

**City of Bixby
City Council Meeting
Minutes
City Hall Municipal Building
116 W Needles, Bixby, OK 74008
June 13, 2016 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 June 10, 2016 on or before 5:00 p.m.

Mayor Easton called the meeting to order at 6:07 p.m.

Yvonne Adams City Clerk called roll and all members were present.

Members Present

**Guthrie
King
Stewart
Decatur
Easton**

Staff Present

**Patrick Boulden, City Attorney
Jared Cottle, City Manager
Ike Shirley, Police Chief
Charles Barnes, Finance Dir.
Bea Aamodt, Public Works Dir.
Marcae Hilton, City Planner
Jason Mohler, Dev. Service Dir.**

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 06/02/16.
- b) Minutes for the Special meeting dated 06/02/16.
- c) Minutes for the Special meeting dated 06/06/16.
- d) Casco Industries as a sole source vendor for structural protective gear for the Fire Department in the amount of \$7,000 to be purchased with Capital Improvement funding.
- e) Purchase order to EMSA for the FY-16 subsidy in the amount of \$298,414.
- f) Resolution No. 2016-12, providing for the annual renewal, ratification and reaffirmation, in Fiscal Year 2016-2017, of a certain Security Agreement between the City of Bixby and the Bixby Public Works Authority, dated October 27, 2011.
- g) Resolution No. 2016-13, providing for the annual renewal, ratification and reaffirmation, in Fiscal Year 2016-2017, of a certain Sales Tax Agreement between the City of Bixby and the Bixby Public Works Authority, dated August 1, 2012.

- h) Resolution No. 2016-14, formally re-adopting authorized and existing fees and preset fines charged by the City of Bixby, its agencies, boards and departments.
- i) Worker's Compensation Insurance renewal for FY-17 in the amount of \$150,189.15 (City portion of total bill).
- j) Purchase order to Oklahoma Municipal Assurance Group for renewal of City's property insurance in the amount of \$38,441.31 (City portion of total bill).
- k) Renewing mowing contract with Precision Fencing for FY-17 to mow Fry Creek and Bixby Creek channels.
- l) Purchase order to Oklahoma Municipal Assurance Group for renewal of City's general liability and automobile insurance in the amount of \$74,608.48 (City's portion of total bill).
- m) Renewing contract with Alliance Maintenance Cleaning Service, Inc. to provide Janitorial Services for City Hall at a cost of \$1,760/month.
- n) Acknowledge receipt of Permit No. WL000072160348, Leonard Water Line Extension, Facility No. 3007243.

Mayor Easton asked if there are any questions or amendments to the consent agenda, Councilor Stewart wanted some clarification on item "e", also Vice Mayor Guthrie has some questions for item "m", those items were clarified by staff and Mayor Easton asked for a motion. Councilor Stewart made motion to approve, seconded by Councilor Decatur. The vote was taken with the following results:

Carried 5-0

Yes: Stewart, Decatur, King, Guthrie, Easton.

No: None.

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

Discuss Bixby Mosquito Control Plan.

Presented by: Jared Cottle

City Manager Jared Cottle explained about some about the information we put out last week on the mosquito control here in our community. Jared explained that he and Public Works Director sat down with the Tulsa County Health Department to discuss the services that they are providing county wide, Jared stated that Broken Arrow is the only Tulsa area community wide that has a separate permit under the Tulsa County City Health permit which is issued by EPA which they have an environmental impact in spraying. Jared continued to explain more in detail about the criteria is mosquito traps the other is a number of complains a square mile to their mosquito hotline and three is public events with a 100 or more people and if any mosquito they test have the West Nile or Zika virus so we asked what we could do to supplement your staff. Jared stated that they don't have mosquito traps in Bixby all the time they have 25t traps that are rotating through the metro area and they are more willing to have us operate traps like Broken Arrow does and set those traps around the parks and city particular in areas with standing water in South Bixby, Bixby Creek and some areas need the schools. Jared stated that we can bring those traps with 50 mosquito in a trap to them and they will test viruses, also our Street Department Staff has maintained their licensing's for spraying and equipment for spraying we are not currently permitted through EPA

and we asked if we could work under their permit they said they would investigate if under their permit we could conduct some spraying activity, Tulsa County Health Department felt like that made sense to them if their permit would allow that. Jared conclude with the short plan is to get the message on the mosquito hotline, our street department and parks will put out larvae side in those areas of standing water and will notify them and take the traps to the them and they will do the testing and the long-haul if we can start our spraying program under their permit, if not then the trigger is to get them out in the neighborhoods that are getting complaints. Jared said that is our plan for now and we will keep you updated on if we plan on resume spraying locally again here in the future.

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

Public Hearing to advise the public regarding the terms, conditions, fees and expenses involved in the issuance of General Obligation Refunding Bonds of 2016, in the estimated amount of \$3,250,000 by the City of Bixby, Oklahoma for the purpose of refunding the outstanding principal indebtedness evidenced by the \$7,000,000 General Obligation Bonds, Series 2007 dated as of June 1, 2007.

Presented by: Jared Cottle

Others that spoke: John Weidman Hilborn and Weidman

City Manager Jared Cottle stated that he is going to turn the public hearing over to John Weidman our bond council with a brief update on this item.

John Weidman Hilborn and Weidman stated that this public hearing is to advise the public on the issuance of General Obligation Refunding Bonds and in 2007 you issued about 7,000,000 in bonds and now they are outstanding with a reissuances on new refunding bonds at a lower interest rate which would generate savings to the tax payers, and this public hearing is to advise the public and take any comments regards to issuance of these General Obligation Bonds.

Councilor Stewart asked Jared Cottle City Manager what projects did these bond pay for, Jared stated that some street projects such as 121st Street, 151st Street, Riverview, Bentley Park and Fire station ,131st Street and Armstrong were the main projects for that bond.

There was no public questions or comments.

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

Consider and adopt Resolution No. 2016-15 authorizing the sale of not to exceed five million three hundred seventy five and no/100s dollars (\$5,375,000.00) general obligation refunding bonds, series 2016 of the city of Bixby, Oklahoma; waiving competitive bidding on said bonds and authorizing the sale of such bonds at par; approving a bond purchase agreement; and containing other provisions relating thereto; and declaring an emergency.

Presented by: Jared Cottle

Mayor Easton asked for a motion on Item #3. Councilor Stewart made motion to approve, seconded by Councilor Guthrie. The vote was taken with the following results:

Carried 5-0

Yes: Stewart, Guthrie, Decatur, King, Easton.

No: None

Emergency Clause

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

Carried 5-0

Yes: Decatur, Easton, Stewart, King, Guthrie.

No: None

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

Discussion and possible action to approve a Preliminary Plat for *SEVEN LAKES VII* for approximately 0.625 acres in part of Section 02, T17N, R13E, property generally located east of and adjacent to Sheridan as part of Seven Lakes.

Presented by: Marcae Hilton

Others that spoke: Darren Bristow President of HOA for Seven Lakes

City Planner Marcae Hilton explained that this is the Preliminary Plat for Seven Lakes VII located east of Sheridan and one-half mile north of 131st Street. The plat consists of two lots on 0.625 acres, the property is currently zones RS-4. The proposed lots of this plat was originally part of the Preliminary Plat for Addison Creek which was brought before Planning Commission April 18, 2016, following the May 31, 2016 specially scheduled Planning Commission meeting the developer met with Seven Lakes Home Owners Association. The developer informed city staff the HOA voted to accept the two lots into the Seven Lakes development; the HOA of Seven Lakes VII has not verified this report. Marcae explained that the south portion of the plat is located within a 100-year floodplain, the City Engineer has extensive comments requiring FEMA approval and documentation along with finish floor elevations to be included in the Final Plat. Marcae continued with Seven Lakes VII was heard at the specially scheduled May 31, 2016 planning Commission Meeting most people present at the last two Planning Commission meetings expressed concerns. Marcae stated that the concerned citizens asked to postpone the item until the next meeting and on May 16th 2016 regularly scheduled Planning Commission meeting and urged the applicant, developer and Seven Lakes residents to have an additional meeting in an effort to resolve outstanding issues. Marcae stated that the May 16th meeting was cancelled due to a lack of quorum, but scheduled a special meeting on May 31st. Marcae stated that Staff and Planning Commission recommend approval of the Preliminary Plat for Seven Lakes VII subject to the resolutions of comments from staff, Marcae described the resolution in detail.

Darren Bristow President of the HOA for Seven Lakes VII stated that passed a letter with names on it stated that they accept the two lots in Seven Lakes VII into the addition. Darren stated the HOA will not own them but the developer will own them.

Mayor Easton asked for a motion on Item #4. Councilor Stewart made motion to approve, seconded by Vice Mayor Guthrie. The vote was taken with the following results:

Carried 5-0

Yes: Stewart, Guthrie, Decatur, King, Easton

No: None

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

Discussion and possible action to approve a Preliminary Plat for *ADDISON CREEK* for approximately 29.138 acres in part of Section 02, T17N, R13E, property generally located east of Sheridan and one-quarter to one-half mile north of 131st Street

Presented by: Marcae Hilton

Others that spoke: Rickey Jones Tanner and Consultant, Keith Wilkes 15 w. 6th St Tulsa Ok, Andy Oyler 6860 E. 127th St, Jody Wickel 12556 S. 67th East Ave, Mark Adams 6626 E. 127th St. Terry Adams 6626 E. 127th St., Mike Ramsey E. 127th St., Jason Rainbolt 6896 E. 127th St, Todd Hanson 6986 E. 127th St. S.

City Planner Marcae Hilton stated that Addison Creek is located east of Sheridan and one-quarter to one-half mile north of 131st Street there is 29.138 acres. Marcae explained that the Technical Advisory Committee heard this item on April 6, 2016 and on May 4, 2016 with no new comments. Marcae stated that Tanner Consultant has requested additional easements from the utility companies as well as comments from the Fire Marshal as part of the modified preliminary plat under review. This item was heard at the regularly scheduled April 18, 2016 Planning Commission Meeting. Marcae continued to speak about the meetings and some of the outcome in those meetings and stated that after some deliberation the motion was to approve the Preliminary Plat of Addison Creek with modifications to include a mutually accessible greenbelt between Addison Creek and Seven Lakes. Staff recommended approval of the Preliminary Plat subject to check list, Planning Commission recommended the actual recommendation from the May 31st Planning Commission which is approval subject to the following modifications and Conditions of approval: the Preliminary Plat of Addison Creek is to include a mutually accessible greenbelt for the adjacent residents of Seven Lakes and Addison Creek. Marcae did stated that the applicant came back with one modification and she read what was modified from April 18 to April 22 and because we created the Seven Lakes VII plat we went from 63 lots to 61 lots, also 29.762 acres to 29.138 acres, originally there was no stub out streets but they added to the south and requested for additional easements and finally the actual waiver was originally was 100% masonry and they asked to do 75% masonry.

Rickey Jones Tanner and Consultant stated that Marcae did a very good job at explaining everything to get us to this point, and the main thing is to point out is that our subdivision meets subdivision regulation, meets the zoning code we come to you with approval from the Planning Commission and we are in agreement with it all but the mutually accessible greenbelt to be shared by the neighbors because we don't think this a appropriate condition to be placed on this plat and we think this is outside the scope of the plat and request that that part would not be approved tonight. Rickey asked that you approve the Preliminary Plat since it meets the subdivision requirement and the zoning code but exclude the mutually accessible greenbelt.

Councilor Stewart and Council had some questions that needed some clarification on the subject matter.

Keith Wilkes 15 W. 6th St. Tulsa Ok Attorney at Law stated that he is the legal counsel for Stone Horse Development, L.L.C. which owns the property you have been discussing. Keith stated that he would like to discuss some of the issues that have come up in the past and within the few months in meetings that has been overlooked in some respect. Keith stated that the law suit that was filed by these homeowners against the individuals that sold them their homes on the outset so you know we care clear is that Stone Horse has never been a party to that law suit because Stone Horse has never built or sold any of the homes at issue and no member of Stone Horse has ever built or sold any of the homes we are talking about in Seven Lakes, Stone Horse is the sole owner of the property and the neutrally accessible greenbelt is solely owned by Stone Horse and nobody else, it is not as if anyone is asked to give up property on Seven Lakes side it's just we want Stone Horse to its legally owned property. Keith stated that on May 31, 2016 the City Planner made a written report and recommendation for the Planning Commission to approve the Preliminary Plat for Addison Creek by conditional approval for this mutually accessible greenbelt it's apparent the Commission developed an extra judicial remedy, the citizens remedy is in a court of law it's not through a panel or council taking someone else's property making them give access to someone else. Keith continue to explain that these option's that were voiced by the Seven Lakes homeowners at the various Planning Commissions included improper speculation and false conspiracy theories have been disproving in court which is the proper venue. Keith stated that the Commission was wrong to recommend the taking of Stone Horse's real property to benefit a few private individuals such actions is contrary to the fundamental tenants of Oklahoma Law and basic property owners of real property ownership of that our founding fathers embraced when they came to this country and rebelled for the right to own their property. Keith explained that Stone Horse Development purchased the residential zone area in 2005 from Precision Project Management and had been zoned for residential use for over a decade. Keith continued to explain about the floodplain and other information regarding this property in question.

Council had some question for Keith concerning this agenda item.

Discussion Ensued

Andy Oyler 6860 E. 127th St. stated that I wanted to tell my story and I will be brief and I love what Mr. Stewart said and that is these are my neighbors and what you did to them you did to me, and here is what happen to me, I moved to Bixby not because of the home but the backyard and I have some pictures and I really would like you guys to see them and what I was told and promised. Andy continued to explain that we were told that the easement behind the home was federally protected wetlands and could not be developed ever by federal law, it had be leveled and sodded and a sprinkler system had been installed in it and it is 90 ft. from my deeded property line and was told we could use it basically like it was our own, and that it would never be sold or developed. We built steps and a retaining wall down to the wetlands and in 2010 I got a letter stating that it had been sold and move all the property and then a fence went up to block my access immediately and all I know is this is what I was promised and I brought the property based on that. Andy stated that he has never have any problems anywhere else he has lived except here in the City of Bixby.

Jody Wickel 12556 S. 67th E Ave. stated that we don't own one of those properties back to the wetlands but we moved in on 2012 we worked with Shaw Homes and they gave us maps showing us the wetlands and they said that the owners of the property pay a premium of \$10,000 dollars in order to use the land behind you as your green space. Jody stated that our goal to move to Bixby because we love the community, the schools and we looked at different areas here in Bixby and we settled on Seven Lakes and we could not afford and extra \$10,000 dollars for an open space behind us so we bought on the inside of the neighborhood and we still benefited on that space because it was a part of our community and we did use that space and enjoy it and unfortunately it doesn't seem fair.

Mark Adams 6626 E. 127th St. stated that we own a home that backs up to the greenbelt first of all I would like to thank you for what you will have to do tonight which is going to be a tough decision and whatever it is thank you for hearing us. Mark explained that he thinks he has a resolution for the mutual area and there is 115 ft. wide between Seven Lakes and Addison Creek with a drainage ditch from Sheridan down to Fry Creek maybe closer to Addison Creek than Seven Lakes so if this is a greenbelt area for Addison Creek only but yet there is a ditch that stretches all the across so if that greenbelt area is only for Addison Creek but yet there is a ditch that runs the whole length how are they going to get to our side and equipment to keep the greenbelt clean? So maybe the resolution is to go back to the landowner to propose we will take one half of the greenbelt and Addison Creek can have the other half and not that we own it but have access to as we were promised before, and one of the things that concerns me too is if they can't maintain it who will? Make showed Council pictures of how they are maintaining it now and Mark states he is not happy with how it looks.

Terry Adams 6626 E. 127th St. stated that these attorney's firm represent Mark and I in our estate planning, and just to backup what Mark said we used another sales representative from Shaw's so we had the same story from two different places and I just wanted to asked a question on where the walking trail is going to be because we have 14 ½ feet and total privacy and is the walking trail going to be a 15 ft. Ricky Jones stated that the amenities' have not yet been designed yet and we are waiting to see what the final layout with the channel is, so I can't answer your question. Ricky stated that there will be a there will be a 2 rail ranch style fence along the Northside which will be our fence.

Mike Ramsey 6950 E. 127th St. stated that he is representing a couple other homeowners that could not be here tonight, and wanted to share some photos with you. Mike explained that with mentioning a fence which will be right on the back of our property line and the stairs that are there were put there by the builder, Mike said that the owner of the property said he put the fence there to get your attention so we can talk, and wanted to know when Stone Horse was developed as a company, I think that is a question you should ask yourselves and the Planning Commission denied this neighborhood until City Attorney Patrick Boulden looked at the paper work and what the result would be and I believe it was decided that they couldn't deny it based on your interpretation of the law and a member of the Planning Commission made a motion to except a shared use, but originally it was denied and it was a reason it was denied.

City Attorney Patrick Boulden stated he wanted to clear the Planning Commission's action with a motion to approve the Preliminary Plat which failed by 3-2 vote and there wasn't a motion to deny.

Patrick stated that I think the Planning Commission desire was to send this on to Council but the rules did not provide for to come to council if it had been approve in some form and one of those forms was to approve it with modifications and one member offered to approve it with the modifications and it did pass so it allowed it to come to council.

Jason Rainbolt 6896 E. 127th St. stated that we moved into our home in October 2011 and we chose this lot particularly because of the backyard, Jason showed council pictures of the property and stated that this is something that we enjoyed before the sale of this plat, and we chose this lot at a premium of \$10,000 for that reason. Jason stated that you might think that we are here looking for a handout or a freebee and that's not the case, we paid for access to that area. The previous developer Glen Shaw stated clearly that we were allowed to do whatever we wanted to in that area, treat it as our own and we did, we enjoyed it for four years until about a year ago until all this came about. There has been a couple of question on the location of the creek or drainage area and how to cross over to keep the area mowed. Mayor Easton asked if the swing sets are still there, Jason stated that we were instructed to move them or lose them.

Todd Hansen 6986 E. 127th St. S. stated that there is at least 17 or 18 others that can tell the same story and some of the pictures shown was where the wire fence was put up about 8 inches behind my rock wall and I cannot get in there to edge against my rock wall, last summer when it was fenced off from us it wasn't maintained so if this is granted to them I ask that you put a requirement on maintenance.

Bryan Flemings 6914 E. 127th St. S. stated that some of the communication on some things and why they had to happen, we got the letter stating we sold the property get your stuff off and after that Mr. Rule heard things were getting hot and with the homeowners so he came over to one of our houses and we had a meeting with him and we talked about a fence and we tried to meet half way with the fence, we have already paid an extra \$10,000 dollars for those lots how about paying you for that extra 100 feet or whatever, Bryan stated he said no and we were made promises before and pay extra for it, you guys will have a hard decision to make and I appreciate your time.

Discussion continued on this subject matter.

Rickey Jones asked that you would approve the Preliminary Plat before you because we meet the subdivision regulations and we ask that you not include the condition of accessibility as recommended by the Planning Commission, and we agreed to the 100% masonry and we would like to go forward with our development, engineer it and you will see it again at the final plat and we proposal a successful development and looking forward to it and looking forward to being a continued partner with the City of Bixby.

Council had some questions and concerns for the City Attorney Patrick Boulden pertaining to the Preliminary Plat for Addison Creek.

Mayor Easton asked for a motion on Item #5, Councilor Stewart made motion to deny, seconded by Councilor King. The vote was taken with the following results:

Denied 3-2

Yes: Stewart, King, Decatur
No: None
Abstain: Guthrie, Easton

Mayor Easton call for a recess at 8:22 p.m.
Mayor Easton reconvened the meeting at 8:30 p.m.

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

Discussion and possible action to approve the Final Plat for *Pine Valley Addition Blocks 4-9, PUD 12-D* for 33.717 acres in part of the NW/4 of Section 16, T17N, R13E, property located south of the southeast corner of 141st St. S. & Harvard Ave.

Presented by: Marcae Hilton

City Planner Marcae Hilton explained that the Final Plat for Pine Valley Addition Blocks 4-9, PUD 12-D acres in part of the NW/4 of Section 16, T17N, R13E, property located south of the southeast corner of 141st St. S. & Harvard Ave. Marcae stated that the next agenda item is Pine Valley Addition Blocks 10-11 and they were originally submitted as one Preliminary Plat and for development purposes have split them in two final plats. Marcae stated that the plat has 84 lots in 6 blocks with five reserves. The property is currently zoned RS-1 and RS-3 Residential Single-Family Districts with PUD 12-D. Marcae explained this plat represents a conventional, suburban design and appears similar to The Reserve at Harvard Ponds and The Enclave at Harvard Ponds to the southwest, with lots similar in size and configuration. Marcae stated that there were several waivers that were made November 10, 2014 and the City Council approved the following Modifications/Waivers, as recommended by the Planning Commission, Marcae explained the waivers in detail. Marcae stated that staff recommends approval of the Final Plat for Pine Valley Blocks 4-9 subject to the resolution of comments from staff.

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

Mayor stepped out at 8:41 p.m. before the vote was taken.

Carried 4-0

Yes: Stewart, King, Decatur, Guthrie
No: None

Vice Mayor Guthrie said on Item #7 on the Regular Agenda is:

Discussion and possible action to approve the Final Plat for *Pine Valley Addition Blocks 10-11, PUD 12-D* for 4.346 acres in part of the NW/4 of Section 16, T17N, R13E, property located south of the southeast corner of 141st St. S. & Harvard Ave.

Presented by: Marcae Hilton

City Planner Marcae Hilton stated that this is the second portion of the original Preliminary Plat for Pine Valley and they ask for the same waivers which Staff recommends approval.

Vice Mayor Guthrie asked for a motion on Item #7. Councilor Stewart made motion to approve, seconded by Councilor King. The vote was taken with the following results:

Carried 4-0

Yes: Stewart, King, Decatur, Guthrie

No: None

Vice Mayor Guthrie said on Item #8 on the Regular Agenda is:

Discuss and/or approve proposal from IBTS to review and provide updates to ordinances, regulations, internal operation documents, and bulletins related to the building permitting and inspections process for a fee of \$17,967.

Presented by: Bea Aamodt

Public Works Director explained that Council had an opportunity earlier to hear from IBTS with their findings and recommendation from their Phase I Study for our Building Permitting and Inspection processes and within their study they found some room for improvements. Bea explained that we are bringing a proposal from them to work and help us improve the problem areas and would be providing this service in the amount of \$17,967. Staff recommends approval of this proposal.

Mayor Easton asked for a motion on Item 8. Councilor King made motion to approve, seconded by Councilor Decatur. The vote was taken with the following results:

Carried 5-0

Yes: King, Decatur, Stewart, Guthrie, Easton

No: None

Mayor Easton stepped back in the council chambers at 8:45 p.m.

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

Discuss and/or take action on awarding the Property Maintenance FY-17 contract to lowest responsible bidders.

Presented by: Bea Aamodt

Public Works Director stated that you might remember that mowing contracts are usually renewable up to five years however the contractor that was mowing a right-of-way this last year felt he was not getting paid enough for the amount of work we were demanding, so we decided to re-bid the right-of-way and the Cemetery was up for renewal and we bid that also and with other interest from other contractors the contractors that did the mowing at the Cemetery last year came in for less money than last year to keep the contract, so we are actually saving money this year.

Vice Mayor Guthrie asked Bea that a contractor that was doing the work caused you to go out for bids and re-bid the work at a cheaper price, Bea stated at about 10% and the numbers that I have

brought before you are 10% less than last year. Mayor Easton asked Bea if we had to take the lowest and best bid, Bea stated yes. Council had some questions and concerns on this subject matter.

Mayor Easton asked for a motion on Item #9. Councilor King made motion to approve, seconded by Councilor Decatur. The vote was taken with the following results:

Carried 3-2

Yes: King, Decatur, Stewart

No: Guthrie, Easton

Councilor Stewart asked Mayor Easton for a point of information is when we have something like this to make it easier can we break this up and vote on the groups different. Mayor Easton thought that would be good to do. Mayor Easton said since you were in the majority you can reconsider your vote.

Mayor Easton asked for a motion to reconsider the vote on Item #9. Councilor Stewart made motion, seconded by Mayor Easton. The vote was taken with the following results:

Carried 4-1

Yes: Stewart, Easton, Decatur, Guthrie

No: King

Mayor Easton asked for a motion on Item #9 "Group A" Shields Lawn. Councilor King made motion to approve, Mayor Easton stated motion fails for lack of second.

Mayor Easton asked for a motion on Item #9 "Group A" for Precision Lawn in the amount of \$885.00, seconded by Councilor Stewart. The vote was taken with the following results:

Failed 3-2

Yes: Easton, Stewart,

No: Decatur, King, Guthrie

Mayor Easton asked for a motion on Item #9 "Group A" for Shields Lawn. Councilor King made motion to approve, seconded by Councilor Decatur. The vote was taken with the following results:

Failed 3-2

Yes: King, Decatur,

No: Stewart, Easton

Abstain: Guthrie

Mayor Easton asked for a motion on Item #9 "Group A" for Precision Lawn. Vice Mayor Guthrie made motion to approve, seconded by Mayor Easton. The vote was taken with the following results:

Carried 3-2

Yes: Guthrie, Easton, Stewart,

No: Decatur, King

Group "B"

Mayor Easton asked for a motion on Item #9 Group "B". Shields Lawn. Councilor King made motion to approve, seconded by Councilor Stewart. The vote was taken with the following results:

Carried 4-1

Yes: King, Stewart, Decatur, Guthrie

No: Easton

Group "C"

Mayor Easton asked for a motion on Item #9 Group "C" Shields Lawn. Councilor King made motion to approve, Mayor Easton said motion fails for lack of second.

Group "C"

Mayor Easton asked for a motion on Item #9 Group "C" Vice Mayor Guthrie made motion on split, seconded by Mayor Easton. The vote was taken with the following results:

Carried 3-2

Yes: Guthrie, Easton, Stewart

No: Decatur King

Alternate Bid "Group C"

Mayor Easton asked for a motion on Item #9 Group "C Alternate Precision Lawn. Councilor Decatur made motion to approve, seconded by Mayor Easton. The vote was taken with the following results:

Carried 5-0

Yes: Decatur, Easton, Stewart, King Guthrie

No: None

Group "D"

Mayor Easton asked for a motion on Item #9 Group "D" Shields Lawn. Councilor Decatur made motion to approve, seconded by Councilor King. The vote was taken with the following results:

Carried 5-0

Yes: Decatur, King, Stewart, Guthrie, Easton.

No: None

Cemetery

Mayor Easton asked for a motion on Item #9 Cemetery Heartland. Councilor Decatur made motion to approve, seconded by Councilor King. The vote was taken with the following results:

Carried 5-0

Yes: Decatur, King, Stewart, Guthrie, Easton
No: None

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

Consider, discuss and approve a Park Event Economic Development Agreement with the Vintage Down South, a general partnership.

Presented by: Jared Cottle

City Manager Jared Cottle explained that as part of our ongoing effort with Charley Young Park and Washington Irving Park we are looking at things can do for Economic Development in out down town River District. Jared stated we were approached by a group represented by Vintage Down South and putting together an event in Washington Irving Park and looking to the future this may be a good event to have downtown and this is a business venture and to encourage them to collect sales tax and this is something that maybe good for our downtown in the future.

Mayor Easton asked for a motion on Item #10. Councilor Stewart made motion to approve, seconded by Councilor King. The vote was taken with the following results:

Carried 5-0

Yes: Stewart, King, Decatur, Guthrie, Easton
No: None

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

Public hearing to receive input on the FY-17 Budget.

Presented by: Charles Barnes

Finance Director Charles Barnes stated that this is a public hearing for the citizens to receive input on the FY-17 City Budget. Charles stated that this a required public hearing per Title 11, Section 17-208 of the Municipal Budget Act.

No comments for the public.

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

Consider and/or approve FY-17 budget including budget resolution.

Presented by: Charles Barnes

Finance Director Charles Barnes presented a presentation to council on the FY-17 budget for the City of Bixby, Charles stated that the Oklahoma Statues require the budget to be approved 7 days before prior to the start of the fiscal year and this would give us a head start if we get this accomplished tonight.

Mayor Easton asked for a motion on Item #12. Councilor King made motion to approve, seconded by Councilor Decatur. The vote was taken with the following results:

Carried 5-0

Yes: King, Decatur, Stewart, Guthrie, Easton

No: None

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

City Manager's Report

City Manager Jared Cottle

1. Thank you for approving the Fiscal Year Budget and making it a smooth process.
2. Green Corn Festival is set for June 23-25, 2016.
3. Firework permits will be on sale for discharge July 2-4, 2016 with a community firework display on Friday July 1st at 121st and Memorial.
4. Animal Control Shelter and would like Chief Ike Shirley give you more information on the process and give Horizon Animal Hospital opportunity to speak.

Chief Ike Shirley gave an update on the bidding process for acquiring services for the City of Bixby. Ike stated that they are gathering information for specs to be sent out to animal hospitals and we will bring back and take a look at the information that was gathered.

City Attorney Patrick Boulden stated that it would be a violation of our charter if we didn't competitively have a competitive process for that.

Joleen Hansen stated that they have work really hard to get this contract and people have been contacting us and we have had meetings with Chief Ike Shirley, Mayor Easton and Councilor King. Mayor Easton said in that meeting you were never given a yes and that it had to come before council.

Mayor Easton said on Item #14 on the Regular Agenda is:

New Business

There being none.

Adjournment was called at 10.00 p.m.

MAYOR

ATTEST

CITY CLERK

BIXBY PUBLIC WORKS AUTHORITY MEETING
Board of Trustees
Municipal Building
Minutes
116 W. Needles, Bixby, OK 74008
June 13, 2016 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 June 10 on or before 5:00 p.m.

Mayor Easton called the Bixby Public Works Authority Meeting to order at 9:55.m. all members were present.

Members Present

Guthrie
King
Stewart
Decatur
Easton

Staff Present

Jared Cottle, City Manager
Patrick Boulden, City Attorney
Ike Shirley, Police Chief
Charles Barnes, Finance Dir.
Bea Aamodt, Public Works Dir.
Marcae Hilton, City Planner
Jason Mohler, Dev. Service Dir.
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 6/2/16.
- b. Worker's Compensation Insurance renewal for FY-17 in the amount of \$20,621.87 (BPWA portion of total bill).
- c. Purchase order to Oklahoma Municipal Assurance Group for renewal of City's property insurance in the amount of \$27,678.69 (BPWA's portion of total bill).
- d. Discuss and/or approve renewing contract with Dunn-Right Cleaning Service, Inc. to provide Janitorial Services for Dawes Building at cost of \$1,045/month.
- e. Purchase order to Oklahoma Municipal Assurance Group for renewal of City's general liability and automobile insurance in the amount of \$21,024.52 (BPWA's portion of total bill).

Councilor King left the council chambers at 10:01 p.m.

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

Carried 4-0

Yes: Easton, Stewart, Decatur, Guthrie

No: None

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

Consider and/or approve FY-17 budget including budget resolution.

Mayor Easton asked for a motion on Item #1. Councilor Decatur made motion to approve, seconded by Mayor Easton. The vote was taken with the following results:

Carried 4-0

Yes: Decatur, Easton, Stewart, Guthrie

No: None

Mayor Easton said on Item #2 on the Regular BPWA agenda is:

New Business

There being none

Adjournment was called at 10:01 p.m.

MAYOR

ATTEST

CITY CLERK

