

**City of Bixby
City Council Meeting
Minutes
City Hall Municipal Building
116 W Needles, Bixby, OK 74008
December 14, 2015 6:00 P.M.**

The agenda for the regularly scheduled meeting of the City Council of the City of Bixby was posted on the bulletin board at City Hall, 116 West Needles Avenue, Bixby, Oklahoma on December 11, 2015 on or before 5:00 p.m.

Mayor Easton called the meeting to order at 6:00 p.m.

Yvonne Adams City Clerk called roll and all members were present except Vice Mayor Loudermilk.

Members Present

**Guthrie
King
Stewart
Easton**

Staff Present

**Patrick Boulden, City Attorney
Betty Koehn, Finance Director
Jared Cottle, Engineer/Assist CM
Erik Enyart, City Planner
Don Cash, Parks, Director
Ike Shirley, Police Chief
Bryan Wood, Fire Chief
Yvonne Adams, City Clerk**

PLEDGE OF ALLEGIANCE

Invocation was given by City Clerk Yvonne Adams

Mayor Easton said Item #1 on the Consent Agenda is:

CITY CLERKS REPORT

Consider and approve:

- a) Minutes for the Regular City Council meeting dated 11/23/15.
- b) Minutes for the Special Work Session meeting dated 11/23/15.
- c) Minutes for the Special Work Session meeting dated 12/07/15.
- d) Schedule of Regular Meetings for calendar year 2016.
- e) Purchase from Casco Industries for a Baure Vertecon Breathing Air Compressor. Capital improvement Funds not to exceed \$38,000.
- f) Purchase of parts for Toro mowers and utility vehicles in the amount of \$10,000. This is a sole source vendor.
- g) FY-16 Budget Amendment 16-14 to the 2011 GO Bond Fund for \$153,380 for receipt of additional funds from BPWA for the 111th & Memorial street project.
- h) Purchase for herbicides to Winfield Solutions for sport fields for the amount of \$6,000.

- i) Quit Claim Deed to Judith A. Manley, Lot 2, Block 5 Southwood Addition, 8322 East 113th Street to clear a cloud on title.
- j) Resolution No. 2015-28, supporting the Tulsa Oklahoma Air National Guard as the base for the new F-35 "Lightning II" Fighter Aircraft Wing.

Mayor Easton asked if there are any questions or amendments to the consent agenda. Councilman Stewart asked questions regarding items "f" and "h". Mayor Easton asked for a motion on the consent agenda with the exception of items "f" and "h". Councilman Guthrie made motion to approve, seconded by Councilman Stewart. The vote was taken with the following results:

Carried 4-0

Yes: Guthrie, Stewart, King, Easton.

No: None

Item "f"

Councilman Stewart asked the Parks Director Don Cash if these parts for these mowers are used in all the parks, Don stated yes.

Mayor Easton asked for a motion on item "f". Councilman Stewart made motion to approve, seconded by Councilman King. The vote was taken with the following results:

Carried 4-0

Yes: Stewart, King, Guthrie, Easton.

No: None

Item "h"

Councilman Stewart asked Parks Director Don Cash what are these herbicides used for, Don stated they are used on the sports fields.

Mayor Easton asked for motion on item "h". Mayor Easton made motion to approve, seconded by Councilman King. The vote was taken with the following results:

Carried 3-1

Yes: Easton, King, Guthrie.

No: Stewart

Mayor Easton said item #1 on the Regular Agenda is:

Discussion and consideration to approve **applications for supplemental zoning PUD 92 and rezoning from AG to OL per BZ-387** for approximately 1.172 acres in part of the NE/4 NW/4 of Section 02, T17N, R13E, located at the 6900-block of E. 121st St. S.

Presented by: Erik Enyart

Others that spoke: Lee Jenkins, Matt McCormick, Marc Bullock

City Planner Erik Enyart stated that the applicant acquired the subject property from Tulsa County by Quit-Claim Deed in 2009 and the subject property was evidently declared surplus property by Tulsa County to allow for its sale. The PUD proposes a small, office park development and several residents of Woodmere that are adjoining the subject property to the west, expressed objection to the developments and request several design modifications for the sake of buffering and security.

Lee Jenkins and Matt McCormick shared their concerns on why they are opposed to this development to council. Lee explained that the proposed development would affect his land value, and the main opposition is that it would be 30ft buildings with windows looking right into our house which it would make us lose our privacy. Matt explained that if the developer would make it a one level building it would help with the concerns that everybody has.

Marc Bullock explained that we send letter to each home owner prior to the first meeting, Marc explained that he has worked with Erik over last few months trying to make this PUD happen, and with a few more wording problems we will make that work. In the last week we came up with this plan by putting in an 8ft fence and a 10ft tree and the second story does not have any windows on the back side of Mr. Jenkins house and we think this last plan would work.

Discussion ensued pertained to zoning PUD 92.

Mayor Easton asked for a motion on item #1. Councilman Guthrie made motion to approve this item for the application subject to the Staff and Planning Commission Recommendations and all the amendments made at the meeting including one story maximum building height, change to landscape standards and include in the site plan, and wall signs would not be lighted, seconded by Mayor Easton. The vote was taken with the following results:

Carried 4-0

Yes: Guthrie, Easton, King, Stewart

No: None

Mayor Easton said on Item #2 on the Regular Agenda is:

Second Reading and discussion and consideration to approve an ordinance amending Ordinance No. 272 and approving supplemental zoning **PUD 92 and rezoning from AG to OL per BZ-387** for approximately 1.172 acres in part of the NE/4 NW/4 of Section 02, T17N, R13E, located at the 6900-block of E. 121st St. S.

Presented by: Erik Enyart

This item was passed.

Mayor Easton asked to move to Item #5.

Mayor Easton said on Item #3 on the Regular Agenda is:

Second Reading and discussion and consideration to approve an ordinance to amend Ordinance No. 272 and approving Major Amendment # 1 to supplemental zoning **PUD 78** for approximately

44 acres consisting of all of *Willow Creek Estates*, located south and west of the intersection of 131st St. S. & 93rd E. Ave.

Presented by: Erik Enyart

City Planner Erik Enyart explained that at the last City Council meeting you approved the application with certain correction to be made as of today with the revised PUD document and updated report I handed out before the meeting they have addressed all of the conditions of approval of the application so it is ready for your final form and ready for adoption.

Councilman Guthrie stated that he has not read it. Mayor Easton asked to pass this until the December 28 Special Meeting.

This item was passed.

Mayor Easton asked for a motion on item #3. Councilman Stewart made motion to pass until December 28 Special Meeting, seconded by Councilman Guthrie. The vote was taken with the following results:

Carried 4-0

Yes: Stewart, Guthrie, King, Easton

No: None

Mayor Easton said on Item #4 on the Regular Agenda is:

Discussion and possible action to approve a Development and License Agreement for Reserve Area D, Willow Creek Estates, addressed 9290 E. 133rd Pl. S.

Presented by: Erik Enyart

Mayor Easton asked for a motion on item #4. Councilman Stewart made motion to pass until December 28 Special Meeting, seconded by Councilman Guthrie. The vote was taken with the following results:

Carried 4-0

Yes: Stewart, Guthrie, King, Easton

No: None

Mayor Easton said on item #5 on the Regular Agenda is:

Discussion and consideration to approve a Final Plat for “The Trails at White Hawk II,” approximately 28.613 acres in part of the W/2 SE/4 of Section 15, T17N, R13E, property located north and east of the intersection of 151st St. S. and Hudson Ave.

Presented by: Erik Enyart

Others that spoke: Tim Terral, Bob Evans, Jim Tice, Patrick Schiffli, Steve Lennar

City Planner Erik Enyart stated that the Planning Commission recommended Conditional Approval by unanimous vote on the second phase of the Trails at White Hawk. Erik explained that the applicant requested placement of the Final Plat for City Council to allow for discussion of access and minimum development standards matters. Erik continued explaining some of the history of this particular proposal with more detail with question and concerns from council.

Tim Terral stated that we are in agreement with the Planning Commission's Recommendation with some corrections that were explained by Tim. Some suggestions by Councilman Stewart and Council were made, Tim explained that these engineer plans were approved in 2013 two years ago this month and the construction has already occurred. Tim gave council other suggestions that may work for the concerns they had.

Discussion ensued pertaining to proposal Final Plat for "The Trails at White Hawk II".

Bob Evan stated that he would like to thank Council for your quick response to this matter. He stated that he did not like the length of Lakewood, he suggested several options for emulating the traffic concerns.

Jim Tice stated that he was concerned with Lakewood being a speeding course as well as his neighbors, and suggested a calming device which he thinks would be the best option.

Patrick Schiffler stated that he was told that he would have a view of a forest behind his house and my property is backing up to this proposed development which we built a fence to distance ourselves from the construction property. Patrick explained his concerns about this development to the Council.

Discussion continued.

Council recessed at 8:05 p.m.

Council reconvened at 8:07 p.m.

City Engineer Jared Cottle stated that he and the developers and their engineers will discuss some alternative for traffic calming, Jared continued to explain the discussion about what they thought would work for everybody. Jared stated that they would like to study this and bring back to council.

Mayor Easton asked for a motion. Mayor Easton made motion to continue this matter for a Special Meeting to be called by Council on Monday December 28, 2015 at 5:00 p.m. in this council room, seconded by King. The vote was taken with the following results:

Carried 4-0

Yes: Easton, King, Stewart, Guthrie

No: None

Mayor Easton wanted to move back to item #3.

Mayor Easton said on item #6 on the Regular Agenda is:

Consider and take action on Ordinance Number 2177, amending the Bixby City Code Title 9, "Building and Construction Regulations", Chapter 2, "Building and Related Codes", by adopting the ICC 2015 International Building Code and the ICC 2015 International Existing Building Code as part of the Bixby City Code. Action includes separate approval of an Emergency Clause.

Presented by: Patrick Boulden

Others that spoke: Andy Brumguart

City Attorney Patrick explained that he email you some more background on the building code process in the State of Oklahoma. Patrick explained that effective November 1, 2015, the 2015 International Building Code (IBC) and the 2015 International Existing Building Code (IEBC) were adopted, with modifications, by the Oklahoma Uniform Building Code Commission. Patrick stated that he would recommend council to adopt these codes.

Andy Brumguart explained some answers to council questions concerning the codes which is his profession as a heat and air contractor.

Discussion continued on this item.

Mayor Easton asked for a motion on item #6. Councilman Stewart made motion to approve, seconded by Mayor Easton. The vote was taken with the following results:

Carried 4-0

Yes: Stewart, Easton, King, Guthrie

No: None

Emergency Clause

Mayor Easton asked for a motion on the Emergency Clause. Mayor Easton made motion to approve, seconded by Councilman Stewart. The vote was taken with the following results:

Carried 4-0

Yes: Easton, Stewart, King, Guthrie

No: None

Mayor Easton said on item #7 on the Regular Agenda is:

Discuss and/or take action on accepting bids for the replacement of three (3) HVAC units on the Dawes Building and awarding the contract to the lowest and best bid.

Presented by: Jared Cottle

City Engineer Jared Cottle stated that in the last week we have had 3 of our units go out in the Dawes Building, so our construction manager retained three quotes from different contractors that have worked on the units in the past which I have copies of the three quotes tonight for you to review.

Mayor Easton asked for a motion on item #7. Councilman King made motion that Champion provide a manufactures warranty equivalent with a 10 year heat exchangers, five year compressor, on year parts, air assurance warranty and one year labor, seconded by Councilman Guthrie. The vote was taken with the following results:

Carried 4-0

Yes: King, Guthrie, Stewart, Easton

No: None

Mayor Easton said on item #8 on the Regular Agenda is:

Discussion on the creation of a City benefits and insurance committee.

Presented by: Councilman King

Councilman King asked Jared if we can start with a committee and have every department select staff to participate in the insurances alternatives that will be offered. Jared stated that he would get a committee together at the end of this month.

Discussion only. No action taken.

Mayor Easton said on item #9 on the Regular Agenda is:

Discussion and action on permanently designated Riverview as Chris Harris Jr. Drive.

Presented by: Councilman King

Councilman King stated that we have brought this subject matter up before council and we have a lot of outstanding students and I think this would be a great way of recognizing them, Harold stated that Chris Harris Jr has given shown ways by giving back to our community. City Attorney Patrick stated that the street is now designated as an Honorary Street.

Discussion ensued pertaining to this item.

Assistant City Manager Jared Cottle stated that we will come back with an impact statement with opinions and how this will effect this area.

Discussion only. No action taken.

Reopen the Regular Meeting at 9:30 p.m.

Mayor Easton said on item #10 on the Regular Agenda is:

Motion to enter into Executive Session.

Mayor

Discussion on the terms, conditions and employment of the Assistant City Manager as the City Manager. Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.1.

Mayor

Mayor Easton asked for a motion to enter into Executive Session. Mayor Easton made motion, seconded by Councilman Guthrie. The vote was taken with the following results:

Carried 4-0

Yes: Easton, Guthrie, Stewart, King

No: None

Mayor Easton said on item #11 on the Regular Agenda is:

Motion to exit Executive Session and reconvene the open meeting.

Presented by: Mayor Easton

Mayor Easton asked for a motion to exit Executive Session. Councilman King made motion, seconded by Councilman Stewart. The vote was taken with the following results:

Carried 4-0

Yes: King, Stewart, Guthrie, Easton

No: None

Mayor Easton said on item #12 on the Regular Agenda is:

Consider, discuss and take any appropriate action related to matters discussed in executive session.

Presented by: Mayor Easton

Councilman Guthrie then moved the following: To employ Jared Cottle as City Manager, pursuant to a contract corresponding to terms and conditions discussed in executive session, subject to the City Attorney preparing a new draft agreement and the approval by the Mayor. The motion was seconded by Councilman King and was approved by the City Council. The vote was taken with the following results:

Carried 4-0

Yes: Guthrie, King, Stewart, Easton

No: None

Mayor Easton said on item #13 on the Regular Agenda is:

Assistant City Manager's Report

1. We want to thank everyone that participated in the Christmas parade this year.
2. We do have our Buy Bixby winner's which will be posted on our website.
3. School will be in recess after December 18th.
4. Update on lane closure at 136th we talked to ODOT for other alternatives as far as detour routes and they are scheduled for a maximum day shut down and at this point in time they were not ready to entertain other options.
5. Fire Chief has tested all of our fire extinguishers equipment and everything has passed.

Mayor Easton wanted to thank Betty Koehn Finance Director for her service here at the City of Bixby and wish her the best on her retirement.

Recess this meeting and open up the Bixby Public Works.

Mayor Easton said on item #14 on the Regular Agenda is:
New Business

Mayor Easton called adjournment at 10:25 p.m.

MAYOR

ATTEST

CITY CLERK

BIXBY PUBLIC WORKS AUTHORITY MEETING
Board of Trustees
Municipal Building
Minutes
116 W. Needles, Bixby, OK 74008
December 14, 2015 6:00 P.M.

The agenda for the regularly scheduled meeting of the City Council of the City of Bixby was posted on the bulletin board at City Hall, 116 West Needles Avenue, Bixby, Oklahoma on December 11th, 2015 on or before 5:00 p.m.

Mayor Easton called the Bixby Public Works Authority Meeting to order at 9:22 p.m. all members were present except Vice Mayor Loudermilk.

Members Present

Guthrie
King
Stewart
Easton

Staff Present

Patrick Boulden, City Attorney
Betty Koehn, Finance Director
Jared Cottle, Engineer/Assist CM
Ike Shirley, Police Chief
Bryan Wood, Fire Chief
Yvonne Adams, City Clerk

Mayor Easton said Item #1 on the BPWA Consent Agenda is:
CITY CLERKS REPORT

Consider and approve:

- a. Minutes for Bixby Public Works Authority regular meeting of 11/23/15.
- b. Schedule of Regular Meetings for Calendar Year 2016 for BPWA.
- c. FY-16 Budget Amendment 16-13 to BPWA for \$153,380 for payment of work done on the 2011 GO Bond 111th & Memorial street project.
- d. Purchasing a 1-ton F350 diesel, extended cab and chassis for the sewer department at a total cost of \$40,401.
- e. Action on the terms, conditions and employment for a City Manager consistent with action taken by the Bixby City Council on this matter.

Mayor Easton asked if there were any questions or amendments to the consent agenda. Mayor Easton asked for a motion on the consent agenda. Mayor Easton made motion to approve, seconded by Councilman Stewart. The vote was taken with the following results.

Carried 4-0

Yes: Easton, Stewart, King, Guthrie.

No: None

Mayor Easton said on Item #1 on the Regular BPWA agenda is:

New Business

There being none.

Adjournment was called at 9:24 p.m.

MAYOR

ATTEST

CITY CLERK

BIXBY INDUSTRIAL AUTHORITY

Board of Trustees

Municipal Building

116 W. Needles Ave., Bixby, OK 74008

December 14, 2015

Time: 6:00 P.M. or Immediately Following the City Council Meeting

Mayor Easton called the Bixby Industrial Authority Meeting to order at 9:29 p.m. all members were present except Vice Mayor Loudermilk.

Members Present

**Guthrie
King
Stewart
Easton**

Staff Present

**Patrick Boulden, City Attorney
Betty Koehn, Finance Director
Jared Cottle, Engineer/Assist CM
Ike Shirley, Police Chief
Bryan Wood, Fire Chief
Yvonne Adams, City Clerk**

CONSENT AGENDA

CITY CLERK'S REPORT

Consider and approve:

- a) Schedule of Regular Bixby Industrial Authority Meeting for Calendar year 2016.

Mayor Easton asked for a motion on the consent agenda. Mayor Easton made motion to approve, seconded by Councilman Stewart. The vote was taken with the following results:

Carried 4-0

Yes: Easton, Stewart, King, Guthrie

No: None

**Mayor Easton said on Item #1 on the Regular Bixby Industrial Authority agenda is:
New Business**

There being no new business.

Adjournment was called at 9:30 p.m.

MAYOR

ATTEST

CITY CLERK