

Notice of Public Hearing & Agenda

City of Davis

August 12, 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 – absent; 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: Consideration of possible violation of Davis City Code Section 5-3-2: Accumulation and Deposits of Weeds and Trash at 300 S. E St, BLK 109 LOT 3 Davis

- Ricky Harness, City Manager reported that this is the lot located behind the Stay Inn. It is vacant, overgrown, has a storage building on it but no other structure. Abatement orders have been issued in the past but nothing recently. Davis asked for any comments from the audience. No comments were made.

Agenda Item #6: Consideration and possible action to close and/or vacate E Curtis Ave roadway located in Block 6, Lot 3 City of Davis, Murray County, Oklahoma.

- Ralph Coppenbarger, Jr. presented the request to close E Curtis Ave by the current property owners. This is located on the East side of Hwy 77, the roadway is not actually in the platted road path. The Planning Board met on April 22, 2024 and voted to recommend that the City Council approve the request to close the roadway. A legal notice was published in The Davis News on July 3, 2024, 13 letters were mailed to surrounding property owners, OKIE utility locates were made and only City of Davis utilities were found in the City of Davis easement. Danny Cox, Fire Chief performed a site visit and had no concerns about the closure. Jones asked to verify this closure is on the East side of Hwy 77. Grinstead brought up a concern to get to the homes located on the East end of the roadway. Harness confirmed that the closure only extends to the alley and does not extend all the way to 4th Street. Grinstead asked if the property owners intend to build on this roadway. Coppenbarger stated that they do not intend to build on this roadway. Harness stated the property owner intends to use the roadway for access but does not want it to be a through roadway. Grinstead asked if we are closing the platted roadway. Harness stated the actual platted roadway is up against the current building. Grinstead asked who maintains this roadway. Harness stated that the City currently maintains the roadway, discussion of a contractor performing a chip/seal at some point. Grinstead stated that he has maintained this roadway and the chip/seal stopped at 4th Street. Further discussion on what is actually being closed, the platted roadway or the existing roadway. The platted roadway is being closed, the existing roadway is on private property and the property owners can close it off. Harness stated the intention is for the City to place Dolese blocks or something similar at the alley. Grinstead asked if the roadway is closed, it can be opened back up? He stated that we are not benefiting their business by closing it if we can open it back up and asked if we need to do something different than close it. Krystina Phillips, Interim City Attorney, stated pursuant to Oklahoma State Statutes, once a municipality closes a roadway, the property owner can then go and initiate a district court action to vacate the roadway to make it permanent. If the property owner does not pursue the action to vacate and make the closure permanent, the Council at some time down the road could take action to reopen the roadway. Davis asked the audience if anyone had any comments on this agenda item. No comments from the audience.

Agenda Item #7: Consideration and possible action to close and/or vacate Ida Ave, Rose Ave, Adams St and Observation Trail located in Blocks 49, 50, 51 & 54 of Turner Falls Park Addition to the City of Davis, Murray County, Oklahoma.

- Coppenbarger presented the request for this closure by the property owner of Deer Creek Lodge #6. Mr. Pletcher presented his request to the Planning Board on June 24, 2024 and they voted to recommend the City Council approve the request to close Ida Ave, Rose Ave, Adams St and the Observation Trail. Legal notice was published in The Davis News on July 10, 2024, letters were mailed to surrounding property owners and utility providers, OG&E and AT&T were notified. Davis asked if we at one point intended to expand out there or build out there, why are these roadways here. Coppenbarger stated the Turner Falls Addition, which is part of the Davis City limits, was platted in the 1920s. Harness stated that this is very similar to the request made in late 2021 around Turner Falls Inn. Grinstead asked if this property abuts up to any of the City owned property. Coppenbarger stated that he did not believe that it abuts to any of the City owned

property. Davis asked the audience if anyone had any questions or comments. No comments from the audience.

6:20 PM – Councilman Josh Oakley joined the Public Hearing.

Agenda item #8: Close Public Hearing.

- Public Hearing closed by Davis.

Agenda Item #9: Adjourn.

- Motion to adjourn made by Jones. Second by Bumgarner. Vote: Bumgarner – yes; 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

August 12, 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: 6:21 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 meetings. Motion to approve made by Jones. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- b. Claims. Motion to approve made by Jones. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- Bumgarner inquired about claims payments to the Interim City Attorney. Krystina Phillips, Interim City Attorney stated that the first invoices had the wrong address on them. This has been corrected. Susan Suther, City Clerk/Treasurer stated that the corrected invoices were received after the July meeting and a special check for approximately \$9,500 was cut to make payment since those expenses need to be included in Fiscal Year 2024.

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

- No items were removed from the consent agenda.

Agenda Item #5: Consideration and possible action on violation of Davis City Code Section 5-3-2: Accumulation and Deposits of Weeds and Trash at 300 S. E St, BLK 109 LOT 3 Davis.

- Motion to approve Order of Abatement made by Davis. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- Harness stated we are looking for an abatement order to be able to get the lot cleaned up, get the weeds down and reduce the pest concerns, remove a dead tree.

Agenda Item #6: Consideration and possible action to approve Ordinance 05-2024 to close and/or vacate E Curtis Ave roadway located in Block 6, Lot 3 City of Davis, Murray County, Oklahoma.

- Motion to approve Ordinance 05-2024 made by Davis. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – abstain; Oakley – yes; Jones – yes; Davis – yes.

Agenda Item #7: Consideration and possible action to approve Ordinance 06-2024 to close and/or vacate Ida Ave, Rose Ave, Adams St and Observation Trail located in Blocks 49, 50, 51 & 54 of Turner Falls Park Addition to the City of Davis, Murray County, Oklahoma.

- Motion to approve Ordinance 06-2024 made by Jones. Second by Davis. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.

Agenda Item #8: Consideration and possible action to approve Resolution #683 granting a variance for 802 S 3rd Street.

- Motion to approve Resolution #683 granting a variance for 802 S 3rd Street made by Bumgarner. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes
- Ralph Coppenbarger, Jr., City Planner presented the request for the variance made by property owners Benita and Stephanie Cottrell. The Planning Board voted to recommend to City Council the approval of placing a single wide mobile home on this lot that is zoned R-1 Single Family

Residential. They are aware of the flood risk where this property is located. An older mobile home that was previously on the property has been removed. All fees associated with the application for variance have been satisfied. Jones asked if it is a brand new mobile home or if it is a used, new to them mobile home. Coppenbarger confirmed that it is brand new. Davis inquired about if this mobile home is moved or no longer there, would the property revert back to the R-1 zone standards. Suther read the portion of the Resolution that states, Whereas, the City Council for the City of Davis directs that in the event the home to be located at 802 S 3rd Street is destroyed or replaced, that any future construction, rebuilding or replacement of any structure on this property comply with current ordinances.

Agenda Item #9: Consideration and possible action to approve Ordinance 07-2024 Title 6 Public Safety, Chapter 2 Fire Department adding and/or modifying Sections 9-20.

- Motion to approve Ordinance 07-2024 made by Davis. Second by Jones. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- Danny Cox, Fire Chief, asked if the council had any questions. Intent is to update the current codes, purchase current manuals and begin doing fire inspections here in town. This will give us permission to do that. Suther clarified that the council was reviewing and considering the latest draft that was provided.

Agenda Item #10: Consideration and possible action to approve Ordinance 08-2024 Title 10 Building Regulations, Chapter 5 Fire Code and Regulations adding and/or modifying Sections 1-8.

- Motion to approve Ordinance 08-2024 made by Jones. Second by Oakley. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- Cox stated that this is the same information as in the previous agenda item, updating fire codes to be more current. Suther stated that this ordinance duplicates some of 07-2024 where they are specific to the building code.

Agenda Item #11: Consideration and possible action to approve Resolution #682 Casting Ballot for OkMRF At-Large Trustee.

- Motion to approve Resolution #682 Casting Ballot for OkMRF At-Large Trustee made by Davis. Second by Oakley. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- Suther presented the information received from OkMRF, our city employee retirement fund administrator, regarding the candidates, no personal experience with or knowledge of the candidates. Jones stated he had read over all of the candidates and one, Robert Johnston, is actually serving in the position now. Suther, confirmed that Robert Johnston is the incumbent. Davis asked if Suther handles the retirement stuff now and if we are satisfied with our service, she confirmed that she does work with them and she is satisfied.

Agenda Item #12: Consideration and possible action on change order for 6th Street Roadway Improvement Project performance period.

- Motion to approve change order for 6th Street Roadway Improvement Project performance period made by Davis. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- Harness presented the request made by the contractor, Pavers that has been approved by our engineer, Garver. They have identified 82 days, 41 days of rainfall with one additional day for each day of rainfall. The 82 day extension is from August 2, 2024 which was named in the contract as the actual completion date. After this extension, liquidated damages would be eligible if they apply. Grinstead inquired about previous change orders, Harness stated the water line that was thought to be East of the roadway but was actually in the roadway was the other change order.

Agenda Item #13: Consideration and possible action on Contingency Fund balance.

- Motion to approve the excess balance remain in the Contingency Fund made by Grinstead. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- Suther stated that when the Contingency Fund was established by previous council members a limit of \$250,000 was imposed. After the transfer that was approved in the claims, the balance will be a little over \$328,000. In the past as we have reached or come close to that limit, the council has made the decision to allocate the funds to match grants, fund another project, etc. There is current consideration being made to purchase property, Suther asked that the balance exceeding the \$250,000 limit be approved while that consideration is being made.

Agenda Item #14: Consideration and possible action on the clearing of D Street from Hwy 7 North to the ditch.

- No action taken.
- Harness stated that Mr. Grinstead requested this agenda item, we have begun the work to clean up and clear the drainage ditch. Progress has been made but there is still work to do. The area is looking a lot better. He thanked Mr. Jantz who allowed us to remove steel and chain link fence so we would not be on the newly laid sod on the Casey's side of the property. Grinstead stated

that it is looking good, and progress has been made. He asked what the permanent solution is to keep it maintained, giving the example of a concrete drainage ditch or some sort of flume through an area so you don't constantly have to maintain the brush. Grinstead suggested it be considered in the next budget. Harness agreed that it needs to be considered, possibly a task order. Grinstead stated that we need to do whatever we can to maintain areas to help attract businesses to the area.

Agenda Item #15: Consideration and possible action on the removal of planters along Main Street.

- Motion made by Davis to remove all trees up and down Main Street, remove 50% of planters and get estimates on maintaining remaining planters. Second by Oakley. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.
- Grinstead asked this be placed on the agenda because it was brought up in the Planning Board meeting in July and it had been discussed in the City Council meeting before to place a board with a trash can on top of it. Harness stated that it looks silly, and it is a car door hindrance. His preference is to remove them. Oakley stated there are eight planters on the South side of Main Street between 2nd Street and 3rd Street, that may be too many, but we should keep some. There are a few that still look nice. Grinstead asked if they were put in by a committee. Harness stated that he believed the Davis Beautification Committee installed the planters some time ago, there was funding provided by the City to help with maintenance, that funding is no longer available and business owners have not maintained them. Discussion of specific planters that need removal. Harness recommends the trees be removed because they block clear line of sight, are car door hindrances, some planters could be identified to stay, just need to decide what we want to keep. Oakley suggested three on each block. Grinstead voiced concerns of leaving planters that are still an eye sore because they are not maintained. Oakley agreed. Davis suggested that we remove half of the planters to give someone the opportunity to maintain them, if they do not, we can revisit and remove the remaining planters in six months or a year. Grinstead asked about a landscaping contractor to come in to maintain them, spray the bricks, kill the grass along the curbs, may be too expensive, but an option. Grinstead asked that we get bids over the next month or so from a professional landscaper so we know what it would cost us. Jones mentioned the area in the Y at the intersection of D Street and Hwy 7. Harness stated he has had staff clean it out, placed landscape cloth and mulched the bed, it needs attention again. Jones recommended including this bed in the quote from a landscaper.

Agenda Item #16: Consideration and possible action regarding street lights along Main Street.

- No action taken.
- Grinstead stated that he asked for this agenda item because he was asking around and was told that maybe the police were patrolling at night and would report street light outages. He asked how many had been reported and there wasn't an actual log or list. He has observed several lights that are blinking or off. He would like to see a log maintained on which lights are reported. Harness stated this had slipped off his radar, with police department turnover, this task slipped through the cracks. He has visited with Dee Gregory, Police Chief, and he will now be receiving a report each week. Harness is receiving the confirmation emails from the reports that have been made. There is also a contact with OG&E that we can contact if action is not taken to make repairs in a timely manner.

Agenda Item #17: Consideration and possible action to enter into executive session pursuant to 25 O.S. § 307 (B)(1) to discuss:

- a. Annual performance review of the Ricky Harness as the City Manager. Motion to enter executive session made by Jones. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Time: 6:55 PM
- b. Annual performance review of the Susan Suther as the City Treasurer. Motion to enter executive session made by Jones. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Time: 6:55 PM

Agenda Item #18: Consideration and possible action to return from executive session.

- Motion to return from executive session made by Jones. Second by Davis. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Time: 9:24 PM

Agenda Item #19: Presentation of executive session minutes by City Attorney to City Clerk/Treasurer

- Executive session minutes received.

Agenda Item #20: Consideration and possible action regarding the annual performance review of Ricky Harness as the City Manager.

- Motion made by Davis to award a 3% COLA increase effective the existing pay period and to include Harness in the regular performance bonus pool for city employees. Second by Oakley. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.

Agenda Item #21: Consideration and possible action regarding the annual performance review of Susan Suther as the City Treasurer.

- Motion made by Davis to award a 3% COLA increase effective the existing pay period and to include Suther in the regular performance bonus pool for city employees. Second by Oakley. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes.

Agenda Item #22: City Manager's Report

- Police Department – Harness reported that Chief Gregory had to leave to respond to a duty call, but his prepared reports are in his packet, this month also includes a Code Enforcement report, next month they can expect an Animal Control report. Davis inquired about the status of our SRO position. Harness reported that he and Chief Gregory have a meeting pending with Superintendent Gilbert to discuss this position. Davis recognized Officer Blake Snyder on his recent traffic stop that resulted in a sizable drug bust. Grinstead commented that he has heard good things about the new ACO as well. Bumgarner asked if Code Enforcement should be a full-time position? Harness stated that he has this on his radar considering some changes to this position.
- Fire Department – Harness reported that Chief Cox had to leave to respond to a duty call, but his prepared report is in the council packet.
- Harness provided a preliminary financial recap of General Fund, DMA and Turner Falls Park. This is as of FYE 06.30.2024 before the CPA makes final journal entries to reclassify revenues and/or expenses if needed for the preparation of our annual financial statements and audit. Review of each fund by department.
- 6th Street update – currently working on curb and guttering in one section of the project. Hopefully they will be able to get asphalt in this week on the portion that is ready for asphalt. The lime application has been completed on the last three blocks and the goal is to begin the curb and guttering. The roadway is the priority for the project completion, remaining sidewalks will follow. Grinstead inquired about the side street entrances from 6th Street being so narrow. Harness stated they were tied to existing conditions. Grinstead stated that we've narrowed Bird by 10-15 feet. Davis asked what the contract states about the side streets. Harness replied that he will need to ask some questions.
- City Hall update – working with project management @ Parkhill to work on area construction costs for some projected cost estimates.
- Dog Pound update – the project is farther along than the report in the packet indicates. It is near completion and has just a little bit left, including a restroom.
- WWTP update – the project is approximately 18% complete, we do have a new site superintendent for the job. Grinstead asked if we are short on funding and inquired about a \$1 million dollar grant we were expecting, did we receive it? Harness stated that we are still answering questions that came up after our grant application submission and satisfying their requirements. We are awaiting some additional information from Garver, there are three outstanding items, work plan, bidding process and a civil rights document. Grinstead asked if the grant has a deadline? Harness explained that it started with Mr. Holland, initial standards excluded all projects, they issued new guidelines and predicted we would be awarded funds fairly quickly, but it has taken longer. Grinstead asked Cole Niblett, Garver, about the project coming in higher than their projections and what they can do about the difference. Niblett estimated about \$700,000 contingency budget within the project as well as additional grant funding that is in the works, similar opportunities to the EPA grant just discussed.
- Sanitary Sewer Evaluation Study – project continues with line cleaning; the scope has been modified from the original plan to include the necessary line cleaning to be able to complete the study.
- SCADA – project near completion, will be discussed in the DMA meeting.
- 10th Street – project needs ODEQ permitting, will be ready once funding is available.
- TFP Projects – shower house design complete, Sycamore campground waterline needs ODEQ permitting, Conestoga wagon project now complete. Grinstead asked if labor costs are included in the projects, Harness stated that labor is not currently tracked per project. Davis inquired about the software being able to do this. Suther stated that “projects” are a part of our new financial software, however that piece is not up and running yet. There are some wrinkles we are still ironing out of the existing and daily functions before tackling the new functions. Harness stated that we will be moving away from doing projects with our staff in the future, looking to use contractors.

Agenda Item #23: City Treasurer Report

- Suther reviewed report of sales/use tax, transfers, fund and account balances, investment balances and WTP loan balance. July 2024 and July 2023 DMA service billing were reviewed with discussion of the increased consumption during the billing period compared to prior year. Davis asked for clarification on which totals were for 2024 as they were both labeled 2023, Suther clarified the first set of totals as 2024, reflecting higher consumption volume, with the second set as 2023.

Agenda Item #24: Davis Chamber of Commerce Report

- Lauren Payne, Executive Director, reported the teams are full for the annual golf tournament and a wait list has started for anyone hoping to make the event but not already registered. There is still room for hole sponsorships and silent auction items, one new item that hasn't previously been available is an alligator hunt. Today, Monday August 12th, the Chamber facilitated a County Focus Group with INCA to include community partners and identify community needs

such as housing, nutritional, education, children/youth to see where their funding can help with different needs in our county. Casey's has joined as a member and will be holding a hiring event at the Chamber office from 9 AM to 4 PM. 2024 new member goal has been surpassed. The search for 2025 program speakers and lunch sponsors has begun. Currently hosting the August Shop Local contest with our small businesses, a drawing will be held at the end of this month. An evening event hosting headshots with photographer Molly White will be held on August 22nd. Upcoming events - September 12th Dr. Heather Lane, OSD Intern Program, September 26th Fullerton Contracting ribbon cutting at the Chamber office, October 10th Bryce Chitwood, United Way Executive Director.

Agenda Item #25: New Business: Discussion concerning any matter not known which could not have been foreseen prior to the posting of this agenda.

- Grinstead wanted to talk about the fee schedule on Mr. Pletcher's closure that needs to be corrected. On Resolution #628 it shows that he is to pay \$275, on item #4, fees to accompany application it adds up to \$250, which amount was paid. Copenbarger stated that he did not have the file with him but they would have the receipts. Grinstead stated that he thought we changed the publication fee to \$75 on the one document. Suther stated that Mr. Pletcher paid \$250 because they used the completed application document when Matt Stanley came in and made the payment. Grinstead, do we need to correct something? Copenbarger asked Grinstead to identify which tab he was looking at in the packet. Grinstead reviewed the docs again. Davis clarified that he paid \$250 but it looks like he should have paid \$275. Grinstead stated we need to make corrections for anything in the future.

Agenda Item #26: Adjourn

- Motion to adjourn made by Jones. Second by Oakley. Vote: Bumgarner – yes; Grinstead – yes; Oakley – yes; Jones – yes; Davis – yes. Time: 10:22 PM

ATTEST:

/s/Susan Suther
Susan Suther
City Clerk/Treasurer

/s/Brian Davis
Brian Davis
Mayor

Davis Municipal Authority

August 12, 2024, 6:00 PM
Davis City Council Chambers
308 S 3rd St
Davis, OK 73030

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

- Meeting called to order by Chairman Brian Davis. Time: 10:23 PM

Agenda Item #2: Roll Call

- Chairman Brian Davis – present; Vice Chairman Stan Jones – present; Trustee Josh Oakley – absent; 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 Jones. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – absent; Jones – yes; Davis – yes.
- b. Claims. Motion to approve made by Jones. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – absent; 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 designate a voting delegate and alternate delegate by credential for the Oklahoma Rural Water Association.

- Motion made by Davis to name Ricky Harness delegate and Clint Grinstead alternate delegate. Second by Bumgarner. Vote: Bumgarner – yes; Grinstead – yes; Oakley – absent; Jones – yes; Davis – yes.
- Harness presented request by Oklahoma Rural Water Association to establish a voting delegate and an alternate voting delegate. ORWA Special Meeting Agenda to be held in September included in the council packet. Grinstead volunteered to serve as the delegate or the alternate delegate.

Agenda Item #6: Report from Garver regarding the operations of the SCADA software at the Water Treatment Plant.

- Cole Niblett, Garver, provided handouts for the board members and staff. Update of the SCADA project, originated to address old hardware and software that had become obsolete. Detailed scope of the project reviewed as well as how those things work together. Project is 100% complete except for a couple of flow meters that are needed at the plant. Not really part of the

SCADA system, but they were identified as needing repair. The current cellular plan does need to be updated with our cellular provider to allow for basic SMS text messaging, the City has been notified of this need. Niblett reviewed the graph that provided a snapshot for the week of June 26th when the low water pressure was experienced. There are three filters detailed on the charts. These filters work like most water filters, lower filter levels have a better ability to filter more water, higher filter levels indicate “fouled” filters that need to be backwashed to be able to properly produce clean water. At about level 158, the filter needs a backwash, it is considered “fouled” and it is not producing water like it should. Raw Water Flow was another chart depicted in the report showing roughly 1 million gallons of raw water per day coming into the plant. This is how much water the plant is trying to produce. Another chart depicted in the report was the water level in our A Street water tower. When you see the sharp drops in that tower level, you will experience low water pressure. On June 26th there was a key event where we lost a tower, low water pressure, it took some time to recover. While there was some question on the remote notification system, at this time it does appear that two of our water filters were maxed out for several days preceding that event which caused us to run at about 50% capacity for the water plant, and on high demand days caused the extremely low levels in that A Street tower. That is a snapshot of one of the key low water events. In the last several weeks, we have looked for opportunities to improve this right now, with no cost alternatives to improving the operations of the plant. A few things we have been working with Bert and the staff on are operational adjustments to change set points in the system to when filters are backwashed, how frequently, how much earlier those filters are backwashed, to try to keep this situation from happening. Also looking to adjust tower level set points to where the operators can receive those emergency notifications sooner. It’s a balancing act to work between an excess of nuisance alarms and earlier notifications to deploy earlier response to hopefully prevent the loss of a tower. A few things to note on the remote notification system, since April and May since it has been operational with the new equipment/system, a widespread internet outage impacted notifications, it was repeated that this can be remedied with a change to our cellular plan to allow for SMS text messaging and earlier this week/late last week a radio on one of the water towers went out and a part required replacement. So since late April or early May the system has been operating as intended. Cole presented this as the general synopsis of the project and opened the floor for questions. Grinstead asked why the system never sent out the alert initially when Ricky contacted Garver and had y’all check the system and y’all reported there weren’t any alerts shown, no issues with the system, then at a later point it showed up that there was an alert sent to one of the employees and to Garver, is that right Ricky? Ricky confirmed that it was sent to the Garver team in Arkansas, he stated the initial information he had, because his original directive was that the entire team receive the notifications as well as Ricky. That hadn’t happened, when Ricky contacted the staff that night because he had not received a notification, he asked if they had received notifications, Bert wasn’t at the plant yet. Grinstead clarified that he was referring to when Harness contacted Garver to do an assessment of the issue and they said there were no alerts found. Why didn’t the system alert? Harness stated it wasn’t about the alarms, it was about there not being any issues in the system causing the problem and the initial feedback from the team was there are no issues in the system. Grinstead then asked, but it shows the filters were full, is that not what is on the chart? Davis interjected that was the question he thought, because he calculated that at about 8 PM on 6/23 when the head loss on two of the filters looks like, he verified with Niblett that the red line was bad, so for four days we didn’t know that two of our three filters, he paused to ask Niblett if there are only three filters, to which Niblett clarified there are actually four but for ease of viewing he only provided the details on three. Davis confirmed that at least 50% of our filters were at a head loss 158 inches, so for four days we didn’t have any heads up that we needed to clean the filters. Were we just supposed to know at the City to clean the filters? Do we not have any system set up to let us know that we are going to potentially have a problem if we don’t clean these filters? Niblett responded that the Garver team receives the same alarms and starting on 6/24 they were receiving alarms that the filters needed attention. The alarms were going out. Grinstead asked again about the system showing no issues when they were contacted. Niblett reiterated that the alarms were going out showing an issue was present. Grinstead asked Harness to correct him if he was wrong, but he thought Harness reported no issues when he contacted Garver about the low water event. Harness stated that he asked if there were problems in the SCADA system that were causing the low water event. Late summer 2022 is when we first recognized glitches in the system that caused a series of low water events, Harness asked if those same types of glitches were present again to cause this low water event. The feedback from the Garver team in Arkansas was that there were not any system glitches, this low water event is not a system driven issue. Our two other alternatives are...Grinstead stated that was not the question he asked, he asked if we were not alerted and you said no, you had Garver look into it and no alerts were sent. Grinstead stated he asked how it did not alert and his response from Harness was that he did not know that we must have got it before the alarm went off and corrected it. Harness stated that as he said before, this was all initial discovery, his understanding was that there weren’t any alarms sent out because he didn’t get one and the guys that I expected to get one did not get one, he expected to get one and he didn’t get one. Grinstead said his question was when you contacted Garver why didn’t they tell you? Harness replied that he asked Garver if there were glitches in the system that were causing the problem. Davis – I see that, and the system software reported no alarms of low water levels, so y’all weren’t, (to Niblett) did you get alarms of low water levels or low head pressure? Does it tell you what kind of alarm you got on 6/24? Niblett – it does, it is a filter high level alarm, which means that filter is foul and needs some attention. Davis – does it show what employee at Davis got that alarm on 6/24?

Harness responded that it would be Bert. Davis asked if Bert came in from the lake on 6/24. Harness stated that he was at the lake on the 6/26. Davis asked again if he got an alarm on 6/24. It was confirmed that yes, the alarm went out to him on 6/24. Davis asked why we did not do something on 6/24 to prevent the issue. Harness stated that this is the first he is seeing this information, so it drives him to ask some of the exact same questions. Davis agreed and stated if we knew a day or two ahead of the event it could have been prevented regardless of where the employee was. Davis asked if we knew who else received the alarm. Niblett responded that at that time it was Bert, it was later that Garver received the directive to add additional employees. Davis asked Niblett under whose direction did you only add one name to the list for these notifications, what if he was in the hospital or something? Why did we only have one name on that list of alerts? Niblett stated that is how it has always been asked to be set up. Davis asked by whom? Niblett stated by the City. Grinstead said that earlier Ricky said he had asked to be added to the list, but it wasn't done. Harness stated that he asked Bert to add others to the list. When we originally began working on this project in April or May, he told Bert he wanted multiple people on these alarms. That did not happen. Davis asked who failed in that not happening, can I ask that? Who failed in your name and the two other people, that's my question, I want to know who's fault? Do we need to blame you? Or who? Ricky stated, well ultimately you blame me. Davis agreed that he did blame Harness and he can appreciate Harness accepting that, but coming down the line, we still have the right to ask. Harness agreed that they do have that right. He stated the direction he gave was not followed and that is on Bert for not transmitting that information correctly to get those names added. Harness stated that ultimately that is still on him. Davis directed a question to Niblett that if an alarm is not being taken care of do you reach out to the contact to see if everything is okay, what is going on? Niblett stated that yes, they do make phone calls. Davis asked who they called. Niblett did not know the date that phone calls started being made, but the Garver staff looks at the system remotely to see if they can troubleshoot any issues. Niblett gave an example of a phone call that was made to Harness on 6/19 about some alarms that were not being addressed, they help to monitor sometimes over weekends and overnight. Davis said he was asking for this clarification so he could wrap his head around it, so on 6/19 alarms were going off, right? To Harness, why at that point didn't you realize I didn't get an alarm, why am I not on that list. Harness stated that he could not tell Davis why that didn't cross his mind. Davis reiterated that he is trying to wrap his head around how we had an event that even on 6/19 we were notified of issues and didn't realize we only had one person on the notification list and then on 6/24 notifications were sent so we had three days where we could have taken care of some issues to prevent the event. Niblett stated that there were a lot of phone calls being made between 6/24 and 6/26, efforts were being made to make notifications. Davis asked Niblett if when contact was made did you identify to us that we had two filters that had high head pressure and needed attention. Niblett confirmed that a Garver staff member called Bert and said hey do you need a hand, what's going on, and Bert told him he was working on it. Davis asked if backwashing the filters did not fix the problem, Niblett did not know the answer. Davis confirmed that Bert was told the head pressure was really high on two filters. Niblett stated that sometimes there are actions taking place on site that can cause a delay in being able to clear the alarms. Alisha Thompson, Davis News, spoke from the audience and asked if she could ask a question. Davis agreed that she could. Thompson asked Niblett if the filters are backwashed automatically or if this is a manual process? Niblett, the base program performs the backwash automatically, the operator can override and backwash manually. Thompson asked if there was a malfunction in the filters for them to be reading high levels? Davis added the question of why didn't they clean themselves? Niblett stated that one thing that happens when you get behind is that to backwash a filter, you take water from the Clearwell, which is the final produced water, the same water that gets pumped to the water tower. So if you get high head loss in your filters and you are experiencing extremely high water demands, you find yourself in a catch 22 because you can't push out enough water to satisfy the tower needs while holding enough to perform the backwash. If you find yourself with multiple filters that need to be backwashed at the same time as high demand, it's a balancing act. Thompson asked if at this time the filters are working properly. Niblett stated yes, they are, however they are just like other media, over time you lose a percent of efficiency. This media has been in service for approximately 10 years, this may be a sign that it is time to budget for replacement. Davis asked if the notifications on 6/19 had anything to do with high head loss or pressure on any of the filters? Niblett confirmed that those notifications were similar, stating filters needed to be backwashed. He followed up with the disclosure that he is not giving the perception that the system was allowed to run without backwashing, sometimes you get a high solids loading from the lake and you can foul the filters sooner so it may be a combination of causes. Grinstead stated, but it should alert you before three days before your water flow falls off, and you are showing in this chart, correct me if I'm reading this wrong, but the raw water flow was almost consistent at 1.5 million gallons a day from the early morning on 6/24 to the evening of 6/25 and our average water usage is 20 million gallons in 30 days and we had 5 million gallon spike in the month of June above average which would put us at 25 million but it was still providing 1.5 million gallons a day. Harness interjected to clarify that it was the billing cycle which does not follow the calendar month. Grinstead corrected to state that in a 30-day time period we normally use 20 million gallons and we show 25 million gallons used and our raw water is still coming in at 1.5 million gallons a day, that's plenty to keep up with that demand, right? Niblett, again you are pulling some out to backwash and if you get more foul filters, you are using more and more of your product water to backwash so you may not be pushing out the 1.5 that you are bringing in. Davis asked if the new system automatically backwashes the filters on 6/19 or 6/24? Niblett stated that the system did

automatically do those but sometimes you have to sneak in an extra backwash especially if you are getting higher solids loading, higher demand, you are just going to foul those filters more quickly. You sometimes need to plan an additional backwash or more frequent backwashes. Jones asked how long a backwash takes, is it an hour, is it 10 hours, how long per filter? Niblett stated that our normal backwash is somewhere between 20-30 minutes. Jones confirmed that it automatically builds in backwashes, but you can do manual ones if deemed necessary by a person with their experience saying hey, those automatic backwashes are not being efficient enough I need to do a manual backwash. Davis asked if the automatic backwash process can check the head pressure and determine that it is still too high and cycle another backwash. Niblett confirmed these are settings in the system called set points that can be set for if a filter reaches a certain level, it will automatically perform a backwash. Grinstead confirmed that is if there is water in the clear well to do it and Harness said in the text message that the clear well level was down. Harness confirmed. Grinstead stated that it had performed automatic backwashes until there wasn't enough water to do more and it was left that way, it had worked properly until it didn't have enough water in the clear well, that's why we still had our filters stopped up because there wasn't any more water to backwash with. Niblett stated that sometimes if you get a filter that's really fouled, it will take two or three backwashes in a row to get back up to its original capacity. Davis asked if these are like sand filters, like used in a pool. Niblett confirmed they are with multiple different layers of media, but similar. Suther asked how many gallons are used to perform a backwash? Niblett did not know the answer. Davis asked if we do not monitor that? Niblett stated that we will have those numbers. Jones – if I am a person who is out there and I know the system is doing automatic backwashes, is there a protocol you adhere to that you got this alarm and even though the system has been doing backwashes I need to do additional manual backwashes or do I assume the computer will continue to perform the automatic backwashes? Will it do several a day or only so many a day? Can I just say I don't need to do a manual one today because the system will just do two or three automatic ones, is it safe to say that a person is trained to know they don't have to do a manual one because the system will do automatic or when I get those warnings do I need to go and regardless just do a manual one because the automatic one is not doing its job completely. I'm just trying to figure out what protocol you look at to go in and do a manual versus allowing the system to do the automatic backwashes. Niblett stated that for the most part that is correct, the automatic program, the plant will automatically build that into its workload. Sometimes the program maybe that filter level doesn't come up very quickly, so the program believes everything is good and you need to watch to see if there is a need for a manual backwash. Jones – is there a way to see how many backwashes were performed during this three-day period? Is the system sophisticated enough to say how many automatic backwashes versus how many manual backwashes were performed during that three-day period? In this graph, it's a straight line so for those three days, these two filters, backwashes didn't help? Grinstead added if it had the water in the clear well to backwash. Niblett pointed out a section of the graph for filter three with a sharp drop and indicated that a backwash was performed at this time. When that filter level dropped, that filter did receive a backwash. He also stated he is wondering if filters one and two didn't record the backwash, he will look into that. Discussion of filter three graph, pressure levels and backwashes performed. Jones identified that it took the filter more than two days before it did a backwash automatically. Niblett stated that was pretty typical. Generally, you want to backwash one filter per day, so each filter gets backwashed every three to four days under normal conditions. We may be seeing that we backwashed filter three on 6/23 then we hit this extremely high demand, and we never got a chance to catch up because we were sending the water out of the clear well and didn't have a chance to backwash enough to get the capacity we needed. Jones asked if we need more filters and can we modify the backwash cycle to make sure it happens every other day instead of every third day, set up an automatic schedule. Davis stated that it goes by pressure so when it reaches a certain level, that results in the automatic backwash, not an actual scheduled time. Grinstead stated the automatic is if there is enough water in the clear well and it was low. Grinstead asked if the alerts that were sent out were logged somewhere. Were they all filter alerts or were there also low water alerts? Niblett, it would have been all filter alerts until the A Street tower or the clear well dropped down then those alerts would have begun. Davis asked if that would have been on 6/23? Grinstead stated it would have been on the evening of 6/25 when the water levels dropped and that is when the low water became apparent to everybody. Harness confirmed. Davis asked Niblett if they had the alarm date and time when the clear well level went low. Niblett did not. Multiple discussions were being had regarding the process. Davis asked Niblett if we knew the backwash did not occur because the clear well was low. Niblett responded that they believe that was the reason. Jones confirmed that even if an employee went out to perform the back wash if the clear well did not have enough water it could not perform the backwash. Davis asked Niblett if they are telling us that at some point there was not enough water in the clear well to perform the back wash. Niblett stated he would confirm but he believes that is what happened. Davis asked to verify that alarm for low water in the clear well and that should correlate with the filter alarm. Niblett responded to Jones that he is not saying the filters need to be replaced at this time. Jones asked Niblett if he said they have a lifespan and since they are 10+ years old they may need to be replaced, but that's just maintenance. Davis confirmed with Niblett that we have four filters, then asked what filter four looked like, was it more in line with three or one and two? Niblett did not have an answer. Davis asked why we were only given the information on three filters and not all four. Niblett stated that his guess was that it looked similar to filter three because you were producing water to keep up until 6/26. Davis stated that he wasn't being mean or rude, but he didn't want a guess. He can't work off guesses. Niblett agreed to get the information for that

filter and send it back out for their review. Grinstead asked if this system would track if chlorine were manually added to the system at some point. Does it run an average, or will it figure each time it is dosed if it is manual or automatic. Niblett responded that the chlorine analyzer is continuous, and you can see the actual chlorine level as it is leaving the plant in real time. It has an automatic set point or if you want to override to the manual, you can do that. Grinstead clarified the system would show if you did the manual override and the chlorine level would go up. Niblett confirmed. Jones asked if this information provided to us was available from the computers and software in our water treatment plant to see what happened in previous months. Jones confirmed that we have the ability to look to see if chlorine is being added manually or automatically in the form of a log. Niblett confirmed that there is a log. Bumgarner asked if you can check the system to see if it is set up for automatic or manual only backwash. Niblett confirmed that data is available. Bumgarner stated he would like to know if it is set to automatic or manual. Niblett believes it is set to automatic unless there is some issue. Grinstead asked if there would be a data log to show if the system was on manual or automatic during the low water pressure event. He posed the scenario that an operator turned it to manual and forgot to switch it back to automatic and that prevented the backwashes from happening like they should. Davis asked if that was possibly what happened. Niblett stated that he did not see any evidence of that happening. Jones stated that we are trying to make sure if it's human error or a computer program error so we can address the issue and make adjustments. Grinstead stated that from what he understood we were searching for a leak for the first little bit of it and we didn't realize it was filters. We called in additional resources and took up a lot of additional peoples' time. Davis asked Niblett how would we not know it wasn't a leak, how would Garver communicate that information to our City Manager or Bert? Niblett stated to be clear, he could look at this and think there could be a leak because of the high demand. Grinstead stated that if the filters were clean, you would have probably kept up with the high demand. Davis asked why were we looking for a leak if we knew the alarms were from filters? Grinstead commented that we weren't told there were alarms until later. Harness confirmed he didn't know there were alarms, Bert got his alarms, I think they were focused on the low pressure because of the water levels in the tower being down and that drove the investigation of a leak. You come to three major potentials, plant isn't working properly, you have a leak somewhere, you have huge utilization. Davis stated you can't sit on a leak, you gotta look for it. Harness stated our staff searched; we received assistance from the Chickasaw Nation with drones to help us verify we did not have a leak. From a utilization perspective when we did our normal meter readings and reviewed the utilization from this billing cycle compared to previous billing cycle it was obvious that the utilization was high. Davis asked if the high usage is an anomaly, is this our first high use event ever? Grinstead asked if the plant tracked the amount of water going through the plant. We should be seeing that increased volume through the plant. Discussion of demands, cycles and high use. Review of daily usage on the Garver chart. Multiple conversations at once. Grinstead inquired about the daily numbers; Harness referenced a report that is prepared from the SCADA details to show the daily usage. June 14th is when the usage began climbing to a higher usage. Grinstead stated that the tower level was being maintained during that time. Harness stated that in and around the day of the event the numbers begin to really increase. Krystina Phillips, Interim Attorney, asked about the graph, the raw water flow being what is coming into the plant to be treated. She clarified that the graph does not show the consumer demand for water. Harness referenced reports for treated water and points out that the production in June is much higher than even the July reports. Grinstead pointed out the correlation between the raw water flow chart and the tower levels provided in the Garver report. Jones asked Niblett if he were to make a recommendation to help us during the summer months to create a strategy to prevent this from happening again. Niblett referenced changes already in place since the event, more people are being alerted, getting set point updates so notifications happen sooner, reviewing backwash operations. Jones added maybe consider replacing a filter in the future. Suther inquired about the cost of replacing a filter, Niblett responded that he would let her know. Grinstead asked if the plant is running properly, can our plant adequately keep up with our usage when people use more water in 24 hours. Niblett stated that when the plant is operating properly it can meet its design capacity. Grinstead asked what that capacity is. Niblett believes it is 1.6 million per day. Davis asked Niblett what should have happened when that alarm went off on the 23rd that would have prevented this event. Niblett stated that backwash management is number one, then looking for a leak is reasonable, but keeping your filters as high capacity as you can is the number one way to manage the plant. Davis, can you see that the filter was manually backwashed when those alarms went out. Niblett did not have that information. The system will have this information, it will also show who received the alarm, who acknowledged it. Grinstead asked if that information is available from these alarms. Niblett was not sure if they would still be held, alarm retention maxes out at 200 alarms. Harness stated that the logs with this information have been requested from the team in Arkansas, but he has not received anything at this time. Grinstead asked what happens if we lose our clear well, what is the alternative way to backwash filters for the plant. Bumgarner stated you could use the water tower at the water plant. Niblett confirmed that if you still have water in that tower, it could be used. Grinstead asked if we had the data from the report on the water levels for each of our towers stating it would be beneficial to have that information. Jones asked for clarification on the data in the Garver report for the filter levels. Discussion continued of the levels of the filters, the need for backwashes, the time it took for those filters to either automatically or manually backwash. Grinstead asked if they could be accidentally left on backwash that would prevent them from automatically backwashing. Continued discussion of plant operations, filter condition, potential clear well levels and various scenarios. Davis asked

Harness if he knew why it took two days from the alarm until the backwash was performed. Harness stated he did not know. Davis suggested the clear well level data be provided to Harness so he would know, but he would like to know why it took two and a half days to perform the system backwash then. Trying to determine if it was due to the level of water in the clear well.

Agenda Item #7: Discussion of the budget regarding the Red Dirt Music Festival event.

- Grinstead asked for this agenda item and stated in the interest of time he would like to table it until the September meeting.

Agenda Item #8: Consideration and possible action to enter into executive session pursuant to 25 O.S. § 307 (B)(3) to discuss the purchase or appraisal of real property.

- Motion made by Jones. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – absent; Jones – yes; Davis – yes. Time: 11:28 PM

Agenda Item #9: Consideration and possible action to return from executive session.

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

Agenda Item #10: Presentation of executive session minutes by City Attorney to City Clerk/Treasurer.

- Minutes received.

Agenda Item #11: Consideration and possible action regarding item discussed in Executive Session.

- Motion made by Jones to authorize the City Manager to negotiate a contract, to be approved by the DMA Board, for the purchase of real estate inside Turner Falls Park. Second by Grinstead. Vote: Bumgarner – yes; Grinstead – yes; Oakley – absent; Jones – yes; Davis – yes.

Agenda Item #12: WWTP Construction Project Report.

- Harness reported 18% completion, progress on influent pump station; a couple of different types of slabs completed, vault walls have started, on the ops building they have finished the exterior walls, starting interior wall work, some work on the areomods, forming and rebar work on slab 3, upcoming period continuing work influent pump stations vault walls, back filling on influent pump station on masonry and backfilling on ops building, returning to work on the 15” sewer line that was discovered earlier in the project. There is a new superintendent on site, introductions have been made and looking forward to working with him.

Agenda Item #13: Conestoga Wagon Project Report.

- Harness reported this project is 100% complete, wagons are open and being rented.

Agenda Item #14: New Business: Discussion concerning any matter not known which could not have been foreseen prior to the posting of this agenda.

- Jones inquired about drones, do our police and fire departments have drones. Harness reported that our emergency management department has a drone but from a capabilities perspective it doesn't have infrared or some additional features. There has been some research on what is available, when you upgrade to certain capabilities, licenses are required. Grinstead stated that he had asked bout using a drone with thermal imaging to assist with catching theft in progress because it could be used without detection when lights from cars pulling onto scene would alert the criminals to run. Discussion of drone technology.

Agenda Item #15: Adjourn.

- Motion to adjourn made by Jones. Second by Davis. Vote: Bumgarner – yes; Grinstead – yes; Oakley – absent; Jones – yes; Davis – yes. Time: 12:00 AM

ATTEST:

/s/Susan Suther
Susan Suther
City Clerk/Treasurer

/s/Brian Davis
Brian Davis
Mayor