

City Council Meeting Minutes

City Hall Municipal Building
116 W. Needles Ave., Bixby, OK 74008
November 14, 2022 at 6:00 PM

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 November 9, 2022, on or before 5:00 p.m.

Call to Order

Mayor Guthrie called the meeting to order at 6:00 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
Phil Frazier, City Attorney
Charles Barnes, Finance Director
Bea Aamodt, Public Works Director
OC Walker, City Planner
Todd Blish, Police Chief
Mike Butler, Fire Chief
Justin Dowd, City Engineer
Bryan Toney, Public Information Officer

Pledge of Allegiance

Invocation

Amended Consent Agenda

- 1) Minutes for the Work Session dated 10/24/2022.
- 2) Minutes for the City Council Meeting dated 10/24/2022.

- 3) Public notice schedule of the Bixby Industrial Meeting for the calendar year 2023.
- 4) Discuss and/or approve the purchase of 17 sets of dual-purpose protective gear.
- 5) Discuss and/or approve the expenditure of \$18,372 to purchase SWAT team gear for new members and replace several aging pieces of equipment from a state contract vendor, including the purchase of ballistic SWAT vests, carriers with yoke and groin protection, and ballistic helmets; Funds to be used from the SWAT account that is shared by three (3) other area agencies as part of our original SWAT agreement.
- 6) Discuss and/or approve the Contract with Myers-Cherry for Construction Manager at Risk for the Fire Station at 151st Project.
- 7) Discuss and/or approve purchasing 3-TN HV/AC Unit for the Cemetery Maintenance Building from Quality Heating and Cooling; the cost is \$12,000.
- 8) Discuss and/or take action on Utility Easement Dedication for offsite utilities for Southern Farms in Tulsa County, OK.
- 9) Discuss and/or take action on Temporary Emergency Access Easement Dedication for Southern Farms in Tulsa County, OK.
- 10) Discuss and/or take action on Authorizing an Advertisement for Bid for the Dawes Parking Lot.
- 11) Discuss and/or take action on a Funding Agreement with the Oklahoma Department of Transportation for the construction of the 126th & Memorial Traffic Signal.
- 12) Discuss and/or approve CDBG Contract for Public Improvements with Tulsa County.
- 13) Acknowledge receipt of Oklahoma Department of Environmental Quality (O.D.E.Q.) Permit No. WL000072220632, Facility No. 3007243, Haikey Creek Estates Blocks 1-7, and SL000072220631, Facility No. S20438, Haikey Creek Estates Blocks 1-7.
- 14) Discuss and/or approve the operating agreement with Bixby's Winter Wonderland LLC. for the ice skating rink for the 2022 Season.

Mayor Guthrie said Item 1-14 on the Consent Agenda is up for discussion and consideration.

Others who spoke: No others spoke on this item

Mayor Guthrie asks for a motion to approve items 1-14 on the Consent 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

Regular Agenda

- 1) Discussion, consideration, and possible confirmation on the appointment of Jason Mohler to the Bixby Planning Commission.

Mayor Guthrie said Item 1 on the Regular Agenda is up for discussion and consideration.

Item presented by: O.C. Walker

Others who spoke: Jason Mohler

Mayor Guthrie said he had the opportunity to nominate a candidate for this position to the Bixby Planning Commission and that he elected Jason Mohler. Jason Mohler will be replacing Mr. Donaldson's position on the board. Councilor Girard makes a full disclosure that he knows Mr. Mohler personally. Jason Mohler advises the council about previous projects that he was a part of that existed within the City of Bixby and his relation to those projects. Councilor Girard and Vice Mayor Blair inquired about Mr. Mohler's projects within the City.

Mayor Guthrie asks for a motion to approve item 1. 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

- 2) Discussion, consideration, and possible confirmation on the appointment of Jason Mohler to the Bixby Board of Adjustment.

Mayor Guthrie said Item 2 on the Regular Agenda is up for discussion and consideration.

Item presented by: O.C. Walker

Others who spoke: Jason Mohler

Mayor Guthrie said he had the opportunity to nominate a candidate for this position to the Bixby Planning Commission and that he elected Jason Mohler. Jason Mohler will be replacing Mr. Donaldson's position on the board. Councilor Girard makes a full disclosure that he knows Mr. Mohler personally. Jason Mohler advises the council about previous projects that he was a part of that existed within the City of Bixby and his relation to those projects. Councilor Girard and Vice Mayor Blair inquired about Mr. Mohler's projects within the City.

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

Carried:5-0

Ayes: Blair, Founds, Girard, Revelis, Guthrie

Nays: 0

- 3) Consider, discuss, amend, approve, reject or defer to award the sale of the \$4,500,000 City of Bixby General Obligation Bonds, Series 2022B to the lowest bidder.

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

Item presented by: Charles Barnes, Finance Director

Others who spoke: No others spoke on this item

Charles Barnes gave the council an update on the \$4,500,00.00 General Obligation Bonds Series 2022. Four bidders bid on the General Obligation Bonds Series 2022, which ranged from 3.47% to 3.88%. Charles asked the council to award the bid to the lowest bidder at 3.47%, with Robert W. Baird & Company Inc.

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

Carried:5-0

Ayes: Blair, Founds, Revelis, Girard, Guthrie

Nays: 0

- 4) Consider, discuss, amend, approve, reject or defer Ordinance 2423 providing for the issuance of General Obligation Bonds in the sum of Four Million Five Hundred Thousand and No/100s

Dollars (\$4,500,000.00) by the City of Bixby, Oklahoma authorized at an election duly called and held for such purpose; Prescribing form of Bonds; Providing for registration thereof; Providing for a system of registration for Uncertificated registered public obligations; Providing Levy of an annual tax for payment of principal and interest on the same; Fixing other details of the Issue; and Declaring an Emergency.

Mayor Guthrie said Item 4 on the Regular Agenda is up for discussion and consideration, Ordinance 2423, providing for the issuance of General Obligation Bonds Series 2022 for the sum of \$4,500,000.00.

Item presented by: Charles Barnes, Finance Director

Others who spoke: No others spoke on this item

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

Carried:5-0

Ayes: Blair, Founds, Revelis, Girard, Guthrie

Nays: 0

- 5) Consider and/or approve Resolution 2022-16 to authorize City Treasurer to apply to OWRB for an ARPA grant to finance aging infrastructure.

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

Item presented by: Charles Barnes, Finance Director

Others who spoke: Jared Cottle

Charles Barnes gave the council an update on the ARPA grant from the state. A portion of that grant was allocated to OWRB (Oklahoma Water Resource Board) to allow aging infrastructure refurbishment. This amount was doubled by the Governor from \$50,000,000.00 to \$100,000,000.00. Charles asks that we have the opportunity to apply for the grant, and part of that process is that the City has a Resolution passed by the City Council. Jared Cottle clarifies that the City previously had an opportunity to apply for projects on the infrastructure side that were not approved. Now, the City can apply a 2nd time for water and sewer projects.

Mayor Guthrie asks for a motion to approve item 5. 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

- 6) Discuss and/or take action on awarding the contract to Voy Construction for the Bixby North River Access Phase II; Voy Construction submitted the lowest and best bid of \$4,067,030.51.

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

Item presented by: Justin Dowd, City Engineer

Others who spoke: No others spoke on this item.

Justin Dowd presented the contract to the lowest bidder for the Bixby North River Access Phase II (Between Harmony Bridge and Washington Irving Park) to the council. This project will add additional parking, playground equipment, bathroom facilities, fine grading, and sodding for the structure that will be located in that area. There were 5 bids received by the City for this project. Voy Construction had the lowest and best bid for this project at \$4,067,030.51. The funds for this project will come from funds received from the Bixby Vision Tax.

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

Carried:5-0

Ayes: Blair, Founds, Revelis, Girard, Guthrie

Nays: 0

- 7) Discuss and/or take action on authorizing staff to award contract to the lowest and best bidder on the 151st and Kingston Municipal Facility Infrastructure Project.

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

Item presented by: Justin Dowd, City Engineer

Others who spoke: Jared Cottle, City Manager

Justin Dowd updated Council on the 151st and Kingston Municipal Facility Infrastructure projects. This new infrastructure is where the new Fire Station and Public Works Facility will be located. Staff request that they are allowed to award a contract to the lowest bidder on this project due to the holiday to allow the project to stay on track for the next phase for completion. This would allow for staff to initiate the contract and project to bring it back to the Council for ratification on the 12/12/22 Agenda.

Vice Mayor Blair made a motion to approve item 7, seconded by Councilor Revelis. The vote was taken with the following results:

Carried:5-0

Ayes: Blair, Revelis, Girard, Founds, Guthrie

Nays: 0

- 8) Discuss and/or take action on directing Staff and City Attorney to initiate contract negotiations on a Development Agreement on Blocks 20 and 21, Midland Addition Request for Proposal.

Mayor Guthrie said Item 8 on the Regular Agenda is up for discussion and consideration.

Item presented by: Jared Cottle, City Manager

Others who spoke: No others spoke on this item

Jared Cottle gave an update on proposals for contract negotiations on a development agreement for blocks 20 and 21, Midland Addition. The Bixby Public School Administrative site along Armstrong Street in Downtown Bixby. Jared advised the council that an advertisement was sent out for over a month, and the City received one proposal from RDC Properties LLC. RDC presented its proposal to Council at the 12/12/22 Work Session. This project would consist of townhouses, retail, and office space that RDC is proposing to build in those spaces. Jared requests that the council allow staff to move forward with negotiations and contract agreements on this project which would later be brought back to the council for approval. Councilor Girard inquires as to the advertisement. Jared Cottle advises the council that he did reach out and send the advertisement to others who previously showed interest in the past on previous RFPs or development within downtown. There was a newspaper advertisement and direct contact informing others of this project, with only one proposal received.

Mayor Guthrie asks for a motion to approve item 8. 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

- 9) City Manager's Report

Jared Cottle gave an update on the upcoming events within the City as follows:

- Burn Ban has been lifted.

- City offices will be closed on 11/24 and 11/25 for the Thanksgiving Holiday.
- Winter Wonderland Ice Skating Rink will open on 11/17 at 6 pm.
- A stakeholder meeting regarding Hwy 67 will be sponsored by ODOT regarding the Corridor between Memorial and Hwy 75. The meeting is to be held at New Beginnings Church on 11/15 at 7 pm.
- Vice Mayor Blair updates "Keep Bixby Beautiful" - Bixby was recognized for keeping Bixby Beautiful.

10) 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.

New new business.

11) Adjournment

An adjournment was called at 6:32 pm.



City Clerk

Mayor