

**City of Bixby
City Council Meeting
Minutes
City Hall Municipal Building
116 W Needles, Bixby, OK 74008
June 24, 2019 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 21st, 2019 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.

Members Present

**Blair
Girard
Guthrie
Decatur
Easton**

Staff Present

**Jared Cottle, City Manager
Steve Oakley, City Attorney
Andy Choate Assist Chief
Jason Mohler, Dev. Service Dir.
Marcae' Hilton, City Planner
Charles Barnes, Finance Dir.
Bea Aamodt, Public Works Dir.
Joey Wiedel, Fire Chief
Yvonne Adams, City Clerk**

PLEDGE OF ALLEGIANCE

Invocation was given by City Clerk Yvonne Adams.

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

Consider and approve:

- a) Minutes for the Regular City Council meeting dated 06/10/19.
- b) Minutes for the Regular City Council meeting dated 06/10/19.
- c) Authorize signature of DEQ permit applications for construction of a Sanitary Sewer to serve Misty Hollow Estates.
- d) Discuss and/or approve renewal Memorandum of Understanding with the City of Sand Springs, City of Sapulpa and add the City of Jenks.

- e) Consider and/or take action on approval of Resolution No. 2019-14, formally re-adopting authorized and existing fees and preset fines charged by the City of Bixby, its agencies, boards and departments.
- f) Consider and/or approve purchase order to EMSA for FY20 subsidy in the amount of \$289,089.
- g) Harris Corporation as a sole source vendor pursuant to (Purchasing Ordinance No. 2121, 2-4-8) for (Harris XL 200 Portable Radios and Operating Equipment) for Fire Department not to exceed \$45,880.10 funding from 2018-2019 Capital Improvement.
- h) Discuss and/or approve one (1) grant School Resource Officer (SRO) contract between the City of Bixby and Bixby Public Schools for the 2019-2020 school year.
- i) Discuss and/or approve purchasing a Double Drum Roller for the Street Department for \$14,963.15 through State Bid.
- j) Discuss and/or approve purchasing two LED Light towers to be used for waterline repair; cost is \$28,098.40.
- k) Discuss and/or approve GIS Maintenance Fee for Meshek and Associates to host and maintain the GIS web viewer and provide support services; the fee is \$14,100.
- l) Discuss and/or approve \$28,949 for repair of flood damage to Street Maintenance facilities and a \$5,000 allowance for unexpected repairs.

Public comments are limited to items listed on the agenda.

Mayor Guthrie asked if there are any questions or amendments to the consent agenda. Vice Mayor Easton asked vote on items “a” and “b”. Mayor Guthrie asked for a motion on the consent agenda for the exceptions of item’s “a” and “b”. Vice Mayor Easton made motion to approve, seconded by Councilor Blair. The vote was taken with the following results:

Carried 5-0

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

No: None.

Mayor Guthrie asked for a motion on items “a” and “b” on the consent agenda. Councilor Decatur made motion to approve, seconded by Mayor Guthrie. The vote was taken with the following results:

Carried 4-1

Yes: Decatur, Guthrie, Girard, Blair.

No: None.

Abstain: Easton.

Mayor Guthrie asked to move to Item #18 the City Managers Report, Mayor Guthrie stated that there was one house in Bixby that flooded and this is what these gentleman are here to talk about this evening. Public comments were made by Manny Pacheco and Bixby’s head football coach

Loren Montgomery on behalf of a family in the community seeking volunteer relief efforts to give aid to the family.

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

Discussion and possible approval of the Final Plat for *Chisholm Ranch II*, 26.047 Acres, Sixty-eight (68) Lots, Five (5) Blocks and Seven (7) Reserves on an undeveloped parcel for single-family residential development, in Section 06, Township 17 North, Range 14 East in Bixby, OK, general location: 10428 E. 121st St. S., south of 121st Street between Mingo and Garnett Road.

Presented by: Marcae' Hilton
Others that spoke: Jason Mohler

City Planner Marcae' Hilton stated that this is the final plat for Chisholm Ranch II, and Staff, Planning Commission and TAC believe the Final Plat for Chisholm Ranch II will meet the requirements of the Zoning and Bixby Land Use Regulations and recommends conditional approval subject to staff comments, also the applicant Ricky Jones from Tanner Consulting is here if you have any specific questions.

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

Carried 5-0
Yes: Easton, Decatur, Girard, Blair, Guthrie.
No: None.

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

Discussion and possible approval of the Final Plat for *Chisholm Ranch Villas II part of PUD-90*, 4.709 Acres, Sixteen (16) Lots, Two (2) Blocks and Two (2) Reserves on an undeveloped parcel for single-family residential development, in Section 06, Township 17 North, Range 14 East in Bixby, OK, general location: 10428 E. 121st St. S., south of 121st Street between Mingo and Garnett Road.

Presented by: Marcae' Hilton

City Planner Marcae' Hilton stated that this is phase II of an development and Staff, Planning Commission and TAC believe the Final Plat for Chisholm Ranch Villas II will meet the requirements of the Zoning and Bixby Land Use Regulations and recommends conditional approval subject to staff comments.

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

Carried 5-0
Yes: Easton, Blair, Decatur, Girard, Guthrie.
No: None.

Mayor Guthrie stated that he would like to move item #7 up on the agenda.

Mayor Guthrie moved back to the order in the regular agenda to item #3.

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

Discussion and possible approval of a requested Major Amendment to the Comprehensive Plan *BXCP-19.03* a request to change the *Future Land Use Map* from Medium Density Residential & Residential Manufactured Home to Neighborhood Commercial for future (CS) Commercial Shopping uses in Section 25, Township 17 North, Range 13 East in Bixby, OK, general location: north of 171st Street and east of Memorial.

Presented by: Marcae' Hilton

Others that spoke: Jerry Perez 17216 S. 92nd E. Ave.

City Planner Marcae' Hilton stated this is the first quarterly hearing since we have adopted the Comprehensive Plan and Staff and Planning Commission believe the request for a Major Amendment to the Comp Plan meets the requirements of the Zoning and Bixby Land Use objectives and recommends approval.

Jerry Perez gave public comments.

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

Carried 5-0

Yes: Blair, Decatur, Girard, Easton, Guthrie

No: None.

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

Discussion of a requested Major Amendment to the Comprehensive Plan *BXCP-19.04* a request to change the Future Land Use Map from Medium Density Residential to Residential Manufactured Mobile Home Park for potential future expansion of the existing mobile home park uses in Section 25, Township 17 North, Range 13 East in Bixby, OK.

Presented by: Marcae' Hilton

City Planner Marcae' Hilton stated that this is the second Major Amendment to the Comprehensive Plan and Staff and Planning Commission believe the request for a Major Amendment to the Comp Plan meets the requirements of the Zoning and Bixby Land Use objectives and recommends approval.

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

Deny 5-0

Yes: None

No: Easton, Decatur, Girard, Blair, Guthrie.

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

Discussion and possible approval of a recommendation of proposed amendment for a supplemental zoning specific use permit district (SUP) in the City of Bixby Central Business District, BXSUP-19.01 LIPPERD (Ordinance 2285), to allow a bar, in Section 24, Township 17, Range 13, general location: 112 N. Armstrong, Central Business District south of 151st and east of Memorial in the City of Bixby, OK.

Presented by: Marcae' Hilton

Others that spoke: Kim Lipperd

City Planner Marcae' Hilton stated that the Planning Commission heard this on 6-17-19 and Staff and Planning Commission believe the Specific Use Permit can be approved with proper safeguards in place, Marcae stated that this the first SUP in the City of Bixby.

Applicant, Kim Lipperd gave council some clarification for proposed plans for this downtown business.

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

Carried 5-0

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

No: None.

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

Action includes first reading and/or possible approval of Ordinance 2285 (SUP BXSUP-19.01), with separate approval of emergency clause.

Presented by: Marcae Hilton

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

Carried 5-0

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

No: None.

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

Second reading, discussion and possible action on a proposed amendment to a zoning district in the City of Bixby BXZO-19.07 (Ordinance 2283), AG (Agriculture) to RMH (Residential Mobile Home), to correct zoning to match historical use, in Section 25, Township 17 North and Range 13

East, general location: 16619 S Memorial Drive, east of Memorial and North of 171ST in the City of Bixby, OK.

Presented by: Marcae' Hilton

Others that spoke: Jerry Perez 17216 S. 92nd E. Ave

City Planner Marcae' Hilton stated that this a second reading of BXZO-19.07 we heard this case in May at the Planning Commission and was approved and this item is the cleanup zoning with historical use. Marcae' stated that City Council approved the zoning on June 10, 2019, and would like this approve with the attached emergency clause.

Jerry Perez gave public comments.

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 5-0

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

No: None.

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

Action includes second reading and/or possible approval of Ordinance No. 2283 (BXZO-19.07), with separate approval of Emergency Clause.

Presented by: Marcae' Hilton

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

Carried 5-0

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

No: None.

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

Discuss and request approval of Ordinance 2281, amending title 5 of the Bixby city code entitled "public safety" by adding a chapter 10 thereto entitled "alarm systems designed to summon a police or fire response", providing for definitions, alarm registration process, establishment of fees, duties of alarm users, false alarm fees, and penalties.

Presented by: Ike Shirley

Others that spoke: Victoria Oltmann 14123 S. Winston Ave.

Assistant Chief Andy that this is a long overdue Ordinance for our community, the amended City Code will provide definitions, alarm registration process, establish feed, duties of alarm users, false alarms fees, and penalties.

Vitoria Oltmann gave public comments.

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

Carried 4-1

Yes: Decatur, Easton, Blair, Guthrie.

No: Girard.

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

Action includes and or/possible approval of Ordinance No. 2281, with separate approval of an Emergency Clause.

Presented by: Ike Shirley

Mayor Guthrie asked for a motion on Item #11. Vice Mayor Easton made motion to approve, seconded by Councilor Decatur. The vote was taken with the following results:

Carried 4-1

Yes: Easton, Decatur, Blair, Guthrie.

No: Girard.

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

Discuss and request approval of Ordinance 2284, amending Chapter 4 entitled "Health and Sanitation", Chapter 3 thereof entitles "Nuisances", by replacing the same in its entirety.

Presented by: Steve Oakley

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 5-0

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

No: None.

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

Action includes and or/possible approval of Ordinance No. 2284, with separate approval of an Emergency Clause.

Presented by: Steve Oakley

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

Carried 5-0

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

No: None.

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

Request to discuss Ordinance No. 2280 previously approved, dealing with “Open Burning”, as to any proposed amendments thereto.

Presented by: Mayor Guthrie

Others that spoke: Richard Stunkard 10717 S. Delaware, Tulsa, Fire Chief Joey Wiedel

Mayor Guthrie stated that I brought this back because of some feedback on this Ordinance and would like some clarification.

City Manager Jared Cottle gave some background on why they needed to look at the Ordinance. Jared gave council some clarification on the Ordinance for any feedback or questions.

Richard Stunkard gave public comments and had some questions to be clarified. Fire Chief Joey Wiedel gave some clarification and answers to questions that were asked. City Manager Jared Cottle stated we have direction to make modifications on the form that the language will be clarified on the permit itself.

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

Request to reappoint Municipal Court Judge Tamera Childers for an additional two (2) two year term.

Presented by: Mayor Guthrie

Others that spoke: Jerry Perez 17216 S. 92nd E. Ave.

Jerry Perez gave public comment.

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

Carried 5-0

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

No: None.

Mayor Guthrie asked to move to Item #18 for the City Manager’s Report.

Mayor Guthrie reopened the Regular Meeting at 8:19 p.m.

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

1. Motion to enter into Executive Session:

Mayor Guthrie

- a) *Request to review and discuss renewal of City Attorney Employment Contract with Stephen Oakley for FY 2019-2020. Authority: pursuant to Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.1.*

- b) *Discussion on negotiations and/or purchase for certain real property at 125 W. Needles, owned by Pioneer Investments, LLC, Authority: pursuant to Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
- c) *Discussion on negotiations and/or purchase for certain real property at 127 W. Needles, owned by Bailey Acres, LLC, Authority: pursuant to Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
- d) *Discussion on negotiations and/or purchase for certain real property at 111 N. Cabanis, owned by DDJJ Properties, LLC, Authority: pursuant to Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
- e) *Discussion on negotiations and/or purchase for certain real property at 101 E. Dawes, owned by Cash & Catherine D Stevenson, Authority: pursuant to Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*

Mayor Guthrie asked for a motion on Item #15. Vice Mayor Easton made motion to approve, seconded by Councilor Girard. The vote was taken with the following results:

Carried 5-0

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

No: None.

No action was taken in Executive Session.

Councilor Decatur did not return to the council chambers.

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

Motion to exit Executive Session and reconvene in Open Session.

Presented by: Mayor Guthrie

Mayor Guthrie asked for a motion on Item #16. Vice Mayor Easton made motion, 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 #17 on the Regular Agenda is:

Consider & take any action necessary regarding employment contract with City Attorney Stephen Oakley dated September 10, 2018.

Mayor Guthrie asked for a motion on Item #17. Councilor Blair approved to renew the City Attorney's contract with a 4% raise, seconded by Councilor Girard. The vote was taken with the following results:

Carried 4-0

Yes: Blair, Girard, Easton, Guthrie.

No: None.

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

City Manager's Report

- Green Corn Festival starts this Thursday June 27-29th with the parade on the 29th here in downtown.
- Freedom Fest will be at 5:30 p.m. at Bentley Park.
- Movies in the Park will be July 3rd and July 13th
- July 4th the City offices will be closed.
- Councilor Girard wanted to recognize the volunteers in the community that helped during the Flood.

Mayor Guthrie said we will recess the Regular Meeting at 8:19 p.m. to open the BPWA meeting.

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

New Business

There being none.

Adjournment was called at 10:48 pm.

MAYOR

ATTEST

CITY CLERK

BIXBY PUBLIC WORKS AUTHORITY MEETING
Board of Trustees
Municipal Building
Minutes
116 W. Needles, Bixby, OK 74008
June 24, 2019 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 June 21st, 2019 on or before 5:00 p.m.

Mayor Guthrie called the Bixby Public Works Authority Meeting to order at 8:19 p.m. All members were present.

Members Present

Blair
Girard
Guthrie
Decatur
Easton

Staff Present

Jared Cottle, City Manager
Steve Oakley, Attorney
Charles Barnes, City Treasurer
Marcae' Hilton, City Planner
Jason Mohler, Development Serv.
Bea Aamodt, PW Director
Andy Choate Assist Chief
Joey Wiedel, Fire 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 06/10/19.
- a) Discuss and/or take action on Water Tap Application for Amber Allen.
- b) Discuss and/or approve purchasing a 2019 Peterbilt 12' Dump Truck for the Water Department through State Bid Contract for \$90,700.
- c) Discuss and/or approve \$14,656 to Industrial Motors to repair Pump for the Springtree Lift Station.
- d) Discuss and/or approve repair of flood damage to Water/Sewer Maintenance facilities for \$26,250 and an allowance of \$5,000 for unexpected repairs.

Mayor Guthrie asked if there were questions or amendments to the BPWA consent agenda. Councilor Blair asked for some clarifications on items “c”, “d”, and “e”.

Public Works Director Bea Aamodt gave some clarification to the items in regard. Discussion continued on these items.

Mayor Guthrie asked for a motion on the consent agenda Vice Mayor Guthrie motion to approve items b-e, seconded by Councilor Blair. The vote was taken with the following results.

Carried 5-0

Yes: Guthrie, Blair, Decatur, Girard, Guthrie.

No: None.

Item “a”

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

Carried 4-1

Yes: Decatur, Girard, Blair, Guthrie.

No: None.

Abstain: Easton

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

New Business

There being none.

Adjournment was called at 8:36 p.m.

MAYOR

ATTEST

CITY CLERK