

City Council Meeting Minutes

City Hall Municipal Building
116 W. Needles Ave., Bixby, OK 74008
January 27, 2025 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 January 24, 2025, on or before 5:00 p.m.

Call to Order

Mayor Girard called the Bixby City Council Meeting to order at 6:07 pm.

Roll Call

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

Members Present

Mayor Girard
Vice Mayor Founds
Councilor Schultz

Staff Present

Joey Wiedel, City Manager Interim
Shannon Duran, City Clerk
Phil Frazier, City Attorney
Charles Barnes, Finance Director
Bea Aamodt, Public Works Director
Todd Blish, Police Chief
Joe Sherrell, Fire Chief
Justin Dowd, City Engineer
Bryan Toney, Public Information Officer

Pledge of Allegiance

Invocation

- 1) Administration of the Oath of Office for Councilor filling the vacancy for Ward 2, David Crago.
Vice Mayor Founds made a motion to remove the item from the Agenda, Councilor Schultz seconded. The vote was taken with the following results:

Carried:3-0

Ayes: Founds, Schultz, Girard
Nays: 0

Consent Agenda

- 1) Minutes for the Work Session dated 1/13/25.
 - 2) Minutes for the City Council Meeting dated 1/13/25.
 - 3) Accept the infrastructure of The Crossing at Conrad Village Blocks 8-11 Development, located at S 161st St and Memorial, into the City's infrastructure.
 - 4) Consider and/or approve adopting Fiscal Year (F.Y.) 2025-2026 Transportation Alternatives (T.A.P.) and F.Y. 2022-2026 Carbon Reduction Program (C.R.P.) Project Resolution and authorizing Application for funds for the 121st trail. Resolution 2025-2.
 - 5) Consider and/or approve adopting Fiscal Year (F.Y.) 2025-2026 Transportation Alternatives (T.A.P.) and F.Y. 2022-2026 Carbon Reduction Program (C.R.P.) Project Resolution and authorizing Application for funds for the 131st & Garnett round-about. Resolution 2025-3.
 - 6) Discuss and/or approve to \$13,934.74 to repair Sterling Dump Truck for Street Department.
- Mayor Girard said Items-1-6 on the Consent Agenda is up for discussion and consideration.

Mayor Girard asks for a motion to approve items 1-6. Mayor Girard made a motion to approve, seconded by Vice Mayor Founds. The vote was taken with the following results:

Carried:3-0

Ayes: Girard, Founds, Schultz

Nays: 0

Regular Agenda

- 1) Discussion, Consideration, and Approval of Ordinance 2490 amending Finance and Taxation section 2-5a-9 of the Bixby City Code; Continuing the sales tax for the City of Bixby, Oklahoma at a rate of three percent (3%) until November 30, 2054.

Mayor Girard says items 1-4, 9-15, and 16 will be continued to the next agenda.

- 2) Discussion, consideration, and possible vote to approve an emergency clause for Ordinance Number 2490 making it effective immediately upon passage since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, safety, welfare, morals, and service to the citizens.

Mayor Girard says item 2 will be continued to the next agenda.

- 3) Discussion, consideration, and approval of Ordinance 2491 amending Ordinance no. 272 to revise Title 11, Chapter 5, Section 11-5-3 and 11-5-4, Subsection D of the Bixby Code.

Mayor Girard says this item will be continued to the next agenda.

- 4) Discussion, consideration, and possible vote to approve an emergency clause for Ordinance Number 2491, making it effective immediately upon passage since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, safety, welfare, morals, and service to the citizens.

Mayor Girard says this item will be continued to the next agenda.

- 5) Discussion, consideration, and possible vote for approval of revised Site Plan (BXSP-24.14); Courts & Commons.

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

Presented by: Joey Wiedel

Others who spoke: Chad Brewer, Brewer Construction, Paul Blair

City Manager Interim, Joey Wiedel, gave an overview of the project. The applicant is close to opening and is seeking a revised site plan from the City Council. Discussion ensued between the council and the applicant. Applicant requests to leave the exterior of the building the way it currently is, adding a screen with signage, and additional trees to provide a buffer between.

The Planning Commission approved the site plan with a moratorium that the applicant would conform to corridor requirements within 18 months. The Council asks for clarification if they are voting on the revised site plan to give the applicant time to do what is required for the Memorial Corridor.

Paul Blair speaks on the item.

Mayor Girard makes a motion to approve item #5 with the friendly amendment of an 18-month moratorium to allow for masonry compliance of the Memorial Corridor District requirements, seconded by Vice Mayor Founds. The vote was taken with the following results:

Carried:3-0

Ayes: Girard, Founds, Schultz

Nays: 0

- 6) Discussion, consideration, and possible vote for approval of Final Plat, BXPT-22.18 Blocks 1-4 of The Preserve.

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

Item presented by Joey Wiedel, City Manager Interim

Others who spoke: Erik Enyardt, Tanner Consulting

City Manager Interim, Joey Wiedel, provides the council with an overview of the projected development. Discussion ensued between the Council and the applicant as to lot and home sizes within the Development.

Mayor Girard asked for a motion to approve item 6. Vice Mayor Founds made a motion to approve. No second motion was made. Motion dies due to lack of 2nd.

Discussion ensued with the Council, City Attorney, applicants, and staff as to the vote on the Final Plat.

Vice Mayor Founds makes a new motion to accept the Final Plat as recommended by the Planning Commission with infrastructure, seconded by Councilor Schultz. The vote was taken with the following results:

2nd Motion Fails: 2-1

Ayes: Founds, Schultz,

Nays: Girard

Mayor Girard moves to item 7

Time: 7:15 pm

The council returns to item 6 (See item 7 for further minutes).

Mayor Girard states that legally, the council can bring the item back before the council for a new

vote in the best interest of the City from a legal standpoint and a process standpoint. Mayor Girard states that it would be unfair to change the rules midstream for this development at the Final Plat stage.

Mayor Brad Girard asks for a motion to reconsider item 6, seconded by Councilor Schultz. The vote was taken with the following results:

Carried:3-0

Ayes: Girard, Schultz, Founds

Nays: 0

Mayor Girard asks for a motion to approve the Final Plat, BXPT-22.18 Blocks 1-4 of The Preserve. Vice Mayor Founds made a motion to approve, seconded by Councilor Schultz. The vote was taken and the following results:

Carried:3-0

Ayes: Founds, Schultz, Girard

Nays: 0

- 7) Discussion, consideration, and possible vote for approval of Final Plat, BXPT-22.18 Block 5 of The Preserve.

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

Item presented by Joey Wiedel

Others who spoke:

City Manager Interim, Joey Wiedel, states information as to the Plat has already been stated in item 6.

Mayor Girard asks for a motion to approve item 7. Councilor Founds made a motion to approve, seconded by Councilor Schultz. The vote was taken with the following results:

Item fails 2-1

Ayes: Founds, Schultz

Nays: Girard

Discussions ensued between the City Attorney, City Council, and staff as to the vote.

The staff looks into voting statute

Time 7:01 PM

Councilor Bobby Schultz makes a motion to suspend this meeting and go to Public Works Meeting, seconded by Mayor Girard.

Ayes: Schultz, Girardm Founds

Nays:0

7:01 PM Mayor Girard makes a motion to reconvene the City Council Agenda and then asks to take a 15-minute recess to research the voting statute further.

Ayes: Girard, Schultz, Founds

Nays: 0

7:15 PM Mayor Girard reconvenes the City Council meeting.

Mayor Girard apologizes for any confusion and thanks the staff. Discussion ensued as to the review and discussion on the statute for voting

Mayor Girard gives a synopsis of what occurred for transparency. In state law, only a majority is needed for a vote to pass. However, the Bixby City Charter states that if only 3 councilors are present for an item to fail or an item to pass there must be 3 yes votes.

Mayor Girard states that after consulting with the City Attorney we will return to item 6 for a vote. (Council moves to item 6, see item 6 minutes)

After recalling item 6, Mayor returns to recall item 7.

Mayor Brad Girard asks for a motion to reconsider item 7 approval of Final Plat, BXPT-22.18 Block 5 of The Preserve, seconded by Vice Mayor Founds. The vote was taken with the following results:

Carried:3-0

Ayes: Girard, Founds, Schultz

Nays: 0

Mayor Girard asks for a motion to approve item 7, Final Plat, BXPT-22.18 Blocks 5 of The Preserve. Vice Mayor Founds made a motion to approve, seconded by Councilor Schultz. The vote was taken and the following results:

Carried:3-0

Ayes: Founds, Schultz, Girard

Nays: 0

- 8) Discussion, consideration, and possible vote for approval of Comprehensive Plan Amendment BXCP-24.05 for Legends Reserve, located at the northwest corner of 111th Street and South Mingo Road.

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

Item presented by Joey Wiedel, City Manager Interim

Others who spoke:

The City Manager advises that this item should be heard with items 9-12 and is coming back to the next council meeting.

Mayor Girard makes a motion to continue item 8 to the next meeting, seconded Schultz. The vote was taken with the following results:

Motion to continue carried 3-0

Ayes: Girard, Schultz, Founds

Nays: 0

Mayor Girard calls item 17 City Managers report

- 9) Discussion, consideration, and possible vote for approval of Ordinance 2492, a Rezone BXZO-24.08 for Legends Reserve, located at the northwest corner of 111th Street and South Mingo Road.

Mayor Girard says the item is continued until the next Agenda.

- 10) Discussion, consideration, and possible vote to approve an emergency clause for Ordinance Number 2492 making it effective immediately upon passage since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, safety, welfare, morals, and service to the citizens.

Mayor Girard says the item is continued until the next Agenda.

- 11) Discussion, consideration, and possible vote for approval of Ordinance 2493, a Planned Unit Development BXPUD-24.09 for Legends Reserve, located at the northwest corner of 111th Street and South Mingo Road.

Mayor Girard says the item is continued until the next Agenda.

- 12) Discussion, consideration, and possible vote to approve an emergency clause for Ordinance Number 2493 making it effective immediately upon passage since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, safety, welfare, morals, and service to the citizens.

Mayor Girard says the item is continued until the next Agenda.

- 13) Discussion, consideration, and possible vote for approval of Ordinance 2494, Rezone BXZO-24.06 for Bixby Farms, located near the 14600 block of South Sheridan Road.

Mayor Girard says the item is continued until the next Agenda.

- 14) Discussion, consideration, and possible vote to approve an emergency clause for Ordinance Number 2494 making it effective immediately upon passage since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, safety, welfare, morals, and service to the citizens.

Mayor Girard says the item is continued until the next Agenda.

- 15) Discussion, consideration, and possible vote for approval of Ordinance 2495, Planned Unit Development BXPUD-24.07 for Bixby Farms, located near the 14600 block of South Sheridan Road.

Mayor Girard says the item is continued until the next Agenda.

- 16) Discussion, consideration, and possible vote to approve an emergency clause for Ordinance Number 2495 making it effective immediately upon passage since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, safety, welfare, morals, and service to the citizens.

Mayor Girard says the item is continued until the next Agenda.

- 17) City Manager's Report

City Manager interim, Joey Wiedel, reported as follows:

- 111th and Memorial widening project update
- Diversified Civil-Storm Water box installation update
- Water outage on 1/28 from 8-5 pm Southwood Addition area

Mayor Girard motions to exit the City Council Meeting and open Bixby Public Works Meeting, seconded by Councilor Schultz.

- 18) Adjournment

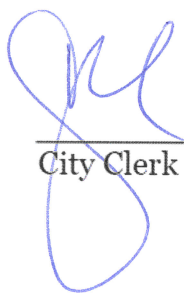
Mayor Girard asks for a motion for adjournment seconded by Schultz. The vote was taken with the following results:

Carried:3-0

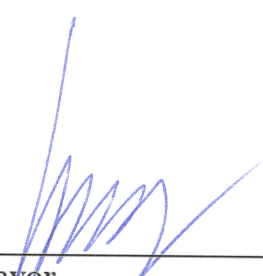
Ayes: Girard, Schultz, Founds

Nays: 0

Adjournment 7:22 pm



City Clerk


Mayor

[illegible]