

Special Work Session Minutes
Dawes Conference Room
113 West Dawes Avenue, Bixby, Oklahoma 74008
November 28, 2016 5:00 p.m.

The Special Work Session agenda for the regularly scheduled meeting of the City of Bixby was posted on the bulletin board at City Hall, 116 W. Needles Avenue, Bixby, Oklahoma on November 25, 2016, on or before 5:00 p.m.

Mayor Easton called the meeting to order at 5:04 p.m. Deputy Clerk Gladys Gill called the roll and all members were present, Councilor Stewart arrived at 5:08 p.m.

Members Present

Guthrie
Decatur
King
Stewart
Easton

Staff Present

Jared Cottle, City Manager
Patrick Boulden, City Attorney
Charles Barnes, Finance Dir.
Marcae Hilton, City Planner
Jason Mohler, Dev. Service Dir.
Gladys Gill, Deputy City Clerk

Mayor Easton moved Item #3 up first on the agenda.

Mayor Easton said item #1 on the Special Work Session agenda is:

Discussion of ordinances and procedures regarding appeals and actions of the City Council from the Bixby Planning Commission.

Presented by: Marcae Hilton

Jason Mohler Development Services Director stated that Marcae and I have been kicking this around for several months and we have been scrubbing our zoning ordinances up on what makes sense so we have a couple of thoughts to bounce off on you and get your feedback on and will eventually come back in ordinance form. Jason stated that the first thing we encountered is the zoning that once something goes to Planning Commission it's required to come to council within 15 days and that brings up a couple of things for me and Marcae and Jason gave council examples such as if we look at August and it goes to the Planning Commission on the 15th which that makes it coming to you the very next council meeting on August 22nd which makes it a tight turn around which causes a log jam on Maraca's normal work flow, so we would like to change our 15 day requirement to 30 days so we have the option to bring it to you if it is a simple or the next available council meeting and on a more complex case to give the applicant some time to make changes from the Planning Commission which would work so much better with our work flow. Jason asked for thought and question on this request, Mayor Easton asked if in previous times wasn't it 30 days and was moved to 15 days because we were getting complaints from developers, City Manager Jared Cottle stated that we can address this from the staff point if we want to keep on a fast track we can do that, but this would give us more latitude if we need comments back with the developer on trying to get things sorted out and

have something put together. Jason stated that we just like the option to go to the 30 days, City Planner Marcae stated that we are very open to what their needs are. Jared stated that rather than days we could say within the next two regular meetings, Jason stated that we will work the City Attorney Patrick Boulden on some language. Jason stated that and on the second thing that in my mind the Planning Commission is a recommending body and are not a governing body and working all over the mid-west and historically the Planning Commission would come out with a recommendation so as we go through our ordinance it varies from a zoning case or a Preliminary Plat so we really just want to clean that up, right now if it's a zoning case it can be approved as submitted or approved as amended or approved subject to modification or denied, Jason explained that if it is denied by the Planning Commission then the applicant has the option to appeal within 15 days and then it goes to the City Council, and really we just want to clean it up with no reason for an appeal, and for it to say Planning Commission can recommend approval, recommend denial or recommend approval subject to modification, Marcae stated that then you can hear it within two City Council meetings. Councilor Stewart asked if we hear it anyway, Jason stated yes. Councilor Stewart as if it is denied is it an appeal process, Jason stated that on a zoning case that's the way our ordinance reads today, it does not read that way on a plat case. Councilor Stewart asked how much does this council want to be tied up with property issues, Marcae stated that you hear those anyway and most denied will appeal and come to you. Jason said we haven't seen a lot of case recommend for denial and our Planning Commission doesn't want to do that and we are trying to education them on certain conditions, Jared stated that the conditions are what the Planning Commission is recommending not the developer, Jared stated that Planning Commission can't make a final decision on zoning those have to come to the City Council which is why it is set up in the appeal in the zoning. Jason stated that we are just wanted to make the ordinance consistent.

Council members had discussion and feedback for this item with Staff.

Discussion only. No action taken.

Mayor Easton said item #2 on the Special Work Session agenda is:

Discussion on possible amendments to City itinerate vendor ordinances to accommodate food truck and farmer's market events.

Presented by: Jared Cottle and Patrick Boulden

Patrick Boulden City Attorney stated that he is going to working on an amendment to the itinerate vendors ordinance so we can accommodate the food truck and farmers market, Patrick stated that there is so good thoughts on putting this together. Patrick stated that he wanted to your ideas on what should be regulated in the amendment for the itinerate vendor ordinance and I have given you what Tulsa has done and would like for you take a look at threes and give me any feedback that you would or would not like in the ordinance.

Council had some discussions to Patrick on the possible amendments, but will continue to take a look at some restriction for the amended ordinances.

Discussion only. No action taken.

Mayor Easton said item #3 on the Special Work Session agenda is:

Discussion on a proposed new façade to Nelson Car Country, within the City's Corridor appearance District.

Presented by: Marcae Hilton

City Planner Marcae Hilton stated that this is a façade request and they are requesting a waiver from the Corridor Appearance District for the Nelson Car Country dealership. Marcae stated that we brought this to you for the work session in case you have some comments because it is in the design phase, there is an existing design which is US Auto that is being shown to council from hand out sheets that was presented of the existing building which currently exist as a metal building, and I don't know if it got a waiver to begin with. Marcae stated that what they are proposing is a metal façade and it will have a lot more of a white wash color that way it cleans up the site and this would give it a more modern look so this is why they are asking for your opinion and comments. Marcae stated that they have already submitted their site plan application so if you have minimal comments then we can bring this back for the City Council meeting on December 13th.

Council had some question and concerns for the proposed project.

Discussion only. No action taken.

Mayor Easton asked for a motion to enter into Executive Session. Councilor Stewart made motion, 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 item #4 on the Special Work Session agenda is:

Motion to enter into Executive Session for the following purposes:

- Discussion on the appraisal and/or purchase of certain real properties near City of Bixby facilities or future facilities, located within the City's Downtown River Corridor development area, Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.

Presented by: Patrick Boulden

Mayor Easton said item #5 on the Special Work Session agenda is:

Motion to exit Executive Session and reconvene in open session.

Presented by: Mayor Easton

No action taken.

Mayor Easton asked for a motion to exit Executive Session. Councilor King made motion, seconded by Mayor Easton. The vote was taken with the following results:

Carried 5-0

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

No: None.

Adjournment was called at 6:07 p.m.

MAYOR

ATTEST

CITY CLERK