

City Council Meeting Minutes

City Hall Municipal Building
116 W. Needles Ave., Bixby, OK 74008
February 13, 2023 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 February 10, 2023, on or before 5:00 p.m.

Call to Order

Mayor Guthrie called the meeting at 6:00 p.m.

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
Sharon Phillips, Assistant 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

Consent Agenda

- 1) Minutes for the Work Session dated 01/23/23.
- 2) Minutes for the City Council Meeting dated 01/23/23.

- 3) Consider and approve the OMAG (Oklahoma Municipal Assurance Group) recommendation denial for claimant Dan Munson, Claim Number 211968-1-HW.
- 4) Approval of the return of 2.09 acres of the 41.71 acres the City took for the Haikey Creek improvement project; the property owner is to refund the City pro rata purchase price in the amount of \$30,096.
- 5) Approve final acceptance of the Downtown Bixby Properties – New Awnings Project with a final contract amount of \$282,253.39.
- 6) Acceptance of the Public Infrastructure for Dollar General Store #22882, located at Highway 64 & S 86th E Ave, into the City's infrastructure.
- 7) Acceptance of the infrastructure for the Tyler Neafus Waterline Replacement, located on S 145th E Ave, into the City's infrastructure.
- 8) Acceptance of the infrastructure of Windrush II Development, located at S 134th St & Mingo, into the City's infrastructure.
- 9) Consider and Approve the lowest and best bid in the amount of \$14,300.00 from Lawn and Home Pro LLC to maintain the Downtown and Bentley Park Roundabout landscape beds.
- 10) Consider and Approve the lowest and best bid in the amount of \$17,444.26 for the purchase of spring pre/post-emergent herbicides for application at Bixby Parks (Bentley, Washington Irving, CYEP, and Quail Creek).
- 11) Consider and/or approve the contract with Building & Earth Materials Testing for Testing Services for Downtown River District Ph. II Project.
- 12) Consider and/or approve the contract with Olsson Materials Testing for Testing Services for Dawes Parking Lot Expansion Project.
- 13) Acknowledge receipt of Oklahoma Department of Environmental Quality (O.D.E.Q.) Permit No. WL000072220859, Facility No. 3007243, Southern Farms, and SL000072220860, Facility No. S20438, Southern Farms.
- 14) Acknowledge receipt of Oklahoma Department of Environmental Quality (O.D.E.Q.) Permit No. WL000072220927, Facility No. 1020418, Robinson Ranch IV, and SL000072220928, Facility No. S20438, Robinson Ranch IV.
- 15) Discuss and/or approve the Contract Change Order with Myers-Cherry for the Construction Manager at Risk for the Fire Station Construction.
- 16) Discuss and/or take action on Funding Agreement with the Oklahoma Department of Transportation for the Posey Creek Trail along Harvard.
- 17) Request authorization to purchase a 2023 Chevrolet Tahoe totaling \$50,490.00.

Mayor Guthrie said Item 1-17 on the Consent Agenda is up for discussion and consideration. Others who spoke: Dan Munson spoke on Item 3

Vice Mayor Blair requests to pull Item 17 for discussion. Chief Butler spoke about this item for the purchase of a 2023 Chevrolet Tahoe.

Dan Munson speaks on Item 3, claim denial by OMAG. Mr. Munson shares documents with the Council regarding repairs done on his property. The council would like to continue the matter for more information before they make a final decision. Jared Cottle advises that OMAG represents our municipality, and their recommendation has been to deny the claim. (Documents presented to council attached to these minutes and referenced hereto)

The council tables item 3.

Mayor Guthrie asks for a motion to approve Consent items 1-2, 4--17. Councilor Founds made a motion to approve, seconded by Vice Mayor Blair. The vote was taken with the following results:

Mayor Guthrie Abstains on his vote for Items 13-1, and votes yes on Items 1-2, 4-12, and 15-17.

Items 1-2,4-12 and Items 15-17

Carried:5-0

Ayes:Founds, Blair, Revelis, Girard, Guthrie

Nays: 0

Items 13-14

Carried: 4-1

Ayes: Founds, Blair, Revelis, Girard

Nays:0

Abstain: Guthrie

Regular Agenda

- 1) Discussion, consideration, and possible vote to approve a Rezone (BXZO - 22.10) and Planned Unit Development (BXPUD - 22.10) for Alderwood Estates located one-half mile West of South Harvard Avenue and one-quarter mile South of East 151st Street South, Bixby, Oklahoma 74008. Ordinance No. 2429.

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

Item presented by OC Walker

Others who spoke: Mark McGuire and Richard Killilea

Mark McGuire gave a presentation on Alderwood Estates amenities. Mr. Killilea advises the council that the developer has agreed with him to byuildon an 8-foot fence vs. a 6 foot fence and tree replacement.

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

Carried:5-0

Ayes: Blair, Girard, Founds, Revelis, Guthrie

Nays: 0

- 2) Discussion, consideration, and possible vote for approval of an emergency clause for Ordinance No. 2429 making it effective immediately upon passage and approval.

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

Item presented by OC Walker

Others who spoke: Mark McGuire

Mayor Guthrie asks for a motion to approve item 2. Councilor Founds made a motion to approve, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried:5-0

Ayes: Founds, Blair, Revelis, Girard, Guthrie

Nays: 0

- 3) Discussion, consideration, and possible vote to approve a Preliminary Plat (BXPT - 22.21) for Alderwood Estates located one-half mile West of South Harvard Avenue and one-quarter mile South of East 151st Street South, Bixby, Oklahoma.

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

Item presented by OC Walker

Others who spoke:

Mayor Guthrie states for the record, that he is not supportive of the size of these lots. Mayor Guthrie is supportive in this situation for this development because this development will be bringing sewer and septic a long distance, and there are a lot of costs in that he understands the economics. Mayor Guthrie wanted to be clear that the next person that wanted to come in and develop next to these lots and tie in, would be in a different situation.

Mayor Guthrie asks for a motion to approve item 3. 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

Mayor Guthrie calls item 8 out of order and will come back to Item 4

- 4) Consider, discuss, and approve Ordinance Number 2432, Bixby Easement Closure (B.X.E.C.) Number 22.02 Peniel. An easement closure of an overland drainage easement in the side yard of a property located in Section 11 Township 17 North Range 13 East in the City of Bixby. Property located at Lot Eight (8), Block One (1) of Riverview Plaza, an addition to the City of Bixby.

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

Item presented by Justin Dowd

Others who spoke:

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

Carried:4-0

Ayes: Girard, Founds, Revelis, Blair

Nays: 0

Mayor Guthrie was not present during the vote.

- 5) Discussion, consideration, and possible vote for approval of an Emergency Clause for Ordinance number 2432, making it effective immediately upon passage and approval.

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

Item presented by Justin Dowd

Others who spoke:

Vice Mayor Blair asks for a Motion on Item 5. Councilor Founds made a motion to approve, seconded by Councilor Girard. The vote was taken with the following results:

Carried:4-0

Ayes: Founds, Girard, Revelis, Blair

Nays: 0

Mayor Guthrie was not present during the vote.

- 6) Consider, discuss, and approve Ordinance Number 2433, Bixby Easement Closure (B.X.E.C.) Number 22.02 Peniel. An easement closure of an overland drainage easement in the side yard of a property located in Section 11 Township 17 North Range 13 East in the City of Bixby. Property located at Lot Nine (9), Block One (1) of Riverview Plaza, an addition to the City of Bixby.

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

Item presented by Justin Dowd

Others who spoke:

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

Carried:4-0

Ayes: Girard, Founds, Revelis, Blair

Nays: 0

Mayor Guthrie was not present during the vote.

- 7) Discussion, consideration, and possible vote for approval of an Emergency Clause for Ordinance number 2433, making it effective immediately upon passage and approval.

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

Item presented by Justin Dowd

Others who spoke:

Vice Mayor Blair asks for a Motion on Item 7. Councilor Girard made a motion to approve, seconded by Councilor Founds. The vote was taken with the following results:

Carried:4-0

Ayes: Girard, Founds, Revelis, Blair

Nays: 0

Mayor Guthrie was not present during the vote.

The Vice Mayor moves to call the BPWA Agenda out of order.

6:56 pm Recess Regular Agenda and calls the BPWA Agenda.

- 8) Discuss and/or take action on awarding the contract to Barnes Construction Solutions, Inc. for the Dawes Parking Lot Expansion; Barnes Construction Solutions submitted the lowest and best bid of \$448,656.25.

This item was called out of order

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

Item presented by Justin Dowd

Others who spoke: None

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

Carried:5-0

Ayes: Founds, Revelis, Girard, Blair, Guthrie

Nays: 0

Mayor Guthrie steps out of the council meeting.

Vice Mayor Blair returns to item 4 on the Agenda and calls Item 4.

9) City Manager's Report

City Manager Jared Cottle gave an update as to upcoming City Events:

- Upcoming downtown upgrades
- Traffic synchronization 2/27/23 start date (9-month project)
- Park naming survey
- Hot and Double fundraiser event to be held 2/25/23 at the BOK Center

10) Executive Session:

- 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.*
- Discussion on negotiations and/or purchase options for certain real property at 14515 S Yale Ave., owned by White Hawk Investments, LLC: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
- Confidential communications and discussions among the City Council and its attorney concerning potential litigation and current litigation status. Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes Section 307.B.4.*

Vice Mayor Blair said Item 10 on the Regular Agenda is Motion to Enter into Executive Session.

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

Carried:4-0

Ayes: Founds, Revelis, Girard, Blair

Nays: 0

Time 7:06 pm

Council, City Manager, and City Attorney enter into the Executive Session

Mayor Guthrie was not present at the time of the vote but was present in the Executive Session.

Time 10:36

Council returns

Mayor Guthrie says no action was taken in Executive Session.

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

Mayor Guthrie asks for a motion to exit the Executive Session.

Mayor Guthrie asks for a motion to approve item 11. Councilor Girard made a motion to approve, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried:5-0

Ayes: Girard, Blair, Revelis, Founds, Guthrie

Nays: 0

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

Mayor Guthrie asks for a motion to exit the Executive Session.

Vice Mayor Blair motions for the City Manager and the City Attorney to execute an agreement on the negotiations for 124 E Dawes. Mayor Guthrie asks Blair if he would authorize the Mayor to sign that agreement,

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

Carried:4-0-1

Ayes: Blair, Founds, Revelis, Guthrie

Nays: 0

Abstain: Girard

- 13) Consider and/or take action, if necessary, on the purchase of certain real property 14515 S Yale Ave., owned by White Hawk Investments, LLC.

Mayor Guthrie said Item 13 on the Regular Agenda is up for discussion and consideration.

Item presented by Mayor Guthrie

Others who spoke: Victoria Altman signed up to speak on this item but was not present at the time the item was called.

Mayor Guthrie motions to enter into negotiations for a contract to be signed by the Mayor.

Mayor Guthrie asks for a motion to approve item 13, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried:4-1

Ayes: Guthrie, Blair, Revelis, Founds

Nays: Girard

- 14) Discussion, consideration, and possible vote to approve Site Plan (BXSP - 22.07) for the Iconik Bixby project which is located at 125 West Needles Avenue, Bixby, Oklahoma 74008.

Mayor Guthrie said Item 14 on the Regular Agenda is up for discussion and consideration.

Item presented by O.C. Walker

Others who spoke: Josh McFarlan

Mayor Guthrie asks for a motion to approve item 14. 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

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

Mayor Guthrie said Item 15 on the Regular Agenda is up for discussion and consideration.

Item presented by Jared Cottle

Others who spoke:

Mayor Guthrie asks for a motion to approve item 15. Councilor Founds made a motion to approve, seconded by Vice Mayor Blair. The vote was taken with the following results:

Carried:5-0

Ayes: Founds, Blair, Revelis, Girard, Guthrie

Nays: 0

- 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.

- 17) Adjournment

The meeting adjourned 10:41 pm.



City Clerk





Mayor

[illegible]

NOTICE OF TORT CLAIM

Please complete **BOTH** pages of this form. Please print or type the responses, list a Total Amount at the bottom, and sign & date the form.

City, Town or Municipal Trust involved: City of Bixby Water & Sewer

CLAIMANT INFORMATION

NAME:	<u>Dan Munson</u>	SOCIAL SEC. / TAX ID #:	<u>442-82-5480</u>
ADDRESS:	<u>8721 E. 105th St. Tulsa, OK 74133</u>	DATE OF BIRTH:	<u>4/13/1967</u>
EMAIL:	<u>Munsond13@olp.net</u>	PHONE NO.:	<u>918-688-9049</u>
		GENDER:	<u>M / F</u>

If there are multiple claimants, list the additional claimants on the back side of this page

CLAIM INFORMATION

DATE: <u>09/16/ 2022</u>	TIME: <u>1:00</u> () a.m. (X) p.m.	LOCATION: <u>My property at the meter</u>
DESCRIBE INCIDENT (use additional sheets if needed): <u>Attached, also my cost break down, pictures, and</u> <u>water bill history to show amount of excess water usage.</u>		

DAMAGES / RELIEF REQUESTED

PROPERTY DAMAGE: Is the claim seeking relief for loss or damage to your Property?	___ Yes <u>X</u> No
If you checked "yes", please describe the property and the damage to the property: _____	
If you checked "yes", please state the Relief / Damages requested for loss/damage to property: \$ _____	
<i>Please complete the applicable sections on the backside of this form.</i>	

OTHER DAMAGE: Is the claim seeking relief <u>other than</u> for loss or damage to property?	<u>X</u> Yes ___ No
If you checked "yes", please describe the type of injury or damage you sustained: <u>Cost to repair leak accidentally caused</u> <u>by city of Bixby during last repair in January 2022. Cost includes repair cost from Duvall Plumbing, Cost</u> <u>of excess water usage as a result of the leak, and cost value of my time lost at work to be there for repair</u>	
If you checked "yes", please state the Relief / Damages requested <u>other than</u> for loss/damage to property: \$ <u>1,556.74</u>	
<i>Please complete the applicable sections on the backside of this form.</i>	

TOTAL AMOUNT REQUESTED TO FULLY SETTLE THE ABOVE CLAIM(S): \$ _____

CLAIMANT SIGNATURE: _____ DATE SUBMITTED: _____

NOTICE OF TORT CLAIM

See Title 51 of the Oklahoma statutes, §157 for the statutory timeline applicable to tort claims. Any settlement of a tort claim is subject to the public entity's obligations under applicable State and Federal law related to child support and Medicare reporting and reimbursement.

ADDITIONAL TORT CLAIMANTS (if applicable)

NAME: _____	SOCIAL SEC. NO.: _____
ADDRESS: _____	DATE OF BIRTH: _____
EMAIL: _____	PHONE NO.: _____ GENDER: M / F
NAME: _____	SOCIAL SEC. NO.: _____
ADDRESS: _____	DATE OF BIRTH: _____
EMAIL: _____	PHONE NO.: _____ GENDER: M / F
NAME: _____	SOCIAL SEC. NO.: _____
ADDRESS: _____	DATE OF BIRTH: _____
EMAIL: _____	PHONE NO.: _____ GENDER: M / F

WITNESS INFORMATION (if applicable)

The following individuals may have information related to the claim, including damages requested:		
Duvall Plumbing		918-991-0123
Name	Address	Phone and/or Email
Name	Address	Phone and/or Email

DAMAGES AND INSURANCE INFORMATION

Property Damage Claims: The following information must be submitted (if available) for property loss/damage claims:	
Copy of vehicle title (if applicable), appraisal(s), estimate(s) or repair bill(s) attached?	____ Yes ____ No
Was the property insured? ____ Yes ____ No	If "Yes", was a Claim filed with your insurer? ____ Yes ____ No
Insurance Company: _____	Policy No.: _____
Amount Claimed: \$ _____	Amount Received: \$ _____
Other Damage Claim: If medical treatment was provided, the following must be submitted (if available):	
Treatment Provider(s): _____	
Copies of all medical bills attached?	____ Yes ____ No
Was the injured claimant on the job at the time of the injury?	____ Yes ____ No
Is the injured claimant eligible for benefits through Medicare / Medicaid?	____ Medicare ____ Medicaid ____ No
Did the injured claimant have health insurance?	____ Yes ____ No
Total # of Pages of documentation attached by Claimant(s) to this Notice of Tort Claim: ____	

MUNICIPALITY / TRUST'S ATTACHMENT TO NOTICE OF TORT CLAIM

To be completed by City/Town/Trust staff and submitted to OMAG with the Notice of Tort Claim (or other claim document if the Notice form is not used) filed by the Claimant. Please submit the claim as soon as possible after it is received. If documentation exists but will take time to collect, please submit the claim now -- the documentation can be submitted to the OMAG adjuster once it is available.

Tort Claim Filing Information:

Tort Claim received by (Name, Job Title, Phone/Email): _____

Date Tort Claim was filed with the Clerk or Authorized Representative: ____/____/____

Date Tort Claim was received by the Municipality / Trust (if different): ____/____/____

Automobile Tort Claims: if the claim alleges that a Municipal / Trust vehicle caused damage, please provide the following information about the Municipal / Trust vehicle that was involved:

Last 4 of the VIN #: _____ Was the Municipal / Trust vehicle damaged: ____ Yes ____ No

Year, Make & Model: _____ Municipal/Trust Department: _____

Documentation: the following documentation exists and ____ is / ____ is not being submitted with the Tort Claim:

____ Police Report ____ Accident Report ____ Incident Report ____ Work Order
____ Video ____ Recorded Call ____ Witness Statement(s) ____ Injury Report

☒ Other (describe): Copies of Pictures, Repair Receipt, and Water Usage Report since January

Total # of Pages of documentation attached (not including what Claimant submitted): 12

Person(s) with knowledge of the circumstances surrounding this claim

Name	Job Title/Position	Phone	Email
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Name	Job Title/Position	Phone	Email
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Name	Job Title/Position	Phone	Email
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Name	Job Title/Position	Phone	Email
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Submitted by: _____ Job Title: _____ Date: _____

Tort Claims can be sent to OMAG several ways:

By Email:	<u>Claims@omag.org</u>
Online:	<u>www.omag.org/view-information-on-claims</u>
Fax:	405.657.1401
U.S. Mail:	3650 S. Boulevard Edmond, OK 73013

Information about pending or recent claims is available on your Member Dashboard (www.omag.org/origami) or by contacting us 405.657.1400 or Claims@omag.org. An OMAG adjuster is assigned to each claim and can answer questions about a particular claim. Contact information for OMAG adjusters is available on the Member Dashboard and at www.omag.org/claims.









DATE RANGE: 1/27/2022 THRU 9/19/2022

SUMMARY

FORMAT: SELECTED ACCOUNTS

BILL DETAIL: YES

ACCOUNT	NAME	SERVICE ADDRESS	CURRENT BALANCE					
08-0110-01	MUNSON, DANIEL/LISA	8721 E 105 ST	0.00					
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
9/15/2022	0544	9/15/2022	BANK DRAFT		BANK DRAFT	270.59	270.59CR	0.00
165.63 → soon had leak for half of September								
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
8/25/2022	0545	8/25/2022	BILL		7/07- 8/08	0.00	270.59	270.59
BILL DETAIL								
--SERVICE--	--\$--	--PREV READ--	--CURR READ--	--CONSUMPTION--				
WATER	222.99	9921	10217	296				
SEWER	40.00							
STORMWATER	4.00							
AMBULANCE	3.60							
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
8/15/2022	0546	8/15/2022	BANK DRAFT		BANK DRAFT	258.97	258.97CR	0.00
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
7/26/2022	0547	7/26/2022	BILL		6/06- 7/07	0.00	258.97	258.97
BILL DETAIL								
--SERVICE--	--\$--	--PREV READ--	--CURR READ--	--CONSUMPTION--				
WATER	211.37	9641	9921	280				
SEWER	40.00							
STORMWATER	4.00							
AMBULANCE	3.60							
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
7/15/2022	0548	7/15/2022	BANK DRAFT		BANK DRAFT	213.23	213.23CR	0.00
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
6/23/2022	0549	6/23/2022	BILL		5/04- 6/06	0.00	213.23	213.23
BILL DETAIL								
--SERVICE--	--\$--	--PREV READ--	--CURR READ--	--CONSUMPTION--				
WATER	165.63	9424	9641	217				
SEWER	40.00							
STORMWATER	4.00							
AMBULANCE	3.60							
Leak started IN June								
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
6/15/2022	0550	6/15/2022	BANK DRAFT		BANK DRAFT	117.25	117.25CR	0.00
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
5/25/2022	0551	5/25/2022	BILL		4/07- 5/04	0.00	117.25	117.25
BILL DETAIL								
--SERVICE--	--\$--	--PREV READ--	--CURR READ--	--CONSUMPTION--				
WATER	69.80	9339	9424	85				
SEWER	39.85							
STORMWATER	4.00							
AMBULANCE	3.60							
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
5/17/2022	0552	5/17/2022	BANK DRAFT		BANK DRAFT	156.60	156.60CR	0.00

* Average cost of my water prior 4 months before
Leaking again IN June = \$75.97

* Average cost since Leak started again = \$ ~~191.41~~ 191.41
* Amount owed back to me => \$191.41 - \$75.97 = \$115.44 ✓ = \$461.74

DATE RANGE: 1/27/2022 THRU 9/19/2022

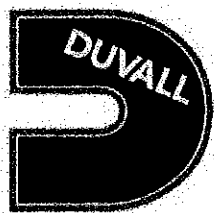
SUMMARY

FORMAT: SELECTED ACCOUNTS

BILL DETAIL: YES

ACCOUNT	NAME	SERVICE ADDRESS				CURRENT BALANCE		
08-0110-01	MUNSON, DANIEL/LISA	8721 E 105 ST				*CONTINUED*		
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
4/25/2022	0553	4/25/2022	BILL		3/09- 4/07	0.00	156.60	156.60
BILL DETAIL								
--SERVICE--		--\$--	--PREV READ--		--CURR READ--		--CONSUMPTION--	
WATER		109.00	9200		9339		139	
SEWER		40.00						
STORMWATER		4.00						
AMBULANCE		3.60						
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
4/15/2022	0554	4/15/2022	BANK DRAFT		BANK DRAFT	101.49	101.49CR	0.00
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
3/25/2022	0555	3/25/2022	BILL		2/09- 3/09	0.00	101.49	101.49
BILL DETAIL								
--SERVICE--		--\$--	--PREV READ--		--CURR READ--		--CONSUMPTION--	
WATER		59.64	9129		9200		71	
SEWER		34.25						
STORMWATER		4.00						
AMBULANCE		3.60						
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
3/15/2022	0556	3/15/2022	BANK DRAFT		BANK DRAFT	110.49	110.49CR	0.00
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
2/25/2022	0557	2/25/2022	BILL		1/06- 2/09	0.00	110.49	110.49
BILL DETAIL								
--SERVICE--		--\$--	--PREV READ--		--CURR READ--		--CONSUMPTION--	
WATER		65.44	9050		9129		79	
SEWER		37.45						
STORMWATER		4.00						
AMBULANCE		3.60						
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
2/15/2022	0558	2/15/2022	BANK DRAFT		BANK DRAFT	163.86	163.86CR	0.00
POST DATE	TRAN NO.	TRAN DATE	TYPE	FLAG	REFERENCE	BALANCE FWD	AMOUNT	BALANCE
1/27/2022	0559	1/27/2022	BILL		12/08- 1/06	0.00	163.86	163.86
BILL DETAIL								
--SERVICE--		--\$--	--PREV READ--		--CURR READ--		--CONSUMPTION--	
WATER		116.26	8901		9050		149	
SEWER		40.00						
STORMWATER		4.00						
AMBULANCE		3.60						

First Leak Fixed By Bixby



Duvall Plumbing Co
11059 S Memorial Dr
Tulsa, OK 74133
(918) 991-0123

Invoice 30120606
Invoice Date 9/16/2022
Completed Date
Customer PO

Billing Address
Dan Munson
8721 East 105th Street South
Tulsa, OK 74133 USA

Job Address
Dan Munson
8721 East 105th Street South
Tulsa, OK 74133 USA

Description of Work

DPC dug up and exposed leak by the water meter
DPC transitioned from pvc to pex and ran pex to the meter
DPC backfilled to grade
DPC double checked that meter was at a 0.00 rate
DPC snaked both master lav drains and cleared both clogs

Task #	Description	Quantity	Your Price	Your Total
CPR-1.00.0025	DPC dug up and exposed leak by the water meter DPC transitioned from pvc to pex and ran pex to the meter DPC backfilled to grade DPC double checked that meter was at a 0.00 rate DPC snaked both master lav drains and cleared both clogs	1.00	\$795.00	\$795.00
DPC-Snake295	Clear your main drain from an existing access point using an electric snake.	1.00	\$295.00	\$295.00

All services are warrantied for 30 days. Please note the warranty is voided If the line has any presence of mud, roots, disposable wipes, or flushable wipes.

Paid On	Type	Memo	Amount
9/16/2022	Visa		\$1,090.00

Sub-Total	\$1,090.00
Tax	\$0.00
Total Due	\$1,090.00
Payment	\$1,090.00

Balance Due \$0.00

Limited Warranty: All materials, parts and equipment are warranted by the manufacturers'/suppliers' written warranty only. All labor performed by Duvall Plumbing Co is warranted for 30 days or as otherwise indicated in writing. Duvall Plumbing Co makes no other warranties, express or implied, and its agents or technicians are not authorized to make any such warranties on behalf of Duvall Plumbing Co. Drains are guaranteed for 30 days unless stoppage was caused by paint, rags, debris, grease, broken settled pipe, orangeburg-fiber sewer lines, feminine products, or roof main lines.

I hereby authorize the work described above and agree to the terms and conditions as stated on this invoice. I recognize that aged and deteriorated plumbing fixtures, heating, air conditioning equipment, piping, appendages, etc, may no longer be serviceable, and I agree to hold Duvall Plumbing Co, LLC blameless for any damages or destruction to those items as a result of these conventional repair efforts.

N/A

9/16/2022

I agree that the above described work was performed to my satisfaction. The parts, labor, and materials were installed as agreed. I agree to pay the total amount in full or represent the party that will pay in full. If insurance/Warranty Company does not pay any portion of the work performed, I understand that I am responsible for the balance of the entire invoice. All warranty issues are/will be performed during normal business hours.

N/A

City of Bixby Water & Sewage: **(I built and have lived in this house since 2003)**

I noticed a leak at the meter sometime near the first of January 2022, where water was standing above the plate covering the meter.

I called the city of Bixby and they sent someone out to look at it and determined the leak was on their side of the meter. They then had a crew come out who dug up the whole area around the meter to fix the leak and then put all the dirt back in including sod to cover the area that was dug up to the west of the meter on my side. At this point I thought everything was good.

I was playing basketball with my son on Sunday September 11th, when he ran out by the street and told me there was water standing on top of the meter plate cover again. I simply thought it had begun to leak again from the same place that was repaired previously.

I then called the city of Bixby to notify them that I had a leak around my meter again and could they please send somebody out to repair it.

I got a call back from Bixby on Friday September 16th notifying me that they felt the leak was on my side of the meter, and that I was responsible for repairing it. They also let me know I was losing around 2 gallons a minute. I called Duvall plumbing and had them come out to repair the leak. Upon digging down about 3 feet into the meter area we were able to see that the leak was coming out of an area that had recently been repaired with new fresh PVC piping. The piping was brand new as well as the purple adhesive used to put it back together, indicating that when Bixby repaired the meter back in January, they accidentally broke a piece and fitting on my side of the meter that was not repaired or sealed properly causing it to later break open at the fitting or joint and start leaking again.

I have pictures of the area in the ground and a piece of the PVC and Joint that Duvall Plumbing cut off to prove that it is new and recently repaired. I also have made notes on other pictures for clarification.

I would like to be compensated for my expenses in 3 areas:

1. The Bill to fix the leak from Duvall Plumbing = \$795.00
2. The increased cost to my water bills as a result of the leak caused by Bixby = \$461.74
3. The loss of my time at work for 3 hours to get ahold of Duvall Plumbing and be at the house for them to conduct the repairs = \$300 (I work in the medical industry & make over \$100 per hour)

Total amount of compensation owed back to me = \$1,556.74

Please call me if you have any questions so I can clarify, thank you!

Dan Munson 918-688-9049 Munsond13@olp.net



DUVALL PLUMBING CO

11059 S Memorial Drive
Tulsa, Oklahoma 74133
918.991.0123

Dan Munson
8721 East 105th Street South
Tulsa, OK 74133

Dear Mr. Munson,

This letter is in response to your inquiry regarding the work performed at your home located at 8721 East 105th Street South, Tulsa, OK 74133.

Upon review of the photos from the work performed and after inspecting the material that was removed from the meter on the homeowner's side, **the pipe does not appear to be the age of the home, which would mean there was a repair performed at a more recent time. The home was built in 2003 and has only had one owner.** The owner of the home states that they had not repaired or replaced any section of the water line on the homeowner's side at any time since it has been built.

Please contact our office at 918-991-0123 if you need additional information or if we can be of further assistance. Thank you!

Sincerely,

Laura Ortiz
Operations Manager