



City of Bixby City Council Meeting Agenda

**Mayor Brian Guthrie
Vice Mayor Paul Blair
Council Member Andrew Revelis
Council Member Brad Girard
Council Member Robert Founds**

Monday, December 12, 2022

6:00 PM

**City Hall Municipal Building
116 W. Needles Ave., Bixby,
OK 74008**

Public comments are limited to items on the agenda. Those wishing to speak on agenda items will need to appear in the City Council Chamber.

Call to Order

Mayor Guthrie

Roll Call

Shannon Duran, City Clerk

Pledge of Allegiance

Invocation

Consent Agenda

City Clerk's Report

Consider and Approve:

- 1) Consider and/or approve Minutes for the Work Session dated 11/14/22.
- 2) Consider and/or approve Minutes for the City Council Meeting dated 11/14/22.
- 3) Consider and/or approve a Budget Revision for the Downtown River Corridor Fund in the amount of \$850,000.
- 4) Consider and/or approve the contract with GFAC Engineering for Construction Observation and Testing Services to the new Fire Station.
- 5) Consider and/or approve the Site Plan (BXSP 22.07) for ICONIK Bixby located at 125 West Needles, Bixby, Oklahoma (Midland Addition).

- 6) Consider and/or approve the contract with GFAC Engineering for Construction Observation and Testing Services for the 151st and Kingston Municipal Facility Infrastructure.
- 7) Acknowledge receipt of Oklahoma Department of Environmental Quality (O.D.E.Q.) Permit No. WL000072220593, Facility No. 3007243, Paxton Property Potable Water Line Extension.
- 8) Discuss and/or approve purchasing a brush hog for the Street Department from White Star Machinery; total \$2,335.
- 9) Discuss and/or take action on purchasing a plow for the street department, a total of \$11,294.89.
- 10) Discuss and/or approve purchasing a Chevrolet Colorado for the Street Department from Jim Norton Chevrolet; total \$30,788.
- 11) Discuss and/or approve purchasing a Bobcat CT2040 tractor from White Star Machinery for the Street Department for \$20,700.
- 12) Discuss and/or approve the Contract with Myers-Cherry for Construction Manager at Risk for the Municipal Building at 111th Cabaniss Project.
- 13) Discuss and/or approve the Contract with Miller-Tippens for Construction Manager at Risk for the Public Works Facility Project.

Regular Agenda

- 1) Discussion, consideration, and possible action to award the trade packages and subsequent subcontracts for the Fire Station No. 1 to the lowest responsible bidders per the attached recommendation letter provided by Myers-Cherry Construction.
Mike Butler, Fire Marshal
- 2) Discussion, consideration, and possible action to approve with conditions or deny Amendment No. 1 to the Construction Management at Risk contract between Myers-Cherry Construction and the City of Bixby dated November 15, 2022.
Mike Butler, Fire Marshal
- 3) Discussion, consideration, and possible vote for approval of ordinance 2425 changing ward boundaries according to resolution 2022-15 approved by Council on October 24, 2022, and in compliance with State Statute.
Phil Frazier, City Attorney
- 4) Discussion, consideration and possible vote for approval of an emergency clause for Ordinance 2425, making it effective immediately upon passage and adoption.
Phil Frazier, City Attorney

- 5) Discussion, consideration and possible vote to approve Ordinance 2424 Planned Unit Development (BXPUD 19.06) Major Amendment No. 1., to Bixby Village located South of 161st Street South and East of Riverview Drive, Bixby, Oklahoma.
O.C. Walker, City Planner
- 6) Discussion, consideration, and possible vote of an emergency clause for Ordinance No. 2424 making it effective immediately upon passage and adoption by approving BXPUD21.11, Major Amendment No. 1., for property located South of 61st Street and East of Riverview Drive, Bixby, Oklahoma.
O.C. Walker, City Planner
- 7) Discuss and/or take action on awarding the contract to Diversified Civil Contractors for the Early Site Package 151st and Kingston Municipal Facility Infrastructure; Diversified Civil Contractors submitted the lowest and best bid of \$2,096,458.00.
Justin Dowd, Assistant City Engineer
- 8) Discussion, consideration, and possible vote for approval of an Ordinance amending Chapter 5 of Title 7 of the Bixby City Code, Amending Cemetery Rules and Regulations, and Repealing all Ordinances or parts of Ordinances in conflict herewith. Replacing Article C "Rules and Regulations: in its entirety, clarifying terms; Clarifying hours of operations; Explaining fee structure; Explaining funeral arrangements; Adding a " No Transfer provision"; Clarifying grave and lot ownership and maintenance regulations; adding language about honoring Veterans; Clarification of Interment and disinterment rules; and updating rules for visiting the cemetery.
Bea Aamodt, Public Works Director
- 9) Discussion, consideration, and possible vote for approval of an emergency clause in Ordinance 2426 Cemetery Rules and Regulations making it effective immediately upon passage and adoption.
Bea Aamodt, Public Works Director
- 10) Motion to enter into Executive Session:
Executive Session:
 - a) *Discussion on negotiations and/or purchase for certain real properties at 211 North Cabaniss, owned by Tulsa County, et al: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
 - b) *Discussion on negotiations and/or purchase for certain real, residential property at 114 E. Breckenridge, owned by First Baptist Church of Bixby, Oklahoma: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
 - c) *Discussion on negotiations and/or purchase for certain real properties at 124 E. Dawes Ave., owned by Dawes 124 Bixby LLC: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*

d) 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.

Brian Guthrie, Mayor

- 11) Motion to exit Executive Session and reconvene in open session.

Brian Guthrie, Mayor

- 12) Consider and/or take action, if necessary, on the purchase of certain real property at 211 North Cabaniss, owned by Tulsa County, et al.

Jared Cottle, City Manager

- 13) Consider and/or take action, if necessary, on the purchase of real, residential property at 114 E. Breckenridge, owned by First Baptist Church of Bixby.

Jared Cottle, City Manager

- 14) Consider and/or take action, if necessary, on the purchase of certain real property at 124 E. Dawes Ave., owned by Dawes 124 Bixby LLC.

Jared Cottle, City Manager

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

Brian Guthrie, Mayor

- 16) City Manager's Report

- 17) New Business

In accordance with the Open Meeting act, Title 25 O.S. § 311.A.10, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

- 18) Adjournment

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of December 9th, 2023, on or before 6:00 p.m., at City Hall, 116 W. Needles Bixby, Oklahoma.

Respectfully Submitted

Shannon Duran
City Clerk

Note: All cell phones and pagers must be turned off or operated silently during all meetings.

21 O.S. Section 280 provides the following: A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business, agency operations or any employee, agent, official or representative of the state. B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials, employees, agents or representatives or used in any manner to conduct state business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel. C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term Oklahoma Statutes - Title 21. Crimes and Punishments Page 94 of not more than one (1) year, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. D. For purposes of this section, "disturb, interfere or disrupt" means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

For Special Accommodations

Persons who require special accommodation to participate in this meeting should contact City Clerk, Shannon Duran: 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or email [City Clerk, Shannon Duran](mailto:sduran@bixbyok.gov) (sduran@bixbyok.gov), as far in advance as possible and preferably at least 48-hours before the date of the meeting. Persons using a Telecommunication Device for the Deaf may contact Oklahoma Relay at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.