



City of Bixby City Council Meeting Agenda

**Mayor Brian Guthrie
Vice Mayor Robert Founds
Council Member Brad Girard
Council Member Andrew Revelis
Council Member Ken Hirshey**

Monday, November 13, 2023

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) Minutes for the Work Session dated 10/23/23.
- 2) Minutes for the City Council Meeting dated 10/23/23.
- 3) Consider and/or approve Resolution 2023-21 authorizing the inspection of City bridges by Tulsa County's selected consultant.
- 4) Consider and adopt a Proclamation declaring Saturday, November 25, 2023, as "Small Business Saturday" in the City of Bixby.
- 5) Consider and/or approve Resolution 2023-22 a Resolution of the Governing body of the City of Bixby, Authorizing OMAG to distribute escrow account funds.

- 6) Consider and/or approve a purchase order for \$25,000 to remove trees in the Fry Flood Protection Facility, East of Memorial and North of 121st.
- 7) Consider and/or approve an expedited delivery of the emergency traffic lighting system for the new fire station in the amount of \$11,100.00.
- 8) Consider and/or Approve the final acceptance of the Atkinson Acres Sanitary Sewer Rehabilitation Project and a final contract amount of \$79,925.00.
- 9) Consider and/or Approve the final acceptance of the 2022 Water System Improvements – Deer Run Booster Station Project and a final contract amount of \$1,129,223.23.
- 10) Consider and/or approve the contract with GFAC Materials Testing for Testing Services for City of Bixby Municipal Building Project.
- 11) Consider and/or approve Building & Earth Materials Testing for Testing Services for Downtown River District Ph. II Project.
- 12) Consider and/or approve the final acceptance of the White Church Creek Bridge Project and a final amount of \$998,900.00.

Regular Agenda

- 1) Discuss Phase II Storm Water Management Program for the City of Bixby.
- 2) Motion to enter into Executive Session:
 - a. *Confidential communications and discussions among the City Council and its attorney concerning potential litigation regarding Per- and Polyfluorinated Substances (PFAS) claims. Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes Section 307.B.4.*
 - b. *Discussion on matters pertaining to Economic Development, the Public disclosure of which would violate the confidentiality of the businesses. Authority: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes Section 307.C.11.*
 - c. *Discussion on negotiations and/or purchase for certain real property at the intersection of 5th Street and E. Ave., owned by NuSho Property Company, LLC: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*

- d. *Discussion on negotiations and/or purchase for certain real property in Reserve "A" of Jade Crossing, owned by First Equity Corporation: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
- e. *Discussion on negotiations and/or purchase for certain real property in Bixby Ranch Estates on 145th Street, approximately 3/8 mile north of 203rd Street, owned by Jennifer Hicks and Meghan Wheeler: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
- f. *Discussion on negotiations and/or purchase for certain real property at 113 E. Dawes, owned by Roy Edward and Donna Rae Morris Trust: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
- g. *Discussion on negotiations, sale, and/or trade for certain real property at 211 N. Cabaniss, owned by the City of Bixby: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
- h. *Discussion on negotiations, sale, and/or trade for certain real property at 109 and 118 N. Armstrong, owned by the City of Bixby: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
- i. *Discussion on negotiations, sale, and/or trade for certain real property at 7 E Dawes along with 109 and 116 N. Armstrong, owned by City of Bixby: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*
- j. *Discussion on negotiations, sale, and/or trade for certain real property at Breckenridge and S. A. Ave., owned by City of Bixby: Oklahoma Open Meeting Act, Title 25 Oklahoma Statutes, Section 307.B.3.*

Brian Guthrie, Mayor

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

- 4) Consider and/or take action, if necessary, on real estate negotiations and/or purchase of real estate *in* Reserve “A” of Jade Crossing, owned by First Equity Corporation.

Brian Guthrie, Mayor

- 5) Consider and/or take action, if necessary, on economic development agreement or agreements on real estate at 211 N. Cabaniss, owned by the City of Bixby.

Brian Guthrie, Mayor

- 6) Consider and/or take action, if necessary, on economic development agreement on real estate at 109 and 118 N. Armstrong, owned by the City of Bixby.

Brian Guthrie, Mayor

- 7) City Manager's Report

- 8) 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.

- 9) Adjournment

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of November 9, 2023, on or before 6:00 p.m., at City Hall, 116 W. Needles Bixby, Oklahoma 74008.

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.