

**City of Bixby
City Council Meeting
Minutes
City Hall Municipal Building
116 W Needles, Bixby, OK 74008
January 14, 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 January 11, 2019 on or before 6:00 p.m.

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

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

Members Present

**Guthrie
Blair
Girard
Decatur
Easton**

Staff Present

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

PLEDGE OF ALLEGIANCE

Invocation was given by City Clerk Yvonne Adams.

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

Consider and approve:

- a) Minutes for the Special Work Session meeting dated 12/10/18.
- b) Minutes for the Regular City Council meeting dated 12/10/18.
- c) Minutes for Special City Council meeting date 12/20/18.
- d) Denial letter from OMAG (Oklahoma Municipal Assurance Group) for Angela and Scott Marrs for claim #205642-ME.
- e) Request to approve repair or replacement of generator on Ladder One by Clifford Power Systems not to exceed \$14,000.00 including contingencies, funding from 2016 bond proposition No. 2.
- f) Acknowledge receipt of Permit No. WL000072180921, Bixby West Elementary and Intermediate Schools, Potable Water Line Extension, Facility No. 3007243.

- g) Acknowledge receipt of Permit No. SL000072180909, Quail Creek Commons, Sanitary Sewer Line Extension, Facility No. S-20438.
- h) Discuss and/or take action on Construction Funding Agreement with the Oklahoma Department of Transportation for traffic safety improvements on Memorial Drive between 111th St. and the Creek Turnpike.
- i) Approve requesting bids for a perimeter fence for the Bixby Cemetery.
- j) Discuss and/or approve purchasing tools for Emergency Management; cost is \$29,860.83.
- k) Consider and take action on Resolution No. 2019-01, a Resolution of Notice of Election, notifying the Tulsa County Election Board of a nonpartisan election to be held, if needed, in the City of Bixby, on Tuesday, April 2, 2019, for the office of Council member from City Council Ward Three (3).
- l) Request to approve Resolution No. 2019-2, declaring portions of Blocks 1, 2 & 3 of Privitt Addition as surplus and authorizing issuance of requests for proposals to exchange land for infrastructure improvements and construction of park and closed portion of north Parker Street.

Mayor Easton asked if there are any questions or amendments to the consent agenda. Councilor Blair asked to discuss and vote on items c, h, & j. City Staff made some clarifications to the items. Councilor Blair made motion to approve with the exception of item j, seconded by Mayor Easton. The vote was taken with the following results:

Mayor Easton stated that on item # k, he would like to state that the Resolution No. 2019-01 Resolution of Notice of Election on April 2, 2019 and the filing period is February 4-6 2019.

Carried 5-0

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

No: None

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

Acceptance of the FY-18 Audit prepared by CBEW Professional Group, LLP, Certified Public Accountants.

Presented by: Charles Barnes

Others that spoke: Charles Crooks, CPA with CBEW Professional Group, LLP, Certified Public Accountants.

Finance Director Charles Barnes stated that I have with me Chuck Crooks, partner with CBEW who is in charge of our audit and we received an unqualified opinion with no findings which is the best we can get and if you have any questions I will let Chuck answer any of your questions. Chuck stated that the report was a clean report and this is a direct reflection on the City of Bixby.

Vice Mayor Guthrie asked Chuck if he could touch on what the audit includes, Chuck gave a brief detail on what his company does during an audit.

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

Carried 4-1

Yes: Blair, Girard, Guthrie, Easton.

No: None

Abstain: Decatur

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

Discussion and possible action approving Ordinance No. 2270 of a requested PUD, Yale Heights Village (BXPUD-18.11), current zoning Commercial General, Office Medium and Residential Multi-family (CG, OM, RM-3), to permit a mix of uses and neighborhood amenities, 149.314 acres, with 3 Commercial and 2 Residential development areas, in Section 22, Township 17N and Range 13E, property generally located: Southeast corner of (HWY 67) 151st Street and Yale Avenue in Bixby, OK

Presented by: Marcae' Hilton

Others that spoke: Victoria Altman 14127 S. Winston Ave, Jerry Perez 12216 S. 92nd E. Ave.

Ricky Jones Tanner Consulting, 5323 S. Lewis Tulsa OK.

Marcae' Hilton stated that this item was heard at the Bixby Planning Commission Meeting on December 17th, 2018, and the item was approved 3-1 removing all Multi-family and replacing the development areas with Commercial Uses or Single-family uses. Marcae' stated that staff does recommend approval as presented, Marcae' stated that they have spent many hours reviewing this PUD and taking to the applicant bringing them back in at the last hour having additional discussions. Marcae' continued to give more detail on the background of PUD, and the applicant is present if you have any questions.

Council had some discussion on this item with staff and applicant. Ricky Jones with Tanner Consulting gave council some clarifications to the questions that were asked.

Public comments were made by residents Vitoria Altman and Jerry Perez.

Mayor Easton asked for a motion on item #2. Mayor Easton made motion to approve Ordinance No. 2270 subject to the following modifications. That the single family structures have a minimum of 50% masonry, excluding "hardie board", and that the average lot width in the single family development be 65 feet. That the multi-family development have a front side of a minimum of 50% masonry, excluding "hardie board", a swimming pool and a clubhouse, and that the site plan be subject to approval as to the base of sides and backs of buildings to avoid damage from weed trimmers, seconded by Councilor Decatur. The vote was taken with the following results:

Carried 4-1

Yes: Easton, Decatur, Blair, Guthrie.

No: Girard

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

Action includes first reading and/or possible approval of Ordinance No. 2270 with separate approval of an Emergency Clause.

Presented by: Marcae' Hilton

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

Failed

Yes: Decatur, Guthrie, Easton.

No: Blair, Girard.

Mayor Easton asked to move to Item #10 on the agenda.

Mayor wanted to acknowledge State Representative Sheila Dills.

Mayor Easton called for a recess at 7:52 p.m.

Mayor Easton reconvened at 8:00 p.m.

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

Continuation from the regularly scheduled City Council meeting of December 10, 2018; discussion and action of (a guide for City policy and future land use in the City of Bixby through 2030), Ordinance 2267 adopting the City of Bixby 2030 Comprehensive Plan, providing for Chapter 1-Introduction of Plan and Overview, providing for Chapter 2-Community Development, providing for Chapter 3-Community Services, providing for Chapter 4-Interconnected Infrastructure, providing for Chapter 5-Implementation and providing for Map Atlas; and Declaring an Emergency.

Presented by: Marcae' Hilton

City Planner Marcae' Hilton stated that this should be the final product, and I appreciate your eyes on it and the City Manager, and lots' of community input for and helping me get this this process.

Marcae' gave a brief summary of from the start of this project to the final plan.

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

Carried 5-0

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

No: None.

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

Action includes first reading and/or possible approval of ordinance No.2267 with separate approval of an emergency clause.

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

Carried 5-0

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

No: None.

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

Continuation from December 10, 2018 City Council; possible action to approve Ordinance No. 2268 agreeing to the closure and ultimate vacating, discontinuing and abandoning of part of an easement, affecting part of LOT TWELVE (12), BLOCK FIVE (5), SEVEN LAKES I, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO RECORDED PLAT NO. 6113 ALSO KNOWN AS 12626 SOUTH 71ST EAST AVENUE, in Section 2, Township 18-North, Range 13-East.

Presented by: Marcae' Hilton

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

Carried 5-0

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

No: None.

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

Action includes first reading and/or possible approval of Ordinance No. 2268 with separate approval of an Emergency Clause.

Presented by: Marcae' Hilton

Mayor Easton asked for a motion on Item #7. 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, Guthrie, Easton.

No: None.

Mayor Easton left the council chambers at 8:37 p.m.

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

Discussion and possible action approving Ordinance No. 2269 of requested Major Amendment No. 4 to PUD 76 Scenic Village Park (BXPUD-18.12 MA76), to permit Use Unit 6 detached and Use Unit 7A attached single-family uses and Use Unit 5 neighborhood amenities in Development

area “H”, 11.290 acres, maximum of 85 dwelling units, on an undeveloped tract zoned (CG) Commercial General, in Section 02, Township 17N and Range 13E, generally located: West of Memorial drive and south of 121st Street South in Bixby, OK.

Presented by: Marcae’ Hilton
Others that spoke: Ricky Jones, Tanner Consulting

Vice Mayor Guthrie asked for a motion on Item #8. Councilor Blair made motion to decline, motion fail for lack of second.

Vice Mayor Guthrie asked for a motion to approve Item #8, motion fails for lack of second.

Vice Mayor Guthrie asked for a motion of denial on Item #8. Councilor Blair made another motion to deny, seconded by Vice Mayor Guthrie. The vote was taken with the following results:

Deny 3-1

Yes: Blair, Guthrie, Girard

No: Decatur.

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

Action includes first reading and/or possible approval of Ordinance No. 2269, with separate approval of an Emergency Clause.

Presented by: Marcae’ Hilton

This item was withdrawn.

Vice Mayor Guthrie asked to move to Item #15.

Mayor Easton enter the room at 8:48 p.m.

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

Discuss and/or take action on awarding contract to Atlas Contractors for the Downtown River District Streetscapes Project; Atlas submitted the lowest and best bid of \$6,085,607.91.

Presented by: Bea Aamodt

Bea Aamodt Public Works Director stated that this is the downtown Streetscape item that was bid in December, Bea stated that this is the project that we will be fixing downtown streets for improvements of Downtown River Corridor Revitalization, Bea stated that four (4) contractors submitted bids with the reading of each bid and we recommend approval to Atlas Contractors.

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

Carried 5-0

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

No: None.

Vice Mayor Guthrie leaves the council chambers at 8:48 p.m.

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

Discuss and/or take action to authorize advertising for bids on the City portion of the South Bixby Drainage Project-excavation and fill operations as required by property acquisitions contracts.

Presented by: Jason Mohler

Mayor Easton asked for a motion on item #11. Councilor Girard made motion to approve, seconded by Councilor Blair. The vote was taken with the following results:

Carried 4-0

Yes: Girard, Blair, Decatur, Easton.

No: None.

Recess regular meeting at 8:52 p.m.

Mayor Easton reconvened the meeting at 8:56 p.m. from the BPWA meeting.

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

Motion to enter into Executive Session for the following purposes: Mayor Easton

- a) *Discussion on the annual employee performance and employment contract review of the City Manager. Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.1.*

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

Carried 5-0

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

No: None.

Mayor reconvened the Regular Meeting at 10:12 p.m.

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

Motion to exit Executive Session and reconvene in open session.

Presented by: Mayor Easton

Mayor Easton asked for a motion to exit Executive Session on Item #13. Councilor Decatur made motion to exit Executive Session, seconded by Councilor Blair. The vote was taken with the following results:

Carried 5-0

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

No: None.

No action taken in Executive Session.

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

Consider and take any necessary action resulting from the annual employee performance and employment contract reviews of the City Manager.

Presented by: Mayor Easton

Mayor Easton asked for a motion on Item #14. Mayor Easton made motion to approve a second amendment to our City Managers Employment Agreement which includes authorizes reimbursement for tuition, fees, and materials for up to 12 credit hours per year for all coursed completed, additional I moved to give our City Manager a 2.5% performance bonus for the year 2018, seconded by Councilor Blair. The vote was taken with the following results:

Carried 5-0

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

No: None.

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

City Manager's Report

City Manager Jared Cottle stated that we do have a quite month for January but we do have the Chamber Gala coming up. Jared stated that offices will be closed on Monday January 21, 2019 for Martin Luther King Day.

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

New Business

There being no new business.

Mayor Easton called for recess at 8:52 p.m. to go open up the BPWA meeting.

Adjournment was called at 10:14 p.m.

MAYOR

ATTEST

CITY CLERK

BIXBY PUBLIC WORKS AUTHORITY MEETING

Board of Trustees

Municipal Building

Minutes

116 W. Needles, Bixby, OK 74008

January 14, 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 January 11, 2019 on or before 5:00 p.m.

Mayor Easton called the Bixby Public Works Authority Meeting to order at 8:52 p.m. All members were present.

Members Present

Guthrie

Blair

Girard

Decatur

Easton

Staff Present

Jared Cottle, City Manager

Steve Oakley, Attorney

Charles Barnes, Finance Director

Marcae' Hilton, City Planner

Jason Mohler, Dev. Services Dir.

Andy Choate, Assist. Police Chief

Bea Aamodt, Public Works Dir.

Yvonne Adams, City Clerk

Vice Mayor Guthrie enter back into the council chambers at 8:52 p.m.

Mayor Easton 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 12/10/18.

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

Carried 4-0

Yes: Blair, Decatur, Girard, Easton

No: None

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

Discuss and/or take action on Water Tap Application for Windrush II.

Presented by: Jason Mohler

Mayor Easton asked for a motion on Item #1. 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, Guthrie, Easton.

No: None.

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

Discuss and/or take action on Sanitary Tap Application for Windrush II.

Prepared by: Jason Mohler

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

Carried 5-0

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

No: None.

Mayor Easton said on Item #3 on the Regular BPWA agenda is:

New Business

There being none.

Adjournment was called at 8:56 p.m.

MAYOR

ATTEST

CITY CLERK