

City Council Meeting Minutes

City Hall Municipal Building
116 W. Needles Ave., Bixby, OK 74008
November 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 November 9, 2023, on or before 5:00 p.m.

Call to Order

Mayor Guthrie called the City Council Meeting to order at 6:06 pm.

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
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 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.

Mayor Guthrie said Item 1-12 on the Consent Agenda is up for discussion and consideration.

Councilor Girard requests to pull items 8 and 9 for discussion. Councilor Girard inquires from Justin Dowd as to the completion of both of these items.
Both projects have been completed.

Mayor Guthrie asks for a motion to approve items 1-12. Councilor Girard made a motion to approve, seconded by Vice Mayor Founds. The vote was taken with the following results:

Carried:5-0

Ayes: Girard, Founds, Revelis, Hirshey, Guthrie

Nays: 0

Regular Agenda

- 1) Discuss Phase II Storm Water Management Program for the City of Bixby.

Mayor Guthrie said Item 1 on the Regular Agenda is up for discussion and consideration.
Item presented by Bea Aamodt, Public Works Director

Bea Aamodt gave an update to the council on Phase II of the Storm Water Management Program. Bea advises that this item is open for any public comments on the program. Permitted stormwater discharges for the public drainage water management plan, which was adopted by the Council and approved by DEQ. The document for this program is maintained in the Public Works Department

at 113 W Dawes and available for the public to view.

The permit for this program has some requirements for the City of Bixby. There is an industrial stormwater run-off requirement. However, the City is not required since we are Category II. Effective 6/1/2023. The city has provided education as to how to protect our water waste. like to keep oil and grease out of our stormwater system. Participated in "Keep Bixby Beautiful" events. In the process of dry field screening to see if there are any illegal dumping that may need to be addressed, inspection of new buildings, and home inspections to make sure that they are utilizing the right erosion control method (on a weekly basis). Sending an annual report to DEQ summarizing all the events and status as to the requirements being met.

This item was on the Agenda for update only.

Mayor Guthrie moves to the City Manager's report and Bixby Public Works Authority Agenda before calling item 2 on the Agenda.

Mayor Guthrie reconvenes the meeting at 6:29 pm and calls Item 2.

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 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.*

Mayor Guthrie said Item 2 on the Regular Agenda is the Motion to enter into an Executive Session. Others who spoke: Christie Rooney

Christie Rooney asks for clarification as to who can be in the executive session for discussions being held. Mayor Guthrie advises the Council, City Manager, and City Attorney only.

Mayor Guthrie asks for a motion to enter the executive session. 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

The Mayor, Council, City Manager, and City Attorney exit the meeting and enter into an Executive Session.

Time: 6:30 pm.

Time 8:47 pm.

The Mayor, Council, City Manager, and City Attorney returned to the meeting.

Mayor Guthrie says no action was taken in the executive Session.

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

Mayor Guthrie asks for a motion to exit the executive session Vice Mayor Founds made a motion to approve, seconded by Councilor Hirshey. The vote was taken with the following results:

Carried:5-0

Ayes: Founds, Hirshey, Girard, Revelis, Guthrie

Nays: 0

- 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.

Mayor Guthrie says Item 4 is tabled for now.

- 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.

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

No discussion held.

Mayor Guthrie asks for a motion to approve item 5. Councilor Hirshey moves to approve the authorization of Mayor Guthrie to approve the contracts once the City Attorney finalizes the contracts with Exhibits. City Manager Jared Cottle confirms that there will be two Economic Development Agreements for this location. Motion was 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) 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.

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

Mayor Guthrie asks for a motion to approve item 6. Councilor Hirshey made a motion to approve the Economic Development Agreement the authorization of Mayor Guthrie to approve the contracts once the City Attorney finalizes the contracts with Exhibits. Seconded by Councilor Revelis. The vote was taken with the following results:

Carried:5-0

Ayes: Hirshey, Revelis, Girard, Founds, Guthrie

Nays: 0

- 7) City Manager's Report

City Manager Jared Cottle gave an update as follows:

- Recognize the team from White Church Creek Bridge. Bea Aamodt made introductions and thanked all parties involved.
- Zoning Codes and Regulations Open House at Cross Roads Fellowship
- Lights on at Charley Young 11/17
- City offices closed for Thanksgiving
- Festival of Trees on 11/23/23
- 12/9 Christmas Parade and Buy Bixby grand finale

Mayor Guthrie recesses from the City Council Agenda and calls the Bixby Public Works Authority Agenda.

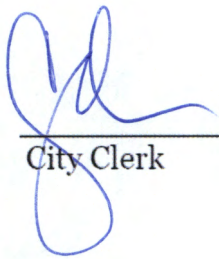
8) New Business

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.

No new business

9) Adjournment

Adjournment was called at 8:49 pm


City Clerk

Mayor

Quad 1 Fields 1-4 Renovation

Baseball Quad 1 (Fields 1-4) opened in 2008, and was the first phase of Bentley Park. It has been in operation for 15 years with no major renovations. The Parks Dept. with guidance and design from the City Manager will renovate all four fields to correct drainage and grade issues to lessen the effects of rainouts for league and tournament games.

Correcting grade issues will require building retaining walls throughout the complex. The retaining wall will be designed by the City Manager, all excavating, grading, and forming and pouring of concrete will be done by the Parks Dept. Funding of this project would be using Park Fund Balance. To allow Bond Funds to renovate the Playground, and build Pickle Ball Courts, Sand Volleyball courts, parking lots, and other improvements.

Key issues:

Items to purchase either using State Contract Pricing or acquiring three bids:

- Concrete for footings and retaining walls
- Re-bar
- Lumber to build concrete forms
- Irrigation parts

Items to be contracted out:

- Fence installation Perimeter fencing for all four fields
- Sod installation

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