

**City of Bixby
City Council Meeting
Minutes
City Hall Municipal Building
116 W Needles, Bixby, OK 74008
January 13, 2020 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 January 10th on or before 6:00 p.m.

Mayor Guthrie called the meeting to order at 6:06 p.m.

City Clerk Yvonne Adams called the roll and all members were present, except Councilor Decatur.

Members Present

**Blair
Girard
Guthrie
Easton**

Staff Present

**Jared Cottle, City Manager
Phil Frazier, City Attorney
Andy Choate, Assist Police Chief
Jason Mohler, Dev. Service Dir.
Marcae' Hilton, City Planner
Charles Barnes, Finance Dir.
Bea Aamodt, PW Director
Yvonne Adams, City Clerk**

PLEDGE OF ALLEGIANCE

Invocation was given by City Attorney Phil Frazier.

**Mayor Guthrie said Item #1 on the Consent Agenda is:
CITY CLERKS REPORT**

Consider and approve:

- a) Minutes for the Work Session meeting dated 12/09/19.
- b) Minutes for the Bixby Industrial Authority dated 12/09/19.
- c) Consider and take action on final abatement of nuisance, destruction and removal of dilapidated building at 127 McKennon Street.
- d) Approve purchase order in the amount of \$16,300 to Kleinfelder Testing for materials testing services for Harmony Bridge Project.
- e) Discuss and/or approve Change Order #1 for the Bixby Water Reclamation Facility.

Public comments are limited to items listed on the agenda.

Public comments were given by Jerry Perez 17216 S. 92ne E. Ave.

Mayor Guthrie asked if there are any questions or amendments to the consent Councilor Blair asked to get more clarification on item d'. Public Works Director Bea Aamodt gave council clarification on that item. Vice Mayor Easton made motion to approve, seconded by Councilor Blair. The vote was taken with the following results:

Carried 4-0

Yes: Easton, Blair, Girard, Guthrie.

No: None.

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

Consider and take action on Resolution No. 2020-1 calling for the City of Bixby regular election for Ward 5 to be held April 7, 2020.

Presented by: Phil Frazier

City Attorney Phil Frazier stated that our City code requires a Resolution to be passed for an election in Ward 5 and asking for council to approve the Resolution No. 2020-1.

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

Carried 4-0

Yes: Girard, Blair, Easton, Guthrie.

No: None.

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

Discuss and/or take action on job recruitment services contract with the Bixby Metro Chamber of Commerce.

Presented by: Jared Cottle

This item will be continue.

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

Request to amend Policy for Tax Increment Finance Districts to allow for up to 100% reimbursement depending upon extraordinary costs associated with flood plain reclamation or other environmental or infrastructure needs.

Presented by: Jared Cottle

Others that spoke: Steve Oakley

City Manager Jared Cottle stated that this item comes in modification last spring we initiate a TIF policy to reimbursement to the developers for some infrastructure cost to make those properties

developable. Jared gave council a handout to review about the TIF Allocation comparison, and would ask for approval.

Steve Oakley gave council more detail on the TIF policy.

Discussion continued on this item.

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

Carried 4-0

Yes: Easton, Blair, Girard, Guthrie.

No: None.

Mayor Guthrie said on Item #4 on the Regular Agenda.

Acceptance of the FY-19 Audit prepared by CBEW Professional group, LLP, Certified Public Accountants.

Presented by: Charles Barnes

Others that spoke: Chuck Crooks

Finance Director Charles Barnes stated that would like to present the FY-19 Audit that was performed by CBEW Professional group and the Chuck Crooks is the partner of the firm and I will let him give you detail on the audit.

Chuck Crooks with CBEW Professional group thank council for letting them work on the audit this year, and The City of Bixby has received a clean opinion this year. Chuck continued to let council know that they looked at areas in the city for anything that was out of compliance and we did not find any. Chuck asked council if they had any question.

Discussion continue on this item.

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

Carried 4-0

Yes: Blair, Easton, Girard, Guthrie.

No: None.

Mayor Guthrie said on Item #5 on the Regular Agenda.

Discussion and possible action on the Final Plat *River Crest Blocks 1-4 (BXPT-18.07fp)*, Part of BXPUD-18.08, 24.208 Acres, Eighty-five (85) Lots in Four (4) Blocks with Four (4) Reserve Areas, Applicant | Tanner Consulting, L. L. C., Section 11, Township 17 North, Range 13 East, General Location: South of 131st Street and West of (Bemo Rd.) S. 73RD E. Ave., in Bixby OK.

Presented by: Marcae' Hilton

City Planner Marcae' Hilton stated that this project is Phase 1 Final Plat River Crest Blocks 1-4 with on comments from the public on this item. Marcae' stated that staff recommends approval of this item.

Discussion continue on this item.

Mayor Guthrie asked for a motion on item #5. Vice Mayor Easton made motion, seconded by Mayor Guthrie. The vote was taken with the following results:

Carried 4-0

Yes: Easton, Guthrie, Girard, Blair.

No: None.

Mayor Guthrie said on Item #6 on the Regular Agenda.

Discussion and possible action to accept Ordinance No. 2294 agreeing to the closure and ultimate vacating, discontinuing and abandoning of an existing sanitary sewer easement, on two unplatted lots, the new easement to be dedicated with the River Crest Plat, an addition to the City of Bixby, Tulsa County, State of Oklahoma in Section 11, Township 17-North, Range 13-East, generally located south of 131st Street and ½ mile east of Memorial.

Presented by: Marcae' Hilton

City Planner Marcae' Hilton stated that that is part of the River Crest Plat that we just talked about, this is a agreeing to the closure and ultimate vacating, discontinuing and abandoning of an existing sanitary sewer easement.

Mayor Guthrie asked for a motion on item #6. Councilor Blair made motion seconded by Vice Mayor Easton. The vote was taken with the following results:

Carried 4-0

Yes: Blair, Easton, Girard, Guthrie.

No: None.

Mayor Guthrie said on Item #7 on the Regular Agenda.

Discussion and possible action on a first reading and/or possible approval of Ordinance No. 2294 for *River Crest Blocks 1-4 (BXPT-18.07)*.

Presented by: Marcae' Hilton

City Planner Marcae' Hilton stated this is the emergency clause for the closure of the easement.

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

Carried 4-0

Yes: Blair, Easton, Girard, Guthrie.
No: None.

Mayor Guthrie said on Item #8 on the Regular Agenda.

Discussion and possible action on the Preliminary Plat *Prescott Hill (BXPT-19.15)*; part of BXPUD-18.11, 73.713 Acres, Ninety-five Lots (95) in Ten (10) Blocks with Seven (7) Reserves, Applicant | Tanner Consulting, L. L. C., Section 22, Township 17 North, Range 13 East, General Location: ¼ mile south of E. 151st St. S. (HWY 67) and east of Yale Avenue in Bixby, OK.

Presented by: Marcae' Hilton

Others that spoke: Jerry Perez 17216 S. 92nd E Ave, Ricky Jones 5322 S. Lewis Tulsa, OK.

City Planner Marcae' Hilton stated that this is part of a plan unit development which is a mixed used project that is south of 151st St (HWY 67). Marcae' stated that this project is part of Yale Heights Village (BXPUD-18.11); The Development Area is designated as "E".

Rickey Jones Tanner Consulting, gave council some clarification on this item from some of the concerns that is regard to this item.

Discussion continued on this item.

Jerry Perez made public comments.

Councilor Girard left the council chambers at 7:12 pm.

Mayor Guthrie asked for a motion on item #8. Councilor Blair made motion to approve, seconded by Vice Mayor Easton. The vote was taken with the following results:

Carried 3-0

Yes: Blair, Easton, Guthrie.

No: None.

Mayor Guthrie said on Item #9 on the Regular Agenda.

Discussion and possible action on a proposed Minor Amendment to an existing PUD (*BXPUD-18.11 Yale Heights Village*), an undeveloped Mixed-use development, BXPUD-19.07 Prescott Hill is a Single-family subdivision, requesting to amend Development Area E and allow for Estate Lots with barrow ditch designed streets, Applicant | Tanner Consulting, L. L. C., in Section 22, Township 17N, and Range 13E, General Location: South of E. 151ST Street S. and east of Yale Avenue in Bixby, OK.

Presented by: Marcae' Hilton

City Planner Marcae' Hilton stated that this is a continuous of the Plat that we just completed. Staff does recommend approval.

Mayor Guthrie asked for a motion on item #9. Vice Mayor Easton made motion to approve, seconded by Mayor Guthrie. The vote was taken with the following results:

Carried 3-0

Yes: Easton, Blair, Guthrie.

No: None.

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

Discussion and possible action on the Final Plat *Robinson Ranch 1 (BXPT-18.06fp)*; part of BXPUD-16.05, 16.464 Acres, Fifty-five Lots (55) in Five (5) Blocks with Three (3) Reserves, Applicant | Tanner Consulting, L. L. C, Section 25, Township 17 North, Range 13 East, General Location: South of E. 161st St. S. and east of Memorial in Bixby, OK.

Presented by: Marcae' Hilton

City Planner Marcae' Hilton stated that this has been a long ongoing project that we have seen and heard about many times, and this is the Final Plat for the first phase of Robinson Ranch. Marcae' stated that staff recommends approval.

Discussion continued on this item.

Vice Mayor Easton asked for motion on item #10. Vice Mayor Easton made motion to approve, seconded by Council Blair. The vote was taken with the following results:

Carried 3-0

Yes: Easton, Blair, Girard.

No: None.

Mayor Guthrie enter back into the council chambers at 8:25 p.m. and started on item #13.

Mayor Guthrie asked to move to item #15. Councilor Girard entered back into the council chambers at 7:18 pm and Mayor Guthrie asked to move back to item #11.

Mayor Guthrie said on Item #11 on the Regular Agenda:

Discussion and possible action on a proposed supplemental zoning overlay district (*SUP / BXSUP-19.04 MOMENI*), zoned CG (Commercial General), to allow for commercial cannabis grow house, Applicant | Abbas Momeni in Section 23, Township 17N, Range 13E, General Location: West of Memorial and south of E. 151ST Street S., in Bixby, OK.

Presented by: Marcae' Hilton

Others that spoke: Matthew Humphrey, 400 W. Tucson St, Bixby, Ok 74008.

City Planner Marcae' Hilton stated that this request is for a commercial cannabis grow house located West of Memorial and south of E. 151st Street S and is run by Mr. Momeni. Marcae' said

the Planning Commission meeting we had two (2) citizens that spoke against the request with concerns about potential smell, children playing in the yard, ventilation and other issues. Staff recommends approval.

Discussion continue on this item.

Mr. Momeni gave council some clarification on the concerns regarding this item.

Matthew Humphrey, 400 W. Tucson St. Bixby, OK 74008 gave public comments.

Mayor Guthrie asked for a motion on item #11. Councilor Blair made motion to approve with the following conditions, the applicant must comply with Corridor Appearance District Standards, no additional light spillage at property line, comply with all state regulations and provide screening for HVAC units on the west side of the building to lower potential noise pollution, seconded by Vice Mayor Easton. The vote was taken with the following results:

Carried 3-1

Yes: Blair, Easton, Guthrie.

No: Girard

Mayor Guthrie asked to move back to item #10 and recused from the council chambers at 8:03 pm

Mayor Guthrie said on Item #12 on the Regular Agenda:

Discussion and possible action on a first reading and/or possible approval of Ordinance No. 2295 for BXSUP-19.04 MOMENI.

Presented by: Marcae' Hilton

Mayor Guthrie asked for a motion on item #12. Councilor Blair made motion to approve, seconded by Vice Mayor Easton. The vote was taken with the following results:

Carried 3-1

Yes: Blair, Easton, Guthrie.

No: Girard

Mayor Guthrie said on Item #13 on the Regular Agenda:

Discussion and possible action on a proposed amendment to a Zoning District with the creation of a supplemental Zoning District (PUD) | *BXPUD-19.06 BIXBY VILLAGE*), zoned RS-3 (RESIDENTIAL SINGLE-FAMILY), Applicant | Tanner Consulting, L. L. C., in Section 25, Township 17N, Range 13E, General Location: South of E. 161st Street S, and East of Memorial (east of Riverview Dr.), in Bixby, OK.

Presented by: Marcae' Hilton

Others that spoke: Ricky Jones, Tanner Consulting

City Planner Marcae' Hilton stated that this is a new project and it is south of the Bixby South Intermitted School, the Compressive Plan does support this also the Zoning supports this plan.

Discussion continue on the item.

Mayor Guthrie asked for a motion on item #13. Mayor Guthrie made motion to approve, seconded by Vice Mayor Easton. The vote was taken with the following results:

Carried 3-1

Yes: Guthrie, Easton, Blair.

No: Girard

Mayor Guthrie said on Item #14 on the Regular Agenda:

Discussion and possible action on a first reading and/or possible approval of Ordinance No.2296 for BXPUD-19.06 BIXBY VILLAGE.

Presented by: Marcae' Hilton

Mayor Guthrie asked for a motion on item #14. Vice Mayor Easton made motion to approve, seconded by Mayor Guthrie. The vote was taken with the following results:

Carried 4-0

Yes: Easton, Guthrie, Girard, Blair.

No: None.

Mayor Guthrie said on Item #15 on the Regular Agenda:

Discussion and possible approval of a requested Major Amendment to the Comprehensive Plan, *BXCP-20.01 DAYCARE*, a request to change the Future Land Use Map from Low-Density Residential to Neighborhood Commercial for a potential daycare use, applicant *ABC123 LUVBUGS CHILDCARE*, in Section 11, T17N, R13E, generally located west of Memorial and south of 131st at 8050 E 131 ST S, in Bixby Oklahoma.

Presented by: Marcae' Hilton

This item was continued.

Mayor Guthrie said on Item #16 on the Regular Agenda:

Discuss Phase II Storm Water Management Program for the City of Bixby.

Presented by: Bea Aamodt

Public Works Director Bea Aamodt gave a presentation on the Phase II Water Program for the City of Bixby for the MS4 permit, and this is for public hearing.

Mayor Guthrie said on Item #17 on the Regular Agenda:

Discuss and/or approve contract agreement with Interstate Construction Administration Network, Inc. (CAN) to perform Building and MEP Inspections for the Bixby Reclamation Facility.

Presented by: Bea Aamodt

Public Works Director Bea Aamodt stated that that I gave you the resume for Paul Gunderson, and you know our wastewater treatment plant is the Reclamation Facility started this Monday January 6th which is a big project which will involve many levels of inspections and we need someone with the experience for certain types of inspections for this new project so I am asking for approval for the contract agreement.

Discussion continued on this item.

Mayor Guthrie asked for a motion on item #17. Councilor Girard made motion to approve, seconded by Councilor Blair. The vote was taken with the following results:

Carried 4-0

Yes: Girard, Blair, Easton, Guthrie.

No: None.

Mayor Guthrie asked to recess the Regular Agenda and open up the BPWA meeting at 9:24 pm. Mayor Guthrie opened up the Regular Agenda at 9:26 pm, and moved to item #20.

Mayor Guthrie said on Item #18 on the Regular Agenda:

Motion to enter into Executive Session:

- a) *Discussion on legal services contract work allocation. Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.1.*

Mayor Guthrie asked for a motion to enter into executive session. Vice Mayor Easton made motion, seconded by Councilor Blair. The vote was taken with the following results:

Carried 4-0

Yes: Easton, Blair, Girard, Guthrie.

No: None.

Mayor Guthrie said on Item #19 on the Regular Agenda:

Motion to exit executive Session and reconvene in open session.

Presented by: Mayor Guthrie

Mayor Guthrie opened the meeting at 10:00 p.m.

Mayor Guthrie asked for a motion to exit executive session. Councilor Blair made motion, seconded by Vice Mayor Easton. The vote was taken with the following results:

Carried 4-0

Yes: Blair, Easton, Girard, Guthrie.
No: None.

Mayor Guthrie stated that there was no action taken in Executive Session.

Mayor Guthrie said on Item #20 on the Regular Agenda:

City Manager's Report

- The father daughter valentine dance at the Community Center is February 8th
- St. Patrick's Children Festival on March 15 at the Charlie Young Event Park.

Mayor Guthrie said on Item #21 on the Regular Agenda:

New Business

There being no new business.

Adjournment was called at 10:03 pm.

MAYOR

ATTEST

CITY CLERK

BIXBY PUBLIC WORKS AUTHORITY MEETING
Board of Trustees
Municipal Building
Minutes
116 W. Needles, Bixby, OK 74008
January 13, 2020 6:00 P.M.
Time: 6:00 P.M. or immediately Following the City Council Meeting

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 January 10, 2020 on or before 5:00 p.m.

Mayor Guthrie called the Bixby Public Works Authority Meeting to order at 9:24 p.m. All members present except Councilor Decatur.

Members Present

Blair
Girard
Easton
Guthrie

Staff Present

Jared Cottle, City Manager
Phil, Frazier, City Attorney
Charles Barnes, City Treasurer
Jason Mohler, Development Serv.
Marcae' Hilton, City Planner
Andy Choate, Assist Police Chief
Yvonne Adams, City Clerk

Mayor Guthrie said Item #1 on the BPWA Consent Agenda is:

CITY CLERKS REPORT

Consider and approve:

- a) Minutes for the Bixby Public Works Authority meeting dated 12/09/19.
- b) Discuss and/or approve purchase order in the amount of \$8,200 to Industrial Motors to perform repairs of one pumps for the Spring Tree Lift Station.

Councilor Blair asked for some clarification on item "c", Public Works gave council a handout on what is the cause for the pumps repair and gave some clarification on this item.

Mayor Guthrie asked for a motion on the consent agenda. Vice Mayor Easton made motion approve, seconded by Councilor Girard. The vote was taken with the following results.

Carried 4-0

Yes: Easton, Girard, Blair, Guthrie.

No: None.

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

New Business

There being none.

Adjournment was called at 9:25 p.m.

MAYOR

ATTEST

CITY CLERK

