

City Council Meeting Minutes

Bixby Municipal Building
111 N. Cabaniss Avenue
Bixby, OK 74008
June 23, 2025 at 6:00 PM

The agenda for the regularly scheduled meeting of the Bixby City Council of the City of Bixby was posted on the bulletin board at the Bixby Municipal Building, 111 N. Cabaniss Ave., Bixby, OK 74008 on June 20, 2025, on or before 5:00 p.m.

Call to Order

Mayor Girard called the 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 Schultz
Councilor Hirshey
Councilor David
Councilor Payne

Staff Present

Joey Wiedel, City Manager (Not present)
JT Hammons, City Attorney
Shannon Duran, City Clerk
Charles Barnes, Finance Director
Bea Aamodt, Public Works Director
Todd Blish, Police Chief
Nick Flanary, Assistant Fire Chief

Invocation

Pledge of Allegiance

Consent Agenda

- 1) Minutes for the Work Session dated 06/09/25.
- 2) Minutes for the City Council Meeting dated 06/09/25.
- 3) Consider and approve the OMAG (Oklahoma Municipal Assurance Group) recommendation for denial for claimant Preston Smith, Claim 216581-1-JM.

- 4) Consider and approve the OMAG (Oklahoma Municipal Assurance Group) recommendation for denial for claimant Clark Williams, Claim 216581-2-JM.
- 5) Consider and/or approve the purchase of new Fire Bunker Gear for 10 new firefighters from NAFECO- a Sourcewell vendor in the amount of \$43,980.
- 6) Discuss and/or approve the annual renewal of the ESO Software for the Fire Department in the amount of \$11,192.90
- 7) Discuss and/or take action on awarding contract to A&A Asphalt for the 2024 CIRP – Twin Creeks Pavement Rehabilitation; A&A Asphalt submitted the lowest and best bid of \$918,519.00.
- 8) Discuss and/or approve Amendment No. 2 to Beck Design's agreement to add design services for an Electronic Acoustic Enhancement System for the Bixby Performing Arts Center in the amount of \$13,750.
- 9) Acknowledge receipt of the Oklahoma Department of Environmental Quality (ODEQ) WLO00072250495, South County Industrial Park.
- 10) Consider and/or approve authorization for city staff to move forward with identifying and securing sponsorships at Bentley Park in Bixby, Oklahoma.
- 11) Consider and/or approve Resolution No. 2025-15, providing for the participation in the OMAG Recognition Program.
- 12) Consider and/or approve the purchase of a 2025 Chevrolet Tahoe from Jim Glover at the cost of \$61,005.00.- Fire Department
- 13) Consider and/or approve the MES's quote for 4 complete SCBA's AirPak units to be added to Fire resources because of the addition of new firefighters in the amount of \$38,987.07, purchasing will be through the Sourcewell contract.-Fire Department

Mayor Girard said Items 1-13 on the Consent Agenda is up for discussion and consideration.
Others who spoke: Shannon Duran, City Clerk items 3 and 4

Councilor Mike David requests to pull items 3 and 4 for further discussions and clarifications.

Mayor Girard asks for a motion to approve items 1-13 without items 3 and 4. Councilor David made a motion to approve, seconded by Councilor Hirshey. The vote was taken with the following results:

Carried:5-0

Ayes: David, Hirshey, Payne, Schultz, Girard

Nays: 0

Mayor Girard says items 3 and 4 that were pulled are up for discussion.

City Clerk Shannon Duran provided an overview of the Tort Claims filed by the claimants, along

with OMAG's recommendation for denial. A brief discussion followed between the City Clerk and the City Council regarding Items 3 and 4 (Tort Claims), with input from City Attorney J.T. Hammons. The Council agreed to follow OMAG's recommendation and deny both claims.

The vote is on pulled items 3 and 4 only:

Mayor Girard asks for a motion to approve the denial of items 3 and 4. Councilor Hirshey made a motion to approve, seconded by Councilor David. The vote was taken with the following results:

Carried:5-0

Ayes: Hirshey, David, Payne, Schultz, Girard

Nays: 0

Regular Agenda

- 1) Discussion, consideration, and possible vote to approve a Preliminary Plat BXPT-25.02, submitted for Legends Reserve, a proposed residential development near East 111th Street South and South Mingo Road.

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

Item Presented by Gladys Gill, Assistant Planner

Others who spoke:

Ms. Gill presented the staff report and provided commentary regarding the proposed development. She informed the Council that although the applicant was unable to attend the evening's meeting, they had communicated via email to express their agreement with all staff comments. Councilor Hirshey requested clarification regarding the proposed masonry wall and fencing along 111th Street and South Mingo Road. In response, Ms. Gill noted that the applicant had submitted a revised plat prior to the meeting, reflecting the changes discussed and recommended during the Technical Advisory Committee (TAC) meeting. However, due to the timing of the submission, the updated plat was not included in the Council's agenda packet.

Further discussions ensued between council and staff.

Mayor Girard asks for a motion to approve item 1. Councilor Hirshey made a motion to approve BXPT25.02 as submitted with the clarification regarding the masonry fence along S. Mingo and 11th, seconded by Councilor Payne. The vote was taken with the following results:

Carried:5-0

Ayes: Hirshey, Payne, David, Schultz, Girard

Nays: 0

- 2) Discussion, consideration, and possible vote to approve the resubmittal of Preliminary Plat BXPT-21.17, submitted for a project currently known as 141st & Lewis Phase I, a proposed residential development located near East 141st Street South and South Lewis Avenue.

Mayor Girard said Items 2 on the Agenda is up for discussion and consideration.

Item Presented by Gladys Gill, Assistant Planner

Others who spoke:

Ms. Gill presented the staff report and provided commentary regarding the proposed development. During the presentation, the Council inquired whether a Planned Unit

Development (PUD) is associated with the project. Ms. Gill confirmed that PUD 21.07 was approved in 2021; however, it was not included in the current meeting packet.

Councilor Hirshey expressed concern that while there may have been a demand for housing of this size in 2021, market conditions may have changed. He emphasized the importance of reviewing the approved PUD to fully understand its terms and suggested that the item be tabled until the City's housing study is completed. A brief discussion ensued between City staff and Council regarding the relevance of the PUD and the need for updated context.

Councilor Hirshey then moved to table the item and requested that it be brought back for consideration at the second Council meeting in August 2025, seconded by Vice Mayor Schultz. The vote was taken with the following results:

Carried:5-0

Ayes: Hirshey, Schutlz, David, Payne, Girard

Nays: 0

- 3) Discussion, consideration, and possible vote to approve the resubmittal of Preliminary Plat BXPT-22.03, submitted for Bixby Business Park, a proposed commercial development within the Sitrin Center Addition located near South Kimberly-Clark Place and East 146th Street South.

Mayor Girard said Items 3on the Agenda is up for discussion and consideration.

Item Presented by Gladys Gill, Assistant Planner

Others who spoke: Deborah Palinskee, Applicant

Ms. Gill presented the staff report and provided commentary regarding the proposed development. The applicant, Deborah Palinskee, was present and available for questions. Councilor Hirshey inquired of the applicant regarding specific aspects of the development. In response to the development's current status, Ms. Aamodt, Public Works Director, confirmed that grading, construction, and drainage were already approved by Justin Dowd.

Further discussion ensued between City staff, the applicant, and the Council. Council expressed a desire for all relevant Planned Unit Developments (PUDs) to be included in future agenda packets for comparison purposes. Councilor Hirshey raised concerns about the frontage road along Kimberly-Clark, and Mayor Girard commented that the development should include appropriate sound screening and lighting to protect the surrounding neighborhood. Councilor Hirshey further noted that these conditions should be incorporated into the Final Plat, including the Deed of Dedication and Covenants, and that there would be another opportunity to confirm those terms during final approval.

Councilor Payne made a motion to approve the item, which was seconded by Councilor Hirshey. Mayor Girard asked for clarification that the motion was to approve the development based on the preliminary approval of the PUD, with the understanding that the final submission would reflect the terms and design elements included in the property to the north. Councilor Payne confirmed that this was the intent of the motion.

A vote was then taken with the following results:

Carried:5-0

Ayes: Payne, Hirshey, David, Schultz, Girard

Nays: 0

- 4) Discussion, consideration and possible vote to approve Ordinance No. 2516, rezoning approximately 40 acres from Agriculture (AG) to Residential Single-Family (RS-2), related to Rezone Case BXZO-25.04, for a proposed residential development referred to as "Binney" or "Bixby Plains," generally located southeast of South 90th Avenue East and East 163rd Street South.

Mayor Girard said Items 4 on the Agenda is up for discussion and consideration. Item Presented by Gladys Gill, Assistant Planner

Others who spoke: Justin Morgan, Tanner Consulting

Ms. Gill presented the staff report and provided commentary regarding the proposed development. The applicant, Justin Morgan, was present and offered additional feedback on the project in response to Council inquiries. A discussion followed between the applicant and Council members. City Attorney JT Hammons advised the Council that the City cannot require a developer to submit a Planned Unit Development (PUD). Since the applicant has not requested a PUD, the City cannot mandate one.

Councilor Hirshey expressed concern that the City is being asked to approve zoning prior to reviewing a PUD. He stated that without stronger language in the City's planning and zoning ordinances, the process is at an impasse. Councilor Hirshey states his recommendation was not to approve the zoning until updated ordinances are adopted, or the developer submitted a PUD concurrently with a zoning request. The Mayor asked whether the item could be tabled based on the lack of a PUD. Attorney Hammons confirmed that the Council may table an item to a future meeting for any reason.

Councilor Hirshey suggested that the item be tabled until the City's housing study is complete. He then moved to table the item, requesting that it be brought back for consideration at the second Council meeting in August 2025. The applicant inquired whether the item could be brought back sooner if circumstances change. Staff confirmed that the item may be reintroduced earlier at the request of the applicant, subject to Council scheduling and procedural requirements.

Councilor Hirshey made a motion to table this item to no later than the 2nd meeting in August unless the applicant requests one sooner, seconded by Councilor Payne. The vote was taken with the following results:

Carried: 5-0

Ayes: Hirshey, Payne, David, Schultz, Girard

Nays: 0

- 5) Discussion, consideration, and possible vote to approve an emergency clause for Ordinance Number 2516 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.

No action recorded due to continuance of item 4

- 6) Motion to enter into Executive Session.

Pursuant to Title 25, Oklahoma Statutes, Section 307(B)(4), discussion and possible action to convene in Executive Session to receive confidential communications from the City Attorney concerning Case No. CV-2023-1198, filed in Tulsa County District Court. Following Executive Session, the City Council may take appropriate action in regular session.

Mayor Girard said Item 6 on the Regular Agenda is a motion to enter into the Executive Session.

Mayor Girard asks for a motion to enter into Executive Session. Councilor David made a motion to approve, seconded by Councilor Hirshey. The vote was taken with the following results:

Carried: 5-0

Ayes: David, Hirshey, Payne, Schultz, Girard

Nays: 0

Time: 7:16 pm

Council, City Attorney (JT Hammons and Phil Frazier), and Bea Aamodt enter into Executive Session.

- 7) Motion to exit Executive Session and enter into Regular Session.

8:14pm

Council, City Attorney (Jt Hammons and Phil Frazier), and Bea Aamodt return from Executive Session

Mayor Girard says we will reconvene and move out of Executive Session.

- 8) Consider and take any necessary or appropriate action based on confidential communication from the City Attorney concerning Case No. CV-2023-1198 in the District Court of Tulsa County.

Mayor Girard said Items 8 on the Agenda is up for discussion and consideration

Others who spoke: JT Hammons, City Attorney

Mr. Hammons says no votes were taken in Executive Session and item was only discussed.

The City Attorney recommends to the Council that the appropriate motion would be to authorize the City Attorney to settle the forementioned case.

Councilor David made a motion, seconded by Councilor Hirshey. The vote was taken with the following results:

Carried: 5-0

Ayes: David, Hirshey, Payne, Schultz, Girard

Nays: 0

- 9) City Manager's Report

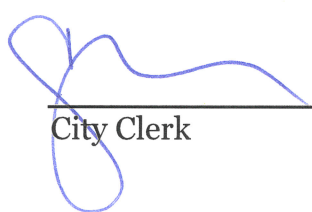
Mayor Girard says the City Manager is unable to attend tonight's meeting and that he will speak on his behalf.

Mayor Girard advises that Green Corn Festival will be this upcoming Thursday and will begin at 6 pm.

City Attorney Phil Frazier stands to advise Council that this will be his last meeting and Council thanks the City Attorney for his years of service to the City of Bixby.

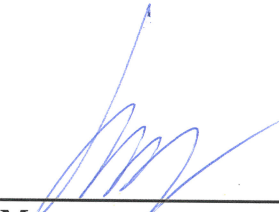
10) Adjournment

Adjournment was called at 8:15 pm



City Clerk





Mayor

[illegible]