

***Amended* City Council Regular Meeting Minutes**

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

August 22, 2022 at 6:00 PM

****Minutes amended by Shannon Duran on 12/06/22 to correct verbiage in items 12-14. ****

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 August 19, 2022 on or before 5:00 p.m.

Call to Order

Mayor Guthrie called the meeting to order at 6:04 pm.

Roll Call

Shannon Duran, City Clerk, called the roll, and the following were present:

Members Present

Mayor Guthrie
Vice Mayor Blair
Councilor Founds
Councilor Girard
Councilor Revelis

Staff Present

Jared Cottle, City Manager
Shannon Duran, City Clerk
Charles Barnes, Finance Director
OC Walker, City Planner
Todd Blish, Police Chief
Joe Sherrell, EMS Chief
Mike Butler, Fire Marshall
Donna Crawford, Development
Justin Dowd, City Engineer
Bryan Toney, Public Information Officer

Pledge of Allegiance

Led by Mayor Guthrie.

Invocation

Consent Agenda

- 1) Minutes for the Work Session dated 08/08/22.
- 2) Minutes for the City Council Meeting dated 08/08/22.
- 3) Request council approval for the proposed memorandum of understanding (MOU) between the Local Fire Department Union and the City of Bixby which details new promotional exam guidelines.
- 4) Request council approval for the proposed memorandum of understanding (MOU) between the Local Fire Department Union and the City of Bixby which details education compensation.
- 5) Request council approval for Memorandums of Understanding to be attached as addendums to the collective bargaining agreement between the City of Bixby and the Firefighter's Local 2651 fiscal year 2020-2023.
- 6) Consider and/or approval of the City of Bixby & Bixby Chamber of Commerce Memorandum of Understanding (M.O.U.) fiscal year 2023 with Special Events.
- 7) Discuss and/or approve the replacement of the storm siren and siren pole located in Ranch Estates at a cost of \$17,847 from Capital funds using state contract vendors. The existing pole and siren are dilapidated and damaged due to age and wildlife.
- 8) Discuss and/or take action on City sponsorship for the Buy Bixby program managed by the Bixby Metro Chamber.
- 9) Discuss and/or take action on purchasing unleaded gasoline and diesel for \$30,000.
- 10) Request to approve the agreement with Rogers EMS Consulting to assist with the feasibility assessment and possible creation of an ad valorem EMS tax in the Bixby School District.
- 11) Consider and/or approve an agreement for single source purchase of a new ice-skating rink with Ice Challenge Enterprises.

Mayor Guthrie said Item 1-11 on the Consent Agenda is up for discussion and consideration. Mayor Guthrie pulls Items 6 and 8 for further discussion. The first item for discussion was item 6. Speaker Victoria Altman spoke on this matter before the council. Next for discussion is Item 8; speaker Victoria Altman talked about this matter being presented to the council and the importance of buying local.

Mayor Guthrie asks for a motion to approve Consent items 1-11. Councilor Founds made a motion to approve, seconded by Councilor Blair. The vote was taken with the following results:

Carried:5-0

Ayes: Founds, Blair, Revelis, Girard, Guthrie Nays:0

Regular Agenda

- 1) Consider and take action approving Ordinance Number 2405, to revoke and rescind Ordinance Number 2260, as mistakenly filed.

Mayor Guthrie said Item 1 on the Regular Agenda is up for discussion and consideration. Presented by the City Attorney, Phil Frazier.

Others who spoke: Christy Rooney

Discussions were held by the City Attorney and City Council regarding the misfiling of Ordinance Number 2260.

Mayor Guthrie asked for a motion to approve item 1 on the Regular Agenda. Councilor Founds made a motion to approve, seconded by Councilor Revelis. The vote was taken with the following results:

Carried:5-0

Ayes: Founds, Revelis, Girard, Blair, Guthrie Nays:0

- 2) Consider and take action to declare an emergency regarding Ordinance Number 2405 making it effective immediately upon passage and approval.

Mayor Guthrie said Item 2 on the Regular Agenda is up for discussion and consideration. Presented by Phil Frazier, City Attorney.

Others who spoke: Christy Rooney

Discussions were held by the City Attorney and City Council regarding the misfiling of Ordinance Number 2260.

Mayor Guthrie asked for a motion to approve item 2 on the Regular Agenda. Councilor Founds made a motion to approve, seconded by Councilor Revelis. The vote was taken with the following results:

Carried:5-0

Ayes: Founds, Revelis, Girard, Blair, Guthrie Nays:0

- 3) Discussion, consideration, and possible vote to approve Preliminary Plat (BXPT-22.13) "Midland Addition Complex" situated on approximately 2.25 acres of land located along Cabaniss Avenue, south of 151st Street South and north of Needles Avenue, Bixby, Oklahoma.

Mayor Guthrie said Item 3 on the Regular Agenda is up for discussion and consideration.

Presented by OC Walker, City Planner.

The City Planner and City Council held discussions.

Mayor Guthrie asks for a motion to approve item 3 on the Regular Agenda. Councilor Founds made a motion to approve, seconded by Councilor Blair. The vote was taken with the following results:

Carried:4-0

Ayes: Founds, Blair, Revelis, Guthrie

Nays:0

Abstains: Girard

- 4) Discussion, consideration, and possible vote to approve Ordinance No. 2208 for Rezone (BXZO-22.05) regrading "River Run," located at 14633 South Memorial Drive, Bixby, Oklahoma.

Mayor Guthrie said Item 4 on the Regular Agenda is up for discussion and consideration.

Presented by OC Walker, City Planner.

Others who spoke: Natalie Cornett and Ron Hopkins.

The City Planner provided Council with a copy of Code 11-9-19 as part of his presentation for rezoning and is being attached to the minutes hereto for reference.

Discussions were held by the City Planner and City Council regarding Item 4 Ordinance 2208 to rezone (BXZO-22.05) regarding "River Run," located at 14633 South Memorial Drive, Bixby, Oklahoma.

Mayor Guthrie asked for a motion to approve Consent item 4. Councilor Girard made a motion to approve, seconded by Councilor Founds. The vote was taken with the following results:

Carried:5-0

Ayes: Girard, Founds, Revelis, Blair, Guthrie

Nays:0

- 5) Discussion, consideration, and possible vote for approval of an emergency clause for Ordinance No. 2208 making it effective immediately upon passage and approval for Rezone (BXZO-22.05) regarding "River Run" located at 14633 South Memorial Drive, Bixby, Oklahoma.

Mayor Guthrie said Item 5 on the Regular Agenda is up for discussion and consideration.

Presented by OC Walker, City Planner.

Others who spoke: Natalie Cornett and Ron Hopkins.

Discussions were held by the City Planner and City Council regarding Item 5 Emergency Clause for Ordinance 2208 to rezone (BXZO-22.05) regarding "River Run," located at 14633 South Memorial Drive, Bixby, Oklahoma.

Mayor Guthrie asks for a motion to approve item 5. Councilor Founds made a motion to approve, seconded by Councilor Revelis. The vote was taken with the following results:

Carried:5-0

Ayes: Founds, Revelis, Girard, Blair, Guthrie Nays:0

- 6) Discussion, consideration, and possible vote to approve Ordinance No. 2209 for Specific Use Permit (BXSUP-22.01) regarding "River Run" located at 14633 South Memorial Drive, Bixby, Oklahoma.

Mayor Guthrie said Item 6 on the Regular Agenda is up for discussion and consideration.

Presented by OC Walker, City Planner.

Others who spoke: Natalie Cornett and Ron Hopkins.

Discussions were held by the City Planner and City Council regarding Item 6 Ordinance 2209 for Specific Use Permit (BXSUP-22.01) regarding "River Run," located at 14633 South Memorial Drive, Bixby, Oklahoma.

Mayor Guthrie asks for a motion to approve item 6. Councilor Founds made a motion to approve, seconded by Councilor Blair. The vote was taken with the following results:

Carried:5-0

Ayes: Founds, Blair, Revelis, Girard, Guthrie Nays:0

- 7) Discussion, consideration, and possible vote for approval of an emergency clause for Ordinance No. 2209 making it effective immediately upon passage and approval of Specific Use Permit (BXSUP-22.01) regarding "River Run" located at 14633 South Memorial Drive, Bixby, Oklahoma.

Mayor Guthrie said Item 7 on the Regular Agenda is up for discussion and consideration.

Presented by OC Walker, City Planner.

Others who spoke: Natalie Cornett and Ron Hopkins.

Discussions were held by the City Planner and City Council regarding Item 7 Emergency Clause for Ordinance 2209 for Specific Use Permit (BXSUP-22.01) regarding "River Run," located at 14633 South Memorial Drive, Bixby, Oklahoma.

Mayor Guthrie asked for a motion to approve item 7. Councilor Founds made a motion to approve, seconded by Councilor Blair. The vote was taken with the following results:

Carried: 5-0

Ayes: Founds, Blair, Revelis, Girard, Guthrie Nays: 0

- 8) Consider and/or Take Action on request from the Bixby Historical Society for sponsorship for the 2022 Santa's Village.

Mayor Guthrie said Item 8 on the Regular Agenda is up for discussion and consideration. Presented by Bryan Toney, Public Information Officer.

Others who spoke: Victoria Altman.

Discussions were held by the Public Information Officer and City Council as to Item 8 to take action on a request from the Bixby Historical Society for Sponsorship for the 2022 Santa's Village. Council approves the amount of \$7,500.00 for sponsorship.

Vice Mayor Blair asks for a motion to approve item 8. Councilor Founds made a motion to approve, seconded by Councilor Revelis. The vote was taken with the following results:

Carried: 4-0

Ayes: Girard, Revelis, Founds, Blair

Nays: 0

Mayor Guthrie steps out of the meeting at 6:22 pm to speak with citizens and is not present for the vote.

Vice Mayor Blair moves to Item 15, City Managers report, and will return to Item 9-14 after calling the remainder of the Agenda.

- 15) City Manager's Report

The City Manager may make announcements or reports concerning items of interest to the Council and the public.

Jared Cottle, City Manager, gave an update as to the upcoming events within the City of Bixby:

- Labor Day Closure at City Hall.
- Traffic Advisory from 8/24-8/25 at Harvard.
- Joe Sherrell, EMS Chief, gave an update on grants from Tulsa Tech.
- Mike Butler, Fire Marshall, updates FEMA grant to purchase firefighters' gear.
- Bryan Toney gave an update on the Bixby Homecoming parade.
- Bryan Toney gave an update on the Police Academy.
- Patriot Day is to be held at Washington Irving Park on 9/11/22.
- Bixby Community Center is to hold Bingo night on 9/17/2022.

Mayor Guthrie returns to the meeting at 6:39 pm.

At 6:40 pm, Mayor Guthrie stated we would return to items 9-14 on the Regular Agenda and called the Bixby Public Works Authority Meeting.

- 9) Motion to Enter into Executive Session.

- a. Confidential communications and discussions among the City Council and its attorney concerning potential litigation regarding the Downtown Streetscape Project schedule and claims by Paragon. Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes Section 307.B.4.

- b. 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.

At 6:43 pm, Mayor Guthrie returned to the Regular Agenda and said Item 9 on the Regular Agenda is to Motion to Enter into Executive Session.

Mayor Guthrie asks for a motion to approve item 9. Councilor Founds made a motion to approve, seconded by Councilor Blair. The vote was taken with the following results:

Carried:5-0

Ayes: Founds, Blair, Revelis, Girard, Guthrie

Nays:0

The Council, City Manager, and City Attorney enter into executive session at 6:43 pm.

- 10) Motion to exit Executive Session and enter into Regular Session.

At 11:35 pm, the Council, City Manager, and City Attorney returned to the Regular Agenda.

Mayor Guthrie said Item 10 on the Regular Agenda is a Motion to Exit the Executive Session and return to the Regular Agenda.

Mayor Guthrie states no action was taken during the Executive Session.

Mayor Guthrie asks for a motion to approve item 10. Councilor Founds made a motion to approve, seconded by Councilor Girard. The vote was taken with the following results:

Carried:5-0

Ayes: Founds, Girard, Revelis, Blair, Guthrie Nays:0

- 11) Discuss and/or take action on revised Development Agreement with Rockwood Investment, LLC for the development of the TIF 2 site in Bixby.

Mayor Guthrie states Item 11 has been withdrawn. No discussions were held.

- 12) Discuss and/or take action on Final Change Order and adjustment of quantities for the Downtown Streetscape Project.

Mayor Guthrie states Item 12 has been withdrawn. No discussions were held.

- 13) Discuss and/or take action on revised Development Agreement with Iconik Bixby Apartments, LLC for the development of the Midland Complex at 151st & Cabaniss.

Mayor Guthrie states Item 13 has been withdrawn. No discussions were held.

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

Mayor Guthrie states Item 14 has been withdrawn. No discussions were held.

- 16) 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.

No new business to discuss.

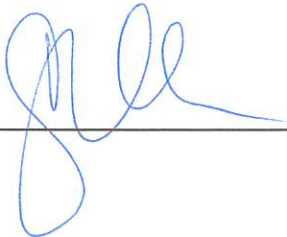
17) Adjournment

An adjournment was called to the meeting at 11:37 pm by Mayor Guthrie.

****Minutes amended by Shannon Duran on 12/06/22 to correct verbiage in items 12-14. ****



Mayor



City Clerk