

City of Davis

September 9, 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 led by Davis.

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

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

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

- No items were removed from the Consent Agenda.

Agenda Item #7: Consideration and possible action to approve Resolution #684 Establishing a Fee Schedule for City of Davis.

- Motion to approve made by Davis. Second by Grinstead. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes.
- Harness presented the modification of the previously approved fee schedule. The Occupation Tax has been updated to allow for better opportunities for Special Event activity, single day, three day, quarterly, options. Grinstead inquired about Medical Marijuana Occupation Tax and those vendor requirements. Susan Suther, City Clerk/Treasurer stated that those businesses must have a valid OMMA license for new/renewal of Occupation Tax.

Agenda Item #8: Consideration and possible action to approve 6th Street Roadway Improvements Project Change Orders for 6th Street & Atlanta Avenue, 6th Street & Hanna Avenue, and 6th Street & Bird Avenue.

- Motion to approve made by Jones. Second by Davis. Vote: Bumgarner - yes; Grinstead - no; Oakley - absent; Jones - yes; Davis - yes.
- Harness shared drawings of the work, and drainage issues not addressed in original design. These change orders are intended to get water off Atlanta on the West side and Hanna to prevent flooding. At Bird Avenue the intent is to collect the water as it comes down 6th Street. John Strahorn, PE with Garver provided an overview of the drawings, and shared details of work proposed. Grinstead asked about the original plan at the Bird Avenue intersection. Discussion began regarding who missed these issues in the original plan. Further discussion of additional cost and how that impacts our decision to award these projects. Grinstead asked questions about how plans are made with design survey, visits to the site, etc. Harness provided information on the change to the North end of the project where 6th Street connects to Main Street/Highway 7. This is being updated because ODOT will not allow the changes to the drainage box originally planned by Garver. This will reduce the overall cost of the project by approximately \$15,000 maybe \$20,000. Grinstead asked if Garver worked with ODOT during the planning. Strahorn responded that not at the time of planning, but later in the project. Grinstead asked if Garver intends to cover any of the additional costs from these change orders. Strahorn said no.

Agenda Item #9: Consideration and possible action to establish a date for citywide Trick or Treat.

- Motion made by Davis to approve October 31, 2024 as citywide Trick or Treat. Second by Jones. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes.
- Discussion of Boo Crew Event Date, October 26th, football game schedule, etc.

Agenda Item #10: Consideration and possible action on City Hall building project.

- No action taken.
- Harness provided an update that Parkhill had asked him to find a project manager that would be able to provide costs and propose plans. He met with OMMS on this, sent them the square footage requirements and is awaiting initial building design and projected cost. He expects to have this by the October 15 meeting.

Agenda Item #11: Consideration and possible action to approve the excess balance in the Contingency Fund.

- Motion to approve the excess balance in the Contingency Fund made by Jones. Second by Davis. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes.
- Suther made the request that the excess balance be approved due to the possibility of a real estate purchase in the near future.

Agenda Item #12: Consideration and possible action regarding the Certificate of Dedication and Restrictions Pertaining to the Davis Industrial Park East and the requirements for the sale of property in Davis Industrial Park East.

- No action taken.
- Harness presented the covenants from the document, shared discussion with previous City Attorney that the property could be sold for market value. There is some discussion from a business that may want to purchase all remaining property in Davis Industrial Park East. An appraisal of the property is expected end of this week or early next week. Harness, Brandy Baldwin, Director of Economic Development & City Services, and Ralph Coppenbarger, Jr., City Planner met with the owner of MAC Trailer who expressed interest in purchasing the property for possible future expansion. The conversation was brief, no details or timeline expressed. Appraisal will be a per acre price and the property could be sold as a whole. Grinstead expressed concern over selling the whole property and how would we attract new business or industry without an industrial park. Discussion of the covenants and what we may want to require with a sale of any or all lots, a timeline for expansion, creation of jobs, etc. There are currently utilities running the perimeter of the property and it is platted with roads but none have been constructed. Grinstead stated we may want to consider building roadways. Harness stated we may or we may not depending on what business is interested. Discussion of creating new covenants and determining what those should be and the enforcement of the covenants. "Rules" for the use of the property could be written into the sales contract if both parties agree. There was discussion of the value of the property being difficult to determine because of what it could bring to the City. Bumgarner asked who cares for the property, Harness replied that an individual cuts and bales it for hay, but we are going to mow around the houses at the request of Chief Cox.

Agenda Item #13: City Manager's Report

- Police: Dee Gregory, Police Chief, provided a report of dispatch activity and breakdown of totals for the month of August. Code Enforcement activity report also included. Currently working to change how the dismissal of code enforcement citations are handled once the property is in compliance, seeking to dismiss after the collection of court costs. Bumgarner inquired about the tree violations. These were originally reported as a hazard for the SORD garbage trucks but they also hit the tops of the school buses. Harness stated that City Code requires trees to be trimmed 10 foot above the roadway or 8 foot above the sidewalk. Bumgarner inquired about how many golf carts are registered with the City. Gregory replied that only one golf cart is currently registered. An ordinance is currently being drafted to address concerns with golf carts. Discussion of the many golf carts being driven around town. Gregory stated they have worked two traffic accidents involving golf carts.
- Fire: Danny Cox, Fire Chief, provided a report of call activity for the month of August, provided the news that our ISO rating has improved to 3/3Y which is a very good rating and accomplishment for Davis Volunteer Fire Department. Davis Fire Association raised over \$3,400 for the Fill the Boot event on Labor Day.
- Harness reviewed the maintenance call log bringing attention to the maintenance issues still open. Discussion of AT&T line that is through a sewer line, this has been reported and we are waiting on AT&T to address the line so we can make our repairs to the sewer line. Bumgarner inquired about the fire hydrant in front of Physical Therapy and the sidewalk in front of Allsup's. Harness will follow up on both. Bumgarner also inquired about the ACO report. Gregory stated that he did not get the report completed but that the ACO has adopted out several dogs, returned most dogs to their owners and will be transporting two to McAlester for the chance to find their forever home there. He stated she is doing a great job and is completing training to write fines. Bumgarner asked if the ACO can also do Code Enforcement since the positions were combined in the past. Harness stated he does have a goal to make some changes in Code Enforcement but wasn't sure this was the correct solution. Grinstead inquired about the water leak at D Street & Adler. Harness stated this water line has been repaired, but there is a sewer issue still pending. When the homes were removed, the sewer taps were not properly sealed, still working to correct this. Labor Day weekend attendance at Turner Falls Park was strong but they were not fully sold out. The Cemetery Board is planning a clean up/work day at the cemetery for volunteers on September 28th. This will include the removal of old and/or dead decorations. Grinstead inquired about headstones being broken when the cemetery is being mowed. Harness confirmed this has happened, he currently is working on one that he believes will require replacement as he does not believe it can be repaired. Grinstead asked if this was a claim that could be filed on their insurance. Harness stated that he is considering this. Grinstead asked if the contractor reported the broken headstone when it happened. Harness confirmed they did not.

Agenda Item #14: City Treasurer Report

- Suther reported on sales tax received, transfers, account balances, CD maturing and DMA billing totals. Reminded the council that the October meeting date is on Tuesday, October 15th because that Monday is a federal holiday. Review of the Street Maintenance Fund balance, the amount

outstanding on the 6th Street project, including the additional cost of the change orders approved tonight, the funds available to transfer from the Lodging Tax Fund to cover if needed depending on the attendance at Turner Falls Park in September. Grinstead inquired about the community grant for the WWTP project, Harness provided an update that additional documents have been submitted and requirements met, still working with EPA team to make sure everything is in order. Discussion of the requirements after award and there will be stipulations we are required to meet then as well.

Agenda Item #15: Davis Chamber of Commerce Report

- Lauren Payne, Executive Director, provided a report on Chamber events and activities. The golf tournament is sold out and there is a wait list for teams, actively searching for 2025 speakers and lunch sponsors, Shop Local was successful with lots of community participation, currently working on Economic Development training with SOTC, as well as working on participation in the Main Street Program. Oklahoma School for the Deaf will be the Sept 12 meeting program, on Sept 26 Fullerton Contracting Services will have a ribbon cutting at the chamber office and on Oct 10 Bryce Chitwood of United Way of South Centra Oklahoma will be the program.

Agenda Item #16: 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 #17: Adjourn

- Motion to adjourn made by Bumgarner. Second by Jones. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes. Time: 7:26 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: 7:26 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 Bumgarner. Second by Grinstead. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes.
- b. Claims.
 - Motion to approve made by Bumgarner. Second by Grinstead. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes.
 - Bumgarner inquired about the vac truck rental at around \$70,000 this year and the repair expenses. Ricky Harness, City Manager, reported that the repairs are for our truck that was down. The rental expense was due to our truck being down and the need for an additional truck to complete the Sanitary Sewer Evaluation Study. The portion of the study that requires the vac truck is almost over so we will not be needing to rent the truck, however it is available for purchase at about \$150,000 and they will apply our rental to date to the purchase price if we decide to purchase the truck. Bumgarner asked if it required a CDL driver and Harness confirmed that it does.

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

- No items removed from the consent agenda.

Agenda Item #5: Consideration and possible action to approve Resolution #684 Establishing a Fee Schedule for the Davis Municipal Authority.

- Motion to approve made by Jones. Second by Grinstead. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes.
- Same resolution as approved in the City Council meeting; this covers the DMA portion.

Agenda Item #6: Discussion of the budget regarding the Red Dirt Music Festival event.

- Harness provided an updated budget information report. Discussion of entertainer deposits paid in 2023-2024 fiscal year. Grinstead asked about labor costs. Harness reported that labor on the day of the event last year was approximately \$9,000. For the upcoming event, there will be a labor cost included in that report. Grinstead inquired about t-shirts sold at the event. Harness stated that t-shirts are a part of retail sales and not included in the Red Dirt budget. Grinstead inquired about the talent agent because none of these artists are real headliners, a discussion was had about the current following of these artists. Harness stated that these artists are all “up and comers” in this genre. Grinstead asked about the role of the talent agent to which Harness replied the talent agent connects us to the booking agents for the top talent. Grinstead inquired about ticket sales, Harness stated we have probably sold about 100 tickets. Grinstead asked how many tickets we need to sell to break even, Harness replied approximately 1,800 – 2,000 tickets. There was a discussion about spending more money to bring in more popular talent to increase our sales, the cost of the billboard advertising campaigns and their effectiveness as well as their coverage.

Agenda Item #7: Discussion of fiscal year end 2024 and fiscal year 2024-2025 capital improvement projects for Cross Bar Ranch.

- Harness shared a report from Justin Ramsey. Davis inquired about the shower house. Harness stated that the shower house design that was engineered for Turner Falls Park has been shared with Ramsey. It will need to be put out for bid and awarded. There was discussion about putting the bid out for Turner Falls Park and Cross Bar Ranch simultaneously. Bumgarner asked if Ramsey is current on his payments. Harness stated that he is, he is actually due tomorrow and he expects him to come by with his payment then. Grinstead stated that much of this would be better discussed when Ramsey is present to contribute to the discussion. He asked about the plans for the Main Road Improvement project. Harness responded that this is a City road, we are planning to run our road grader over it, it needs road signs, speed limit, etc. Grinstead asked about the Starlink project? Phase 2? Harness stated he wants to expand service in the park for improved communications, currently has the service at the gate and areas near the front of the park. Grinstead asked if he had secured the millings from the Hwy 7 project that he intended to get for roadways in Cross Bar. Harness stated that he was not aware of him getting millings from the Hwy 7 project.

Agenda Item #8: Consideration and possible action regarding the leasing of the operations and management of Turner Falls Park and Cross Bar Ranch.

- No action taken.
- Grinstead asked for this to be placed on the agenda since we lease our concessions because we cannot operate them and we lease Cross Bar Ranch for the same reason, should we see what is available out there for someone to offer a substantial amount to lease the whole operations from us. He used Silver Dollar City as an example, started as a cave exploration attraction. We struggle with staffing, should we consider this idea and start doing our research now because it will take a great deal of time. Harness stated he has researched campground park management and there are some options out there, usually taking 30% off the top before expenses are paid. He added that even if we don't go down this path, there are some consulting opportunities that would benefit us. He has found a handful of companies that keep coming up in recommendations. He agreed to do some more research and provide the information to see where it goes.

Agenda Item #9: 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 to enter into executive session made by Jones. Second by Grinstead. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes. Time: 7:57 PM

Agenda Item #10: Consideration and possible action to return from executive session.

- Motion to return from executive session made by Jones. Second by Grinstead. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes. Time: 8:23 PM

Agenda Item #11: Presentation of executive session minutes by City Attorney to City Clerk/Treasurer.

- Executive session minutes from the Interim City Attorney received by the City Clerk/Treasurer.

Agenda Item #12: Consideration and possible action regarding item discussed in Executive Session.

- Motion to authorize City Manager, Ricky Harness, to secure a purchase agreement on the property made by Davis. Second by Bumgarner. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes.

Agenda Item #13: WWTP Construction Project Report.

- Harness reported that work continues on the ops building, exterior block walls completed, working on interior walls, vault walls and influent pump stations, aero mod slab, etc. Working at a good pace, next update meeting is on September 10 for the latest report and an update on the 15” sewer line. There was a safety issue last week as an employee got their hand pinched, do not know the severity of the injury. The CDBG project portion has fallen behind a little but it should not be a significant delay, will know more at the update meeting tomorrow. The contractor for that project, bnb Industries, is attending the project meetings.

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

- Interim City Attorney Krystina Phillips reported that this will be her last meeting as the Interim City Attorney as she has accepted a job in the public sector that will allow for more time with her family. On October 1st she will begin full time in the District Attorney’s office for District 22. She expressed her gratitude and honor for the opportunity to serve Davis these last few months. She also recommended a program by OMAG that offers recognition training stating they do this because good functioning governments have fewer insurance claims, and everyone can improve. They are usually an hour-long presentation prior to the regular meetings and they will cover many topics, economic development, recreation, infrastructure and they pay the municipality \$2,000 after each completed session, up to \$10,000 total.

Agenda Item #15: Adjourn.

- Motion to adjourn made by Bumgarner. Second by Davis. Vote: Bumgarner - yes; Grinstead - yes; Oakley - absent; Jones - yes; Davis - yes. Time: 8:33 PM

ATTEST:

/s/Susan Suther
Susan Suther
City Clerk/Treasurer

/s/Brian Davis
Brian Davis
Chairman