

City Council Meeting Minutes

City Hall Municipal Building
116 W. Needles Ave., Bixby, OK 74008
September 25, 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 September 22, 2023, on or before 5:00 p.m.

Call to Order

Mayor Guthrie called the Bixby City Council Meeting to order at 6:02 p.m.

Roll Call

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

Members Present

Mayor Guthrie
Vice Mayor Founds
Councilor Girard
Councilor Revelis
Councilor Hirshey

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

Consent Agenda

- 1) Minutes for the Work Session dated 09/11/23.
- 2) Minutes for the City Council Meeting dated 09/11/23.

- 3) Consider and/or approve the OMAG (Oklahoma Municipal Group) recommendation for denial for claimant Devin and Kara Kirby, Claim 213542-1-ME.
- 4) Consider and/or approve the purchase of 8 sets of Lion firefighter bunker gear in the amount of \$25,840.00.
- 5) Consider and/or approve the surplus of the 2003 Chevy Tahoe from the Fire Department.
- 6) Consider and/or take action on approval of Economic Development Agreement for sports venue at 121st & Memorial.
- 7) Consider and/or take action on approving submittal of a Notice of Intent for an opioid abatement grant award application to the Oklahoma Opioid Abatement Board, Office of the Attorney General.
- 8) Consider and/or approve the purchase of UE Scope 2 Video Laryngoscope for the Bixby Fire Department.
- 9) Consider and/or approve the purchase of Panasonic Toughbooks and mounts for Ambulances for the amount of \$18,132.00 for the Fire Department.
- 10) Approve final acceptance of the Dawes/City Hall Rehabilitation Project and a final contract amount of \$446,763.23
- 11) Consider and/or approve the purchase of ITS Software for Bixby's Traffic Signals.
- 12) Acknowledge receipt of Oklahoma Department of Environmental Quality (ODEQ) Permit No. WL000072230753, Facility No. 3007243, Quail Creek Commons - 6 Lot Office Park.
- 13) Discuss and/or take action on Drainage Easement Dedication for Lot 19, Block 21, Midland Addition.
- 14) Discuss and/or take action on Drainage Easement Dedication for Lot 20, Block 21, Midland Addition.
- 15) Discuss and/or take action on Drainage Easement Dedication for Lot 21, Block 21, Midland Addition.
- 16) A Resolution authorizing the City Treasurer to enter into a banking agreement with Legacy Bank of Bixby, Oklahoma.- Resolution 2023-19

Mayor Guthrie asked the council for questions or comments on the consent agenda. Councilor Revelis requested that items 6, 7, and 16 be discussed further. City Manager Jared Cottle addressed items 6 and 7, prompting a discussion. Discussions held on the item 6 agreement for clarification give back 1 penny sales taxes to offsite infrastructure costs for development with a cap of \$150,000.00 within 5 years. The agreement will start when they begin generating sales tax but no later than 24 months. Item 7 was presented by Jared Cottle for clarification on the approval of the grant. This approval will begin the process to allow the city to execute a notice to allow the City to for the grant.

Finance Director, Charles Barnes addressed item 16 prompting a discussion.

Mayor Guthrie requested item 15 to be pulled for further discussion. City Engineer, Justin Dowd addressed item 15, prompting a discussion.

Mayor Guthrie asked for a motion to approve item 6 with modifications as follows: First rebate to be completed within the first 24 months or the agreement will be canceled. Vice Mayor Founds made a motion to approve, seconded by Councilor Revelis. The vote was taken with the following results:

Carried: 4-1

Ayes: Founds, Hirshey, Revelis, Guthrie
Nays: Girard

Mayor Guthrie asked for a motion to approve items 1-5 and 7-16. Councilor Hirshey made a motion to approve, seconded by Councilor Girard. The vote was taken with the following results:

Carried: 5-0

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

Regular Agenda

- 1) Discuss and consider the approval, denial, revision, or amendment of a Resolution fixing the amount of Bonds to mature each year, Fixing the time and place the Bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law.- Resolution 2023-20

Mayor Guthrie said item 1 on the Regular Agenda was up for discussion and consideration.
Item presented by Charles Barnes, Finance Director
Others who spoke: None

Charles Barnes presented item 1 to the council and suggested scheduling a special meeting for the purpose of selling bonds. Mayor Guthrie suggested setting a date and time of October 16, 2023, at 5:30 p.m., and a vote was taken to approve said date and time.

Mayor Guthrie made a motion to approve the special meeting, seconded by Vice Mayor Founds. The vote was taken with the following results:

Carried: 5-0

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

Mayor Guthrie asked for a motion to approve the Resolution 2023-20. Vice Mayor 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, Hirshey, Guthrie
Nays: 0

- 2) Discussion, consideration, and possible vote to approve the Final Plat (BXPT-21.11) for South Bixby Mini-Storage, which is located at 15805 South Memorial Drive, Bixby, Oklahoma 74008.

Mayor Guthrie said item 2 on the Regular Agenda was up for discussion and consideration.
Item presented by O.C. Walker, Planning Director

Others who spoke: None

O.C. Walker proposed item 2 and suggested that the council approve the Final Plat as it was presented. Mayor Guthrie inquired if there were any changes made since the preliminary plat was brought to the council, to which Mr. Walker replied that there were no alterations.

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

Carried: 4-1

Ayes: Hirshey, Revelis, Founds, Guthrie

Nays: Girard

- 3) Discussion, consideration, and possible vote to approve Planned Unit Development (PUD-12), Major Amendment "C" for the South County Industrial Park which is located One-half mile North of East 151st Street South and West of Kimberly Clark Place, Bixby, Oklahoma 74008.

Mayor Guthrie said item 3 on the Regular Agenda was up for discussion and consideration.

Item presented by O.C. Walker, Planning Director

Others who spoke: Jared Cottle, Barbara Mullins, Sharla Burgess, Richard OHeary, Shawn Saylor, Kristy Behrens, John Kike, Dave Brynerson, Curt Roberts, Jacqueline Holloway, and Bev Kile

O.C. Walker presented to the council an amendment to PUD-12 for the South County Industrial Park. This item was tabled by the Planning Commission on August 21 and was reheard on September 18, 2023. The reason the item was tabled was for the applicant to go back and revise the overall PUD. Landscaping was a major part of the revision of the PUD. Any site plan has come through the Planning Commission and City Council for approval. The lot is approximately a 78-acre with 50 ft street frontage, lot size increases from 4 to 12, and the building height is reduced from 50 ft to 40 ft. Use to be involved with the development is Use unit 22(research and development), 22A(science and technology),23 (warehouse and wholesaling), 25 (light manufacturing), and any growth facilities will be prohibited. Uses that will not be allowed in the development are as follows: Use unit 12 (medical marijuana dispensary), 22 (medical marijuana research), 22A (medical marijuana testing), 23 (laboratory use testing, medical marijuana wholesaling, and sexually oriented businesses), and prohibit grow houses. Properties to the north are zoned as agriculture and is vacant. To the east of the property is RS-3 is single-family residential. To the south is CS- light industrial and RS-3 (which is currently vacant). To the west of the property is vacant. The site should coincide with the corridor appearance district. PUD 12 should be in compliance with the screening, signage, parking, drainage, existing zoning, and comprehensive site plan. According to the COMP plan, zoning is designated industrial. Staff recommends approval with the following conditions: building heights no more than 40 ft, site plan, and landscape plan shall have Planning Commission and City Council approval, all buildings should signage should have the interior row streets (no signs along the corridor that light up the neighborhood area).

Councilor Girard expresses concerns on behalf of his ward about this development. Citizens spoke on the item and expressed their concerns about traffic in the neighborhoods. Discussions were held as to the public safety of this surrounding neighborhood. Neighbors request that the trees in the greenbelt not be touched in the new development. No mature trees will be cut down unless necessary. Mature trees are to be left alone in the area unless a disaster.

Language to be added to the PUD: Mature trees in the greenbelt are to be left alone and not cut down unless a disaster occurs. The developer agrees to add that the mature trees are to be

protected in the greenbelt.

Councilor Hirshey moves to approve the PUD with the following revisions to Page 5 Section 2 paragraph "A " to be reworded as follows: All sides of the administrative/support buildings facing public streets shall be 100% masonry to include brick, stucco, Tiltup, free cast concrete or similar masonry like product, stone or some combination thereof or products that resembles masonry like material in view. Warehouse buildings shall have exterior skins to resemble masonry. Paragraph D of the same section shall have the following sentence added: Mature trees shall be preserved in the greenbelt area.

Mayor Guthrie asked for a motion to approve item 3. Councilor Hirshey made a motion to approve, seconded by Councilor Revelis. The vote was taken with the following results:

Carried: 4-1

Ayes: Hirshey, Revelis, Founds, Guthrie
Nays: Girard

Mayor Guthrie recessed the meeting at 7:50 p.m.

Mayor Guthrie resumed the meeting at 8:00 p.m.

- 4) Discussion, consideration, and possible vote to approve Planned Unit Development (BXPUD-19.04), Major Amendment No1., for Storij Bixby, which is located at 7665 East 126th Street South, Bixby, Oklahoma 74008 (Parke 126).

Mayor Guthrie said item 4 on the Regular Agenda was up for discussion and consideration.
Item presented by O.C. Walker, Planning Director

Others who spoke: Nathalie Cornett with Eller & Detrich, P.C., Grant Willoughby, Engineer, John Davis, Property Owner, Curt Roberts,

Mr. O.C. Walker submitted a PUD to the council, proposing a major amendment to include mini-storage in Use Unit 16. During the presentation, Mr. Walker informed the council that items 4 and 5 could be deliberated together, but separate voting would be necessary for each item.

Nathalie Cornett presented renderings and building materials for a proposed structure on behalf of Storij Bixby. Grant Willoughby further discussed the design and materials for the structure. Mayor Guthrie inquired about the restriction on mini-storage in Use Unit 16, leading to a discussion. Property owner John Davis also shared his plans for the use of his property. Additionally, Curt Roberts emphasized the necessity for storage units during his speech to the council. Councilor Hirshey inquired further about building materials for the proposed structure.

The building will be masonry on the West, North, and South walls. The East wall will be partial masonry and will have a blue architectural accent feature. Band

Councilor Hirshey motions that PUD amendment #1 Storij to include only that parcel and not the remaining of the development.

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

Carried: 4-1

Ayes: Hirshey, Revelis, Founds, Guthrie
Nays: Girard

- 5) Discussion, consideration, and possible vote to approve a Site Plan (BXSP-23.08) for Storij Bixby, which is located at 7654 East 126th Street South, Bixby, Oklahoma 74008 (Parke 126).

Mayor Guthrie said item 5 on the Regular Agenda was up for discussion and consideration.
Item presented by O.C. Walker, Planning Director
Others who spoke: None

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

Carried:5-0

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

- 6) City Manager's Report

City Manager, Jared Cottle provided the council with updates on projects and upcoming events:

- The traffic signal at 126th will be up and running starting 09/26.
- The 131st bridge is completed and the project is on track to reopen the street the week of October 6.
- Homecoming parade October 15th in downtown.
- Game Day is on October 6.
- Hallow(theined) party on October 28 in downtown.

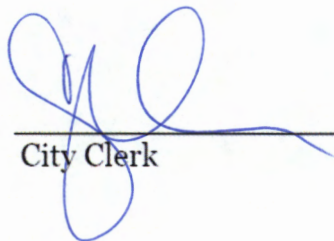
- 7) New Business

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.

- 8) Adjournment

An adjournment was called at 8:33 p.m.



City Clerk





Mayor