From: Thomas Davis
To: Council Clerk
Subject: PUBLIC HEARING AND CONSIDERATION OF RESOLUTION NO. 26-07
Date: Sunday, January 25, 2026 5:03:32 PM

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Fence & Trespassing / Liability Concerns

Subject: Fence / Barrier Restoration Needed Along Bixby Parkway & Wilcox Boundary (Elm Valley Farms)

City Council Members, Mayor, and City Staff,
MI Homes – Northwood Division Team,

I want to take a moment to thank everyone involved in the MI Homes Northwood Division project for being professional and helpful throughout construction. In particular, I appreciate the efforts made to protect and maintain the main 10-inch field tile that drains approximately 50 acres of our farmland. The tile remained functional during construction, and now that the final connection has been completed, I want to recognize the work that went into doing that correctly.

I also want to note that during construction there were times the contractors needed to work very close to our property line, and I gave permission for equipment and tracked machinery to temporarily enter onto our property to allow safer access for sewer installation and related drainage work along the fence line. I appreciate that cooperation and safety were treated seriously throughout the project.

Fence / Barrier Removed — Trespassing & Liability Concern

During the installation of the drainage/tile work along the property line, the contractors had to remove existing barriers and portions of the old fence line in order to properly complete the work.

At this point, with the fence/barrier removed, the area has become an easy access point for trespassers—especially since the walking trail is very close to this section of our farm. This is an active agricultural property, and we have concerns about individuals entering the field, which creates potential liability and safety issues for everyone involved.

For that reason, we need to have a discussion and reach a plan for reinstalling an appropriate fence or barrier along this section of the property line before final landscaping is completed along Bixby Parkway.

I believe it is in everyone's best interest to have a clear solution in place that discourages trespassing and provides a practical separation between public access areas and our working farm ground.

Additional Area of Concern – Wilcox / Northeast Corner

I also want to bring up another area of concern on our property in the northeast corner, near the Wilcox area where apartments and adjacent properties border our farmland. There has not been a clear discussion on fencing or screening in that area either.

As development continues, we want to avoid a situation where residents (or visitors) can easily walk onto active farmland without realizing the risks and liabilities involved.

Upcoming Tile Location – Northwest Corner

Additionally, there is another tile drainage line serving approximately 5 acres in the northwest corner of Elm Valley Farms. This line ultimately drains toward Wilcox. That area is not currently under construction, but we plan to have the tile marked and located this spring so the exact location is known before any future work takes place.

Request

I would appreciate scheduling a brief meeting or coordination discussion to confirm:

1. What type of fence/barrier will be installed along the Bixby Parkway boundary where existing fencing/barriers were removed
2. Timeline for installation, ideally prior to final landscaping
3. Whether any screening / fencing plan is intended along the Wilcox / northeast boundary where apartments and development border the farm

Thank you again for the professionalism shown during the construction process so far. I look forward to working together on a practical fence solution that protects the public and protects the farm from unwanted access and liability.

Sincerely,
Thomas Davis
Elm Valley Farms
740-816-5628
tdavis2061@gmail.com

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