

Notice of Public Hearing & Agenda

City of Davis

April 8, 2024, 6:00 PM
Davis City Council Chambers
308 S 3rd St
Davis, OK 73030

Agenda Item #1: Call to order 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.

Agenda Item #3: Prayer

- Prayer led by Jones.

Agenda Item #4: Pledge of Allegiance

- Pledge led by Davis.

Agenda Item #5: Presentation of request by property owner, Bob Donaho, for 107 N 5th St to be rezoned from R1 Single Family District to C1 Local Commercial District.

- Ralph Coppenbarger, Jr., City Planner, presented the application for rezoning from property owner Bob Donaho. Included is also a survey of the property and a power point presentation of the plans for the property. Ricky Harness, City Manager, shared that this is the second time to present this request, it is being presented exactly as it was previously presented because that was the Planning Board's recommendation. There was some discussion about it being a specific use request as opposed to rezoning, that change would have required it to be returned to the planning board and delay any decision. Donaho and representatives from TH Rogers, who will be occupying the property, were present at the meeting. Donaho addressed the council and those in attendance, some discussion on why it was presented as rezoning as opposed to a specific use. Councilman Grinstead responded that he previously stated his concern because he was looking out for all of the citizens. Property owner Shawn Parks was present with Stephanie Scroggins & Bobby Scroggins to voice concerns over traffic, street condition, sewer line condition, the gravel routing water to his property to erode his foundation and the loss of the storm shelter on the property. Donaho addressed the sewer issue that was caused by the trees and the sewer lines on this property, which should improve with the removal of this house and one tree. Mr. Parks voiced concerns about the traffic down the alley impacting the sewer lines. Mike Davis, Divisional Manager with TH Rogers stated the traffic would be routed to Benton Ave and this change would reduce the truck traffic on North 5th Street and in the alley. The TH Rogers forklift traffic will cross North 5th Street from this lot to the lot directly across the street. Coppenbarger reported that only two responses were received, one with no objections, the other seeking clarification of the plan. No objections to the request were received. The plan from the power point documents was shared with Mr. Parks and Mr. Mike Davis explained the plan. After this review and some discussion, Mr. Parks agreed that this change addresses his main concerns and would be an improvement on the current operations. Mayor Davis asked if there were any other concerns or comments. There were none.

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: Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Time: 6:21 PM

ATTEST:

/s/Susan Suther
Susan Suther
City Clerk/Treasurer

/s/Brian Davis
Brian Davis
Mayor

City of Davis

April 8, 2024, 6:00 PM
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Agenda Item #1: Call to order Davis City Council.

- Meeting called to order by Mayor Brian Davis. Time: 6:21 PM

Agenda Item #2: Roll Call.

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

Agenda Item #3: Interim City Attorney, Krystina Phillips, will administer the Oath of Office to Jeremy Bumgarner for Ward 1. Following the presentation, Councilmember Bumgarner will be seated for the unexpired one-year term ending April 2025.

- Interim City Attorney Krystina Phillips administered the Oath of Office to Jeremy Bumgarner, and he took his seat on the council.

Agenda Item #4: Consideration and possible action to approve Consent Agenda.

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

Agenda Item #5: Consideration and possible action to approve items removed from Consent Agenda.

- No items removed from the consent agenda.

Agenda Item #6: Consideration and possible action on request from property owner, Bob Donaho, for 107 N 5th St to be rezoned from R1 Single Family District to C1 Local Commercial District.

- Motion to approve rezoning of 107 N 5th from R1 Single Family District to C1 Local Commercial District made by Davis. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.

Agenda Item #7: Consideration and possible action on request to approve Resolution #673 Granting Variance for Property located at 107 N 5th Street.

- Motion to approve Resolution #673 Granting Variance for Property located at 107 N 5th Street made by Jones. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.

- Coppenbarger explained the variance request and the plans for the property as outlined in the public hearing.

Agenda Item #8: Consideration and possible action to approve Ordinance 01-2024 Amending Title 6 Public Safety, Chapter 2 Fire Department Section 11 Outdoor Burning.

- Motion to approve Ordinance 01-2024 Amending Title 6 Public Safety, Chapter 2 Fire Department, Section 11 Outdoor Burning made by Davis. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- Danny Cox, Fire Chief, presented the ordinance allowing for the Fire Department and the Police Department to have authority over outdoor burning. Our current City Code does not address outdoor burning. Bumgarner inquired about online burn permits, Cox responded that we have discontinued the online permitting. There is currently nothing in the City Code regarding a burn permit, no fee schedule has been established and the online application does indicate a fee which the City does not receive any proceeds from these permits. We will not be issuing permits because the fire station is not staffed 24/7 and most burning is done on evenings or weekends. There were questions from the audience about who to call, clarification was provided that the non-emergency dispatch number was provided in the ordinance.

Agenda Item #9: Discussion of Title 11 Zoning Regulations.

- Harness stated this topic was placed on the agenda by request after the double wide mobile home was moved in on South 3rd Street. Currently there are approximately seven or eight double wide mobile homes located throughout town in R1 zones. In the past, once the tongue and wheels were removed, they have been treated as modular homes, which is not exactly defined in our current City Code. Harness spent time researching our City Code, meeting minutes and documents for exceptions that were allowed in the past. There is not good documentation, there was an exception found from 2015 for a mobile home that burned, and it was allowed to be replaced. Mayor Davis inquired of Krystina Phillips, Interim City Attorney, if there is language, we can use to address these issues and update our City Code. Phillips stated that we are not unique in these challenges, and we can find the language and/or definitions to address our issues, present to our Planning Board for a recommendation to our City Council. Davis stated we need clear definitions for both our staff and citizens to know what is and what is not acceptable. Grinstead inquired about a specific example in City history that was allowed due to health issues, further discussion found that the exception mentioned was not actually inside city limits. Discussion of the property being annexed, which we suspect is one of the annexations without proper filing and/or documentation. Discussion then went to annexation history and the lack of proper documentation for previous annexations. Harness stated this will be placed on the Planning Board agenda then be presented in a future council meeting. Harness did request any specific feedback to be shared now or reach out to him later and it will be considered in what is presented for change. Another zoning topic Harness addressed is regarding annexed property that was not zoned at the time of annexation and is classified as R1 by default, but that does not line up with the current use of the property or even the historical use of the property. Working with Phillips to clarify how our City Code addresses these properties compared to the state statutes, several properties would be impacted. Our City Code may conflict with state statutes. In the most recent annexations, a zone has been assigned based on it's most recent or intended use. Coppenbarger stated there have been five annexations that we have assigned zoning at the time of annexation based upon their current use.

Agenda Item #10: Consideration and possible action to approve Ordinance 02-2024 Amending Title 3 Boards and Commissions, Chapter 3 Cemetery Board, Sections 1 & 3.

- Motion to approve Ordinance 02-2024 Cemetery Board Sections 1 & 3 made by Jones. Second by Oakley. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- Harness presented the ordinance to change the makeup of the current board, increasing from three members to five members and expanding the qualifications from resident inside city limits to resident inside 73030 zip code.

Agenda Item #11: Consideration and possible action to enter executive session pursuant to 25 O.S § 307 (B)(1) to discuss the hiring of a Police Chief.

- Motion to enter executive session made by Jones. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Time: 6:44 PM

Agenda Item #12: Consideration and possible action to return from executive session.

- Motion to return from executive session made by Oakley. Second by Jones. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Time: 7:41 PM

Agenda Item #13: Presentation of executive session minutes by Interim City Attorney to City Clerk/Treasurer.

- Executive session minutes presented to City Clerk/Treasurer by Interim City Attorney.

Agenda Item #14: City Manager's Report

- Danny Cox, Fire Chief, provided his written report in the packet. He did share that Davis Fire assisted with the cave rescue South of Sulphur. No questions from the council.
- Dee Gregory, Assistance Police Chief, stated the written report from Danny Cooper, Police Chief, was in the packet. No questions from the council.
- Harness presented the Turner Falls Park report from the packet, stating the work is ongoing. Grinstead inquired about waiting to backfill the retaining wall. Harness stated the contractor was working on a few other concrete projects in the park. Micah Jones, Maintenance Supervisor, stated that the retaining wall has not been impacted by the recent rains. Davis inquired about the Bunk Houses being open, which they are.
- Harness started his report with a Code Enforcement update. There have been about 30 notice violations sent out and approximately 25 of those are active with junk cars being most of the violations. There are several dilapidated properties being addressed which are in progress of being resolved. The overall response has been good, and a lot of progress is being made.
- 6th Street Roadway Improvements Project, currently working on drainage, installing new lines up past Ellis Ave, North to Davis Ave and to the alley. They are working on the forms on the West side of the street for pouring concrete. Both change orders have been processed. The contractor is actively tracking SORD polycarts to get them to the street where SORD can empty them then go back to the correct home. Our staff will go out and empty the stray that gets missed on pick up day or track down one if it goes missing. Complaints have been minimal.

Agenda Item #15: City Treasurer Report

- Susan Suther, City Clerk/Treasurer provided an updated report as the sales & use tax revenues and some transfers had not been received/determined at the time the report was prepared and delivered. There were no questions.

Agenda Item #16: Davis Chamber of Commerce Report

- Lauren Payne, Executive Director, provided an overview of the report in the packet including the hiring of a part-time administrative assistant, Abby Snyder. Review of upcoming events with visit from Speaker Charles McCall rescheduled to June 7th.

Agenda Item #17: Discussion and planning of FY 2024-2025 budget, all funds.

- Harness reported that the General Fund capital items for Police, Fire and Streets have been squeezed down as well as other controllable expenses across all departments. Turner Falls Park is down to three capital projects. Grinstead inquired about the shower houses including toilets, Harness reported they do not because of the existing toilet vaults. Discussion of overall cost to include toilets, aerobic system, septic system, sprinkle field, gray water, black water, what could be allowed, what would not be allowed by DEQ rules. Some discussion of hydrology study. Engineer cost estimates are still pending for the shower house project with and without toilets. Davis inquired about the bike trail project being removed from the FY2024-2025 budget. Harness reported that with the decision to decline the grant funding due to the additional

requirements/restrictions, the monies were not there this year, he does have the intention of including it in the future. Some discussion regarding the excavator that was purchased during this fiscal year. Harness proposed a special meeting later in April to further discuss the budget. Everyone settled on April 25th @ 8 AM but later in the meeting this was changed to April 24th @ 8 AM.

***8:12 PM Stan Jones exited the meeting. ***

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 made by Grinstead. Second by Oakley. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – absent; Davis – yes. Time: 8:13 PM

ATTEST:

/s/Susan Suther

Susan Suther
City Clerk/Treasurer

/s/Brian Davis

Brian Davis
Mayor

Davis Municipal Authority

April 8, 2024, 6:00 PM
Davis City Council Chambers
308 S 3rd St
Davis, OK 73030

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

- Chairman Brian Davis called the meeting to order. Time: 8:13 PM

Agenda Item #2: Roll Call

- Chairman Brian Davis - present; Vice Chairman Stan Jones - absent; 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 Grinstead. Second by Oakley. Vote: Bumgarner – abstain; Grinstead – yes; Oakley – yes; Jones – absent; Davis – yes.
- b. Claims. Motion to approve made by Oakley. Second by Davis. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – absent; 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 on an agreement with Chickasaw Personal Communications for a communication tower at Crossbar.

- Motion to approve made by Davis. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – absent; Davis – yes.

- Harness reported this is an extension of our existing lease with exhibits. Chickasaw Personal Communications will include up to 15 handheld radios for emergency management or events, annual inspections and preventative maintenance of our storm sirens and repeaters, as well as the moving of the antenna back to the water tower from the fire station. Grinstead inquired about the recent move of the antenna from the water tower to the fire station. Harness explained that the move did not improve communications. There was discussion about how it all works, including when there is a loss of power. Davis inquired about who made the recommendation to move the tower to the fire station, Harness stated it was a joint effort between our staff and Chickasaw Personal Communications staff.

Agenda Item #6: WWTP Construction Project Report.

- Harness reported the project is progressing, Garver is still working on a solution for the 15" line that was found on the site but not in the plans. An update of the Notice to Proceed, then the Notice to Stop Time for the CDBG portion of the project to allow that contractor to procure materials with a long lead time. The site is not expected to be ready for the CDBG project contractor until approximately September 1, 2024.

Agenda Item #7: Conestoga Wagon Project Report.

- Tim Thompson, Turner Falls Park Manager reported that the wagons have all arrived, the bathhouses arrived today, and they are working on the pits.

Agenda Item #8: Discussion and planning of FY 2024-2025 budget, all funds.

- Harness asked if anyone had questions about the budget. Discussion of the special meeting date resulted in moving it to April 24th @ 8 AM.

Agenda Item #9: 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 #10: Adjourn.

- Motion to adjourn made by Grinstead. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – absent; Davis – yes. Time: 8:27 PM

ATTEST:

/s/Susan Suther

Susan Suther
City Clerk/Treasurer

/s/Brian Davis

Brian Davis
Chairman