

Special Work Session Minutes
Dawes Conference Room
113 West Dawes Avenue, Bixby, Oklahoma 74008
July 10, 2017, at 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 July 7, 2017, on or before 7:00 p.m.

Mayor Easton called the meeting to order at 5:03 p.m. City Clerk Gladys Gill called the roll and all members were present except Vice Mayor Guthrie. Councilor Stewart entered at 5:49 p.m.

Members Present

Easton
Blair
Decatur
Stewart

Staff Present

Jared Cottle, City Manager
Marcae Hilton, City Planner
Andy Choate, Assist Police Chief
Tammy Ewing, City Attorney
Charles Barnes, Finance Director
Bea Aamodt, Public Works Dir.
Patrick Boulden, City Attorney
Gladys Gill, Deputy City Clerk

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

Discussion of Proposal for Economic Incentives for B&B Theatres.

Presented by: Jason Mohler

Others that spoke: Dennis McIntyre

City Manager Jared Cottle stated that he will turn it over to Dennis McIntyre to give you some update on plans for the theatre, Jared also stated that he has given council a copy of a summary of a proposed agreement.

Dennis McIntyre stated that he wanted to thank council for letting he discuss his proposed agreement with some updates from the meeting a month ago, Dennis stated that Jared and the Director of Development Services Jason Mohler met and they walked me through some of the concerns that councilors had expressed and then sent me the draft document based on, Dennis stated that they have modified it for our terms with specific points that we can go over here shortly, Dennis stated that there attorney has reviewed it and made comments on the proposed agreements and I made some changes to the terms and our attorney cleaned it up to make it feasible and your City Attorney has a copy of it also and after this work session we will have an understanding of where we want to go. Dennis stated that on the first page of the summary he wanted to go the concerns at where we were at a month ago, and some of those were the duration of the agreement, the amount, services for the emergency center and parking lot, and event hosting, also project scope. Dennis stated that we are open to ideas and confident that we can meet them and working on the language for the agreement.

Discussion continued on these items.
No action taken.

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

Discussion on a request for a license agreement from the Kennedy Group on City of Bixby property adjacent to Fry Creek, The Fry Creek Trail and behind 6935 East 116th Street.

Presented by: Patrick Boulden

City Attorney Patrick Boulden stated that he had given you exhibits as part of this discussion and in late March we came aware the Kennedy Group built fence around City owned property not just an easement but City owned property and on the page two of the exhibits given to you for review you can see actually what they have built and a lot of these pictures were taken today of the area in question. Patrick stated that it is the same condition that it was in March and the thing that we find surprisingly is that there is a sign that has been put there that says end of Fry Creek Trail and private residents beyond this point no trespassing and it is not a City sign so that's the only change, Patrick stated that the in the first weekend in April I sent a letter to the Kennedy Group asking them to respond to tell them they are trespassing on city property and it should be removed and we haven't got a respond and due to the time limit I sent one more saying basically the same thing except city staff has been advised that they can remove the fence since it's on our property and is did get a responds from the Kennedys and they would provide us with a survey of actually where the property lines are and the utilities are also provide an estimate what it would cost to remove the fence should the city decided to remove and if we grant a license agreement with the last page you have is an estimate of tear out existing fence of \$540.00 to remove the fence. Patrick stated that he has advised Kennedy that I would bring this to the council and to see if the council would accommodate them by providing a license agreement for their taking of the city property or the public's property, Patrick stated that I don't like the wording and take the public's property for their own and Patrick gave council an example of another situation on a case similar as this one, and Patrick stated that this is being brought to you to see if you want us to go forward with drafting some sort of agreement with the Kennedy Group who is actually a title owner for the property and I certainly want your input this.

Discussion continued on this item.
No action taken.

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

Discussion on revision of City Council rules.

Presented by: Tammy Ewing

City Attorney Tammy Ewing stated that in your packet is your rule regarding public comment as you directed me at the council retreat which you wanted it to be modified I added for public input is allowed at city council special meetings only upon invitation by a Councilmember or the City Manager and other changes, and there were some rules that didn't change. Tammy stated that this is proposed changes

Discussion continued on this item.

No action taken.

Mayor Easton said item #4 on the Special Work Session agenda is:

Discussion on proposed ordinance regarding regulation of motorcycles and motor scooters on streets and sidewalks.

Presented by: Tammy Ewing

City Attorney Tammy Ewing stated that I tried not to let this get complicated and what complicated it was the definitions of bicycle that was quite updated and now bicycle has now a normal definitions and its motorized bicycle and I did one separate ordinance and all I did was change the definition that's consistent with the state statues and in your packet I underlined the one's that changed and then I went into the other ordinance about motorcycles and motor scooters and I did discuss this with Vice Mayor Guthrie because this is his concerns on this Ordinance, Tammy continued to explain the changes that were made.

Discussion continued on this item.

No action taken.

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

Discussion on proposed ordinance regarding amendments to the definitions section of the ordinance regarding motor vehicles and traffic.

Presented by: Tammy Ewing

City Attorney Tammy Ewing stated that item #4 also covered the item #5 regarding the motor vehicles and traffic.

Discussion continued on this item.

No action taken.

Adjournment was called at 6:05 p.m.

MAYOR

ATTEST

CITY CLERK