

Notice of Public Hearing & Agenda City of Davis

February 13, 2023, 6:00 PM
Davis City Council Chambers
308 S 3rd St
Davis, OK 73030

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

- Meeting called to order by Mayor Brian Davis. Time: 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 by Wells Family Rentals, LLC to annex their property located on the North side of E Short Ave, Davis, OK 73030, approximately 1.34 acres.

- Presentation of request to annex the Wells Family Rentals, LLC made by Ralph Coppenbarger, Jr. Coby Wells made the annexation request, appeared before the Planning Board who is in favor of and recommends approval of the annexation by the council, letters were mailed to nearby property owners, a map and hearing notice were published in the local newspaper as per state law requirements. Plans and a rendering of the proposed multi-family dwellings which would consist of two, single story units, having a total of eight, two-bedroom apartments. Discussion of driveway location, which would be off Short Ave., current water and sewer line access, other utility access, property boundaries within the survey that was provided as well as the property outside the surveyed area that would connect to highway/street/roadway on all sides. Concerns about continuing the piecing together of annexations as opposed to including the surrounding property to create continuity in our city limit boundaries. No comments from anyone in attendance.

Agenda Item #6: Close Public Hearing.

- Public Hearing closed by Davis.

Agenda Item #7: Adjourn.

- Motion to adjourn made by Jones. Second by Oakley. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Time: 6:19 PM

ATTEST:

/s/Susan Suther
Susan Suther
City Clerk/Treasurer

/s/Brian Davis
Brian Davis
Mayor

City of Davis

February 13, 2023, 6:00 PM
Davis City Council Chambers
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Davis, OK 73030

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

- Meeting called to order by Mayor Brian Davis. Time: 6:19 PM

Agenda Item #2: Roll Call

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

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

- a. Minutes of prior meetings. Motion to approve made by Jones. Second by Davis. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- b. Claims. Motion to approve made by Jones. Second by Davis. Vote: Bumgarner – yes; Grinstead – yes; Oakley – 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: Presentation of FY2021-2022 Audit by Andy Cromer, CPA of HSPG & Associates.

- Presentation of FY2021-2022 audit by Andy Cromer gave a clean opinion, no findings or management suggestions but some general information to share. The General Fund reserves are a little shallow as only 1.5 months of expenses are held in reserve, a three-month reserve is desired. He commented on the uniqueness of Turner Falls and how it funds many aspects of the City and covers the ongoing losses that are sustained by Davis Municipal Authority. He did acknowledge the rate increase but with it being late in the fiscal year, the overall result for DMA was still a loss. Turner Falls revenues were up just a little and the expenses remained about the same as the prior year. He did bring to the council's attention that the current software we are operating for budget, utility and payroll functions is inadequate and has vulnerabilities which were pointed out by the state auditor when another municipality operating the same system was subject to a state audit. He acknowledged the software upgrade commitment that has been made with the project in progress and complimented the choice of software and the investment being made.

Agenda Item #6: Consideration and possible action to approve Ordinance 01-2023 to Extend the Corporate City Limits of the City of Davis to include Wells Family Rentals, LLC located on the North side of E Short Ave, Davis, OK 73030, approximately 1.34 acres.

- Motion to approve Ordinance 01-2023 made by Davis. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – abstain; Jones – yes; Davis – yes.

Agenda Item #7: Consideration and possible action to approve Ordinance 02-2023 to Amend Title 2 Finance and Taxation, Chapter 6 Lodging Tax, Section 11 Delinquent taxes.

- Motion to approve Ordinance 02-2023 made by Bumgarner. Second by Davis. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Presentation of Ordinance 02-2023 by Harness. Discussion of current collection process or lack thereof. Susie Suther, City Clerk/Treasurer shared that this was the recommendation of the Oklahoma Tax Commission when a group of clerks/treasurers were in a training session discussing challenges with collecting lodging tax. Discussion of alternatives, liability, and notifying the health

department if a health code violation is present. The effective date is 30 days from today and notification of lodging establishment owners was discussed.

Agenda Item #8: Consideration and possible action to approve Ordinance 03-2023 to Amend Title 1 Administration, Chapter 6 City Council adding Section 4 Status of Employment.

- Motion to approve Ordinance 03-2023 made by Jones. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Davis shared his desire for the elected members of the council to be allowed to participate in the City health insurance plan at no cost to the City, full cost to be paid by the council member. Discussion of current premium cost, deductible, and coverages. A question was raised about the possibility of volunteer firefighters participating, which is a separate consideration and not included in this ordinance.

Agenda Item #9: Consideration and possible action to approve Resolution #636 Authorizing Application for Financial Assistance from OG&E to Provide Funding for Lunch for Volunteers Assisting in Great American Cleanup.

- Motion to approve Resolution #636 made by Davis. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Presentation of grant opportunity by Copenbarger, date of Great American Clean Up to be determined, some time in April. Lunch will be provided for the volunteers by the City, if the \$200 grant funds from this grant are received, they will be used to purchase that lunch.

Agenda Item #10: Consideration and possible action to approve Resolution #637 Authorizing Application for Financial Assistance from AARP to Provide Funding for Senior-Community Center Renovation.

- Motion to approve Resolution #637 made by Davis. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Presentation of grant opportunity by Harness, \$50,000 for community meeting spaces, public health/emergency operations with no matching funds required.

Agenda Item #11: Consideration and possible action to approve up to two candidates for nomination to OMAG Board of Trustees.

- No action taken.

Agenda Item #12: Consideration and possible action to approve filing of Notice of Remediation and Land Use Restrictions, Former Sequoyah Industries Manufacturing Facility, Oklahoma DEQ Land Protection Division Case No. 99-067 on the following properties:

- a. SEC 5 1S-2E S2 SE SW (LESS 1.33 AC RWY) (LESS 0.7956 AC) 16.341 AC 246/80 1060/281
 - b. SEC 6 1S-2E 5 AC OF SE W OF HWY 255/100 DAVIS CITY BARN EXEMPT
 - c. SEC 8 1S-2E SW NW 172-567 EXEMPT 10 AC
 - d. SEC 5 1S-2E A TRACT OF LAND IN N2 SE SW 3.678 AC 353/224 1060/281
- No action taken. Discussion of the payment that was offered to execute the remediation agreement and desire for further negotiations.

Agenda Item #13: Consideration and possible action to set a budget planning meeting date to review budget plans for all funds for fiscal year 2023-2024.

- Motion made by Jones to approve a Special Meeting for budget planning, all funds, on Monday, February 27 @ 8 AM. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.

Agenda Item #14: Discussion of Greenhill Cemetery Rules.

- Harness presented the rules as they have been prepared by the Cemetery Board, they are requesting feedback from the council before they vote on the rules.

Agenda Item #15: City Manager's Report

- Danny Cooper, Police Chief, provided a report of the month's activity, reported that we have possession of the Dodge Durango that was recently purchased for the police department, it's just like new and they are pleased with the vehicle and the vendor. He reported that the new Animal Control Officer is doing a great job, currently five dogs in the pound, an adoption event is scheduled for Saturday, March 11th.
- Dusty Parsons, Fire Chief shared monthly statistics, four fire alarms, five medical assists, one grass fire, one smoke investigation inside the city limits, one call for medical assist at Turner Falls Park, eight grass fires, 11 motor vehicle accidents in the fire district outside the city limits. The AFG grant has been submitted for 27 sets of bunker gear and he visited with Senator Lankford's aide about the need and request.
- Harness provided a review of the financial statements for General Fund, DMA Fund and Turner Falls Fund. Updates – ODOT Hwy 7/Main Street from railroad crossing to traffic light at 3rd Street has been delayed due to supply chain issues, start date updated to by March 13, with a 65 day completion window, our concerns with completion before busy tourist traffic begins were expressed. Side street parking improvement projects are underway with Pavers, Sandy Creek Drive will also receive an overlay and Aspen will also receive repairs once the hot mix is ready. Discussion of other small street maintenance projects and prioritizing and scheduling these to happen in addition to the major street construction projects. Grinstead commented that using oil and chip may be more effective on some of the streets based on drainage conditions and needs. The 6th Street project is at 90%, meeting set for March 1 to review the project and discuss the cost increase that has occurred, on target to begin once school is out. Fullerton Park project update, chain link fencing has been ordered for the tennis courts, condition of the courts and possible repairs were discussed. Lift station update, issues recently with the lift station by the dog pound, the one behind Smokin' Joe's, pump mounts have come loose, renting pumps and vac trucks this week to empty and the intention is to complete repairs. Another lift station behind the apartments on Main Street had an electrical issue that damaged the control board, this was repaired earlier today and that station is back up and running. Turner Falls Park update, contracts in place for all projects, bunkhouse/bathhouse for April, tipi wraps expected in 3-4 weeks, concrete pad construction starting now. Demo of Cactus Patch and ice cream shop have begun, chapel is beyond repair with foundation, wall, and roof issues, it will also be removed. Cabin one, just across the low water crossing has foundation issues beyond repair and it will be removed. Plans will be made to replace cabin one at a later date with a family cabin model and see how successful it is and possibly add more of those at some time in the future. A backhoe is needed, both backhoes we have, one for public works/streets and one for Turner Falls need major repairs. Consideration is being made to trade both backhoes in and to purchase one new backhoe, then budget for an excavator for Turner Falls in the next fiscal year budget. BNSF requested a meeting with Harness to discuss a bill that Speaker McCall is planning to submit that would address railroad crossing blockages. BNSF has asked that this bill not be submitted but McCall wants to hear from the City of Davis before he will consider delaying the submission. BNSF eluded to the fact that they do not want anything to hinder the working relationship of the City and BNSF. Mark Melton, City Attorney stated that he would be interested in the legislation as past attempts have not been successful due to the state's lack of authority where the railroad is concerned. Harness will reach out to Speaker McCall's office to get details on the legislation. Finally, Harness announced that the Rural Infrastructure Grant from Oklahoma Rural Water Association in the amount of \$100,000 has been approved for us and it will be used in the SCADA upgrade for the Water Treatment Plant.

Agenda Item #16: City Treasurer Report

- Suther presented the current tax receipts, transfers, reconciled account/fund balances as well as the investment balances. January utility billing totals were reviewed. Also in response to information shared by the auditor, the investments that belong to Turner Falls Park serve as reserves for all of our operations, including the General Fund. It would be more desirable to have reserve funds in the General Fund but it is important to know that we are not without reserve fund planning. Also, the Davis Municipal Authority did operate with a loss for the fiscal year 2022, but the Wastewater Treatment Plant engineering and design have been paid in cash primarily

from the DMA fund because the intended Congressionally Earmarked Funding that was intended to pay for this portion of the project has not been received.

Agenda Item #17: Davis Chamber of Commerce Report

- Presentation of report by Brandy Baldwin, Executive Director, including recent and upcoming events, meetings, and training. State of Affairs series is upcoming and will feature Speaker McCall's office in April and Harness, City of Davis in July. An Economic Development Committee is being formed to guide the use of the funds provided by City of Davis for the purpose of Economic Development.

Agenda Item #18: 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 #19: Adjourn

- Motion to adjourn by Oakley. Second by Jones. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Time: 7:55

ATTEST:

/s/Susan Suther

Susan Suther
City Clerk/Treasurer

/s/Brian Davis

Brian Davis
Mayor

Davis Municipal Authority

February 13, 2023, 6:00 PM
Davis City Council Chambers
308 S 3rd St
Davis, OK 73030

Agenda Item #1: Call to Order Davis Municipal Authority.

- Call to order Davis Municipal Authority by Chairman Davis. Time 7:55 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 to approve by Jones. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- b. Claims. Motion to approve by Jones. Second by Grinstead. 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: 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 #6: Adjourn.

- Motion to adjourn made by Jones. Second by Oakley. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Time: 7:57 PM

ATTEST:

/s/Susan Suther
Susan Suther
City Clerk/Treasurer

/s/Brian Davis
Brian Davis
Chairman

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