

# **City of Bixby City Council Meeting Minutes**

**City Hall Municipal Building  
116 W Needles, Bixby, OK 74008  
March 8<sup>th</sup>, 2021 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 March 5<sup>th</sup> on or before 6:00 p.m.

Mayor Guthrie called the meeting to order at 6:09 pm.

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

## **Members Present**

Blair  
Girard  
Easton  
Guthrie  
Crawford

## **Staff Present**

Jared Cottle, City Manager  
Phil Frazier, City Attorney  
Charles Barnes, Finance Dir.  
Ike Shirley, Police Chief  
Bea Aamodt, Public Works  
Jennifer Rush, Events Coord  
John Wood, Parks Director  
Yvonne Adams, City Clerk

## **Pledge of Allegiance**

**Invocation was given by Phil Frazier.**

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

## **City Clerks Report**

Consider and approve:

- a) Minutes of the City Council Regular meeting minutes dated 02/22/21.
- b) Minutes for the City Council meeting dated 02/22/21.
- c) Arbor Day Proclamation dated for March 26, 2021.
- d) Arbor Week Proclamation dated for March 21-27, 2021.
- e) Oklahoma Municipal Assurance Group (OMAG) Recognition Program.
- f) Consider and/or approve re-adoption of the City of Bixby City Council Handbook originally adopted March 30, 2015.

- g) Acknowledge receipt of Permit No. WL000072210095, Facility No 3007243, Tyler Neafus Potable Water Line Replacement.
- h) Approve payment of \$62,385 to Tri-Star for emergency snow removal services.
- i) Discuss and/or take action on acceptance of a General Utility Easement granted by the Ahmad Moradi-Araghi Family Trust for construction of the Yale Heights Off-site Sanitary Sewer.
- j) Discuss and/or take action on adopting the Haikey Creek Flood Protection Project – Levee Operations & Maintenance (O&M) Manual.
- k) Discuss and/or take action on adopting the Haikey Creek Flood Protection Project – Levee Emergency Preparedness Plan.
- l) Authorize waiver of Park Reservation Fees for American Heart Association to utilize Washington Irving Park as a virtual walk venue for the Tulsa Heart Walk scheduled 04/11-04/17/2021.
- m) Authorize waiver of Park Reservation Fees for Home Builder Association of Greater Tulsa (HBA of Tulsa) for 04/14/2021 event at Charley Young Event Park.

Public comments are limited to items listed on the agenda.

Those wishing to speak on agenda items will need to appear in the City Council Chambers.

The first item to come before the council meeting was the Consent Agenda. Councilor Blair asked for discussion on Item J & K. These items involves FEMA requires a formal adoption of the Operation and Maintenance Plan and item K also requires a formal adoption of a Levee Emergency Preparedness Plan which the City Manager explained.

Mayor Guthrie asked for a motion on the Consent Agenda. Councilor Blair made motion to approve seconded by Councilor Crawford. The vote was taken with the following results:

Carried 5-0

Yes: Blair, Crawford, Girard, Easton, Guthrie.

No: None.

Councilor Girard enter back into the council chambers after the vote on item E.

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

Discuss and/or take action on approval of Economic Development Agreement with Brick Brothers Pizza.

Presented by: Jared Cottle

Jared Cottle and Phil Frazier explained to City Council the Economic Development Agreement which has been prepared pursuant to previous discussions and City Work Sessions regarding an Economic Development Agreement with tax incentive for Brick Brothers Pizza. The Agreement was reviewed and discussed.

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

Carried 5-0

Yes: Girard, Easton, Crawford, Blair, Guthrie.

No: None.

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

Discuss and/or take action on directing Staff and City Attorney to initiate contract negotiations on the Privett Addition Request for Proposal.

Presented by: Jared Cottle

Counsel discussed RFP proposals which have been submitted by two competing parties under project names, "The Flats" and "Roberts Partners". Discussion began with Councilman Blair noting preference for The Flats although expressing some concern with respect to lack of parking and the balance between commercial and residential. Councilman Girard expressed an interest in receiving more for each of the parties on the respective proposals. He stated an interest in more retail generated sales tax businesses. Councilman Girard also expressed concern about the lack of parking. Additionally, Councilman Girard expressed concern for the appearance on Washington Street and asked that the developers respect the view of residents on the north side of the project.

Councilman Easton announced that with the change in roofline from the previous presentation, as well as the possibility of total brownstone exterior, he was expressing his preference for The Flats. He also expressed concern about the lack of parking and suggested that any agreement alleviate parking issues as much as possible.

Councilman Crawford also expressed concern about parking and expressed that to be his main concern regarding approval of the RFP as presented by The Flats. He also expressed an interest in increasing commercial activity and an interest in a uniform brownstone exterior.

Mayor Guthrie stated he was leaning toward approval of The Flats but, like others, he was concerned about the lack of parking and the exterior presentation. He also expressed interest for a change in the roofline and preference for a brownstone exterior such as was shown of the Owasso project. Mayor Guthrie also suggested that street improvement for parking and resurfacing be included within the project.

Council reviewed the proposal and discussed the particulars of the presentation as to cost in investment within the community as well as benefits, including sales tax revenue, to be received by the community based upon the presentation.

Paul Blair made a motion for approval of The Flats RFP and included direction to the City Manager and City Attorney to commence negotiations for an agreement with The Flats pursuant to their RFP proposal with suggested modifications as suggested by Council.

Mayor Guthrie asked for a motion on item #2. Councilor Blair made motion to approve, seconded by Councilor Crawford. The vote was taken with the following results:

Carried 5-0

Yes: Blair, Crawford, Girard, Easton, Guthrie.

No: None.

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

Discuss and/or take action on directing Staff and City Attorney to initiate contract negotiations on the Midland Addition Request for Proposal.

Presented by: Jared Cottle

The City received only one response to RFP for the Midland Addition project. That proposal was by "Marketplace" and involved only Phase 1. Councilman Easton expressed concern about the construction of the building which is to be renovated under the Marketplace proposal and expressed concern that Council did not receive enough information to know how the proposal could be completed or if it could be completed. Councilman Blair also expressed concern as to whether he received or had enough information to make a knowledgeable vote.

Mayor Guthrie expressed concern as to whether the building, with its known structural uniqueness, could be converted and renovated as proposed and if not, why not.

Dean Brown was asked to speak on behalf of the Marketplace, Phase 1, and said that they would be happy to go forward with continuing discussions regarding concerns of Council and to determine with certainty that the project can be completed as proposed.

Upon conclusion discussion, Council agreed that the concept as presented was desirable and met with the plans as envisioned by the Council as to use for the property.

Councilman Crawford made a motion to continue with discovery and negotiations regarding the project and asked the City Attorney and City Manager to become directly involved with Paul Brown in an effort to address concerns by Council regarding feasibility of the project. Council also within the motion expressed encouragement and enthusiasm for the project.

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

Carried 5-0

Yes: Crawford, Blair, Girard, Easton, Guthrie.

No: None.

### **Mayor Guthrie said on Item #4 on the Regular Agenda is:**

Motion to enter into Executive Session:

Mayor Guthrie

- a) *Confidential communications and discussions among the City Council and its attorney concerning potential litigation regarding the Downtown Streetscape Project schedule and claims by Paragon. Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes Section 307.B.4*
- b) *Confidential communications and discussions among the City Council and its attorney concerning potential litigation regarding the 2019 CIRP North Asphalt Rehabilitation project by H&G Paving Contractors, Inc. Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes Section 307.B.4.*
- c) *Discussion on status of ongoing litigation with Hoey Construction, consideration of factual circumstances, legal position and recommendation of City Attorney. Authority: Title 25 OS Sec 307 B.4 Open Meeting Act.*

Mayor Guthrie

Mayor Guthrie read the Executive Session items and asked for a motion to enter into Executive Session. Vice Mayor Easton made motion to approve, seconded by Councilor Crawford. The vote was taken with the following results:

Carried 5-0

Yes: Easton, Crawford, Girard, Blair, Guthrie.

No: None.

**Mayor Guthrie said on Item #5 on the Regular Agenda is:**

Motion to exit executive session and reconvene in open session.

Presented by: Mayor Guthrie

No action taken in executive session.

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

Carried 5-0

Yes: Girard, Blair, Crawford, Easton, Guthrie.

No: None.

**Mayor Guthrie said on Item #6 on the Regular Agenda is:**

Discuss and/or take action on Change Order No. 1 on the Downtown Streetscape Project.

Presented by: Mayor Guthrie

Mayor Guthrie asked for a motion on item #6. Councilor Crawford made motion to approve with City staff to continue negotiations with Paragon, seconded by Councilor Blair. The vote was taken with the following results:

Carried 5-0

Yes: Crawford, Blair, Girard, Easton, Guthrie.

No: None.

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

Approve termination and final acceptance of the 2019 CIRP North Asphalt Project; final contract amount is \$111,541.81.

Presented by: Bea Aamodt

Mayor Guthrie asked for a motion on item #7. Councilor Blair made motion to approve termination by mutual agreement with H&G Paving Contractors, seconded by Councilor Crawford. The vote was taken with the following results:

Carried 5-0

Yes: Blair, Crawford, Girard, Easton, Guthrie.

No: None.

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

Direct City Attorney on any action to be taken for Hoey Construction matter.

Presented by: Mayor Guthrie

Mayor Guthrie asked for a motion on item #8. Mayor Guthrie made motion directing the City Attorney to prepare and present a 12.O.S.1101 offer to Hoey Construction, seconded by Councilor Blair. The vote was taken with the following results:

Carried 5-0

Yes: Guthrie, Blair, Crawford, Girard, Easton.

No: None.

**Mayor Guthrie said on Item #9 on the Regular Agenda is:**

City manager's Report

Fire Chief Joey Wiedel gave council new and exciting news regarding the new ladder truck that was part of the 2016 Bond issue and he thank the City Council and the citizens for their continued support.

**Mayor Guthrie said on Item #10 on the Regular Agenda is:**

New Business

There being none.

Adjournment was called at 8:35 pm.

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Mayor

Attest

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City Clerk

# **City of Bixby BPWA Meeting Minutes**

**City Hall Municipal Building  
116 W Needles, Bixby, OK 74008  
March 8<sup>th</sup>, 2021 6:00 P.M.**

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Mayor Guthrie called the meeting to order at 8:35 pm.

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

## **Members Present**

**Blair  
Girard  
Easton  
Crawford  
Guthrie**

## **Staff Present**

**Jared Cottle, City Manager  
Phil Frazier, City Attorney  
Jason Mohler, Dev. Service  
Ike Shirley, Police Chief  
Charles Barnes, Finance Dir.  
Bea Aamodt, Pubic Works  
John Wood, Parks Dir.  
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 02/22/21.

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

Carried 5-

Yes: Blair, Easton, Crawford, Easton, Guthrie.

No: None.

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

New Business

There being none.

Adjournment was called at 8:35 p.m.

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MAYOR

ATTEST

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CITY CL