Discussion concerning any matter not known which could not have been foreseen prior to the posting of this agenda.

- No new business.

Agenda Item #8: Adjourn

- Motion 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
Chairman