



**City of Broken Arrow  
Meeting Agenda  
Broken Arrow City Council**

*Mayor Debra Wimpee  
Vice Mayor Christi Gillespie  
Council Member Johnnie Parks  
Council Member Lisa Ford  
Council Member Justin Green*

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**Tuesday, December 19, 2023**

**6:30 PM**

**Council Chambers  
220 South 1st Street  
Broken Arrow, OK**

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**AMENDED AGENDA**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**

- A. [23-73](#) Approval of the City Council Meeting Minutes of December 5, 2023
- B. [23-1582](#) Approval of and authorization to execute the renewal of Datto Backupify storage agreement and add the RMM (Remote Management and Monitoring) tool set
- C. [23-1580](#) Approval of and authorization to execute a Professional Consultant Agreement with EDA + FKI for the Design of the Central Park Community Center Transfer Switch (Project No. 2460260)
- D. [23-1623](#) Approval of and authorization to execute Agreement for Professional Consultant Services with Hudson Prince Engineering & Inspection, PLLC for Residential Streets Concrete Panel Replacement (Project Numbers ST24070 and ST24100)
- E. [23-1549](#) Approval of and authorization to execute a Master Consulting Agreement between the City of Broken Arrow and Industrial Organizational Solutions to provide Promotional Examinations for the Fire Department
- F. [23-1625](#) Approval of and authorization to execute Amendment No. 3 to Professional Consultant Agreement with Kimley Horn for the design of Events Park Infrastructure Improvements (Project No. 2417210)

- G. [23-1593](#) Approval of and authorization to execute Agreement for Professional Real Estate Appraisal and Related Support Services with Smith-Roberts Land Services, Inc. for providing right-of-way acquisition services for 23rd Street Widening from Albany Street to Omaha Street and Bridge Replacement (Project No. ST1931 and ST1932)
- H. [23-1601](#) Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Adult Softball Club, Incorporated (BAASC)
- I. [23-1602](#) Approval of and authorization to execute an annual Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Girls Softball League
- J. [23-1547](#) Approval of and authorization to execute the Amended Use Agreement and Services Contract between the City of Broken Arrow and the Broken Arrow Seniors, Inc.
- K. [23-1603](#) Approval of and authorization to execute an annual Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Youth Baseball Association, Incorporated
- L. [23-1592](#) Notification of City Manager's and Assistant City Manager's execution of Professional Consultant Agreements and Amendments to an Agreement, as well as public Construction Contracts not subject to the Competitive Bid Act, with a Contract value of \$50,000 or less
- M. [23-1605](#) Approval of and authorization to purchase of six (6) Ford 80Amp Pro Charger Hardware and Software, from Ford Pro Charger pursuant to the Sourcewell Cooperative Purchasing contract (formerly NJPA) Contract Number 101520-FMC
- N. [23-1587](#) Approval of and authorization to purchase two (2) Henderson WSH-201SS-OKDOT Sand Spreaders for the Streets Division of the Streets and Stormwater Department from Grand Truck Equipment Co., LLC pursuant to the Oklahoma Statewide Purchasing Contract
- O. [23-1617](#) Approval of and authorization to purchase one (1) Ram 2500 Crew Cab 4x4 from John Vance Motors, Inc. pursuant to the Oklahoma State purchasing contract SW035
- P. [23-1581](#) Approval of and authorization to purchase a new vehicle for SCADA Engineer from Vance Country Ford pursuant to the Oklahoma Statewide Purchasing Contract
- Q. [23-1610](#) Approval of and authorization to purchase one (1) Ford F-150 Crew Cab 4x4 from Vance Country Ford of Norman pursuant to the Oklahoma State purchasing contract SW035

- R. [23-1618](#) Approval of and authorization to purchase one (1) Ford F-150 Extended Cab 4x4 from Vance Country Ford pursuant to the Oklahoma State purchasing contract SW035
- S. [23-1624](#) Approval of and authorization to award to the lowest responsible bid to Allwine Roofing & Construction, Inc for the Roof Replacement for the Streets and Stormwater Building (Project 185317)
- T. [23-1626](#) Approval of and authorization to award to the lowest responsible bid to Commercial Roof Solutions the Roof Replacement for the Central Park Community Center Building (Project 216002)
- U. [23-1586](#) Approve and authorize purchase of two (2) Henderson RSP19-11 Reversible Snowplows for the Streets Division of the Streets and Stormwater Department from Grand Truck Equipment Co., LLC pursuant to the Oklahoma Statewide Purchasing Contract
- V. [23-1631](#) Approval of and authorization to purchase one (1) 2025 Freightliner M2 106 Plus Truck and one (1) refurbishment and installation of a bed for the Streets and Stormwater Department from Premier Truck Group of Tulsa pursuant to the Oklahoma Statewide Purchasing Contract
- W. [23-1622](#) Approval and authorization to execute Change Order No. 2 with Ellsworth Construction, LLC, for construction contract 2151350; Broken Arrow Maintenance Facility Phase 1 Improvements
- X. [23-1620](#) Notification of City Manager's execution of Change Orders on Public Construction Contracts as Authorized per Resolution 1439
- Y. [23-1599](#) Acceptance of a Utility Easement consisting of 0.56 acres from the Independent School District 3 of Tulsa County, Oklahoma, aka/Broken Arrow Public Schools, on property located at 4300 East Gary Street, Broken Arrow, Oklahoma, located in part of the Northwest Quarter of Section 20, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma for the Wagoner County Trunk Sewer Improvements, Parcel 3 (Project No. S.22020)
- Z. [23-1596](#) Ratification of the Claims List Check Register Dated December 11, 2023

**6. Consideration of Items Removed from Consent Agenda**

**7. Public Hearings, Appeals, Presentations, Recognitions, Awards**

- A. [23-1630](#) Presentation and discussion of upcoming Citizen Bond Survey

**8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (No action may be taken on matters under this item)**

**9. General Council Business**

- A. [23-1546](#) Consideration, discussion, and possible direction to the Administration relative to nominating a City Councilor, or an appointed designee, to the ArtsOK Board
- B. [23-1548](#) Consideration, discussion, and possible direction to the Administration to nominate one City Councilor, or an appointed designee, to the Broken Arrow Seniors Board to replace Councilor Johnnie Parks
- C. [23-1621](#) Consideration, discussion, and possible approval of and authorization to execute a Professional Consultant Agreement with Narrate Design for the Schematic Design of a New Broken Arrow City Hall (Project No. 2417170)
- D. [23-1627](#) Consideration, discussion, and possible approval of and authorization to execute Project Maintenance, Financing, and Right-of-Way Agreement Supplement #2 between the Oklahoma Department of Transportation and the City of Broken Arrow for the construction of the Broken Arrow: 23rd Street (193rd E Ave.- 71st to 81st, Project No. STP-172N(455)IG, J/P no. 26308(04)(05)(06)(07) (Project No. ST0914)
- E. [23-1609](#) Consideration of approval of the Fiscal Year 2023-2025 collective bargaining agreement with the International Association of Firefighters (IAFF) Local No. 2551

## **10. Preview Ordinances**

- A. [23-1589](#) Consideration, discussion, and possible preview of an Ordinance amending Broken Arrow Code of Ordinances Chapter 5. "Animals"; and set for adoption

## **11. Ordinances - NONE**

## **12. Remarks and Inquiries by Governing Body Members**

## **13. Remarks and updates by City Manager, including Recognition of Recent Accomplishments by Employees and Elected Officials**

**14. Executive Session for the purpose of confidential communications between the City Council, the City Manager, the City Attorney and any other pertinent staff members discussing, conferring on matters and possible action in open session pertaining to:**

- 1) A pending litigation known as Brunel, et al. v. City of Broken Arrow, Tulsa County District Court, Case No. CJ-2023-1640, and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);**
- 2) A pending litigation known as Carmen Thompson v. City of Broken Arrow, Tulsa County District Court, Case No. CJ-2023-3977, and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);**
- 3) A pending investigation and claim, including potential resolution, of a matter involving the tort claim of Patrick Williams, Tort Claim No. TRT 1437.2024 and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);**
- 4) A pending litigation known as Robert Dulaney v. City of Broken Arrow, Tulsa County District Court, Case No. CV-2023-1996, and taking appropriate action in open session, if any, under 25 O.S. §307(B)(4);**
- 5) A pending eminent domain litigation proceeding, asserted by the City of Broken Arrow against Jack Edward Beighle et. al., Wagoner County Case CJ-2023-00035, and taking appropriate action in open session, including possible authorization to settle the proceeding, under 25 O.S. §307(B)(4).**

**In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to process the claims and litigation and disclosure will seriously impair the ability of the public body to process the proceeding in the public interest. Moreover, that the Executive Session is necessary to protect the confidentiality of the investigations and potential litigation. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.**

**15. Adjournment**

**NOTICE:**

If you wish to speak at this evening's meeting, please fill out a "Request to Speak" form. The forms are available from the City Clerk's table or at the entrance door. Please turn in your form prior to the start of the meeting. Topics are limited to items on the currently posted agenda, or relevant business.

All cell phones and pagers must be turned OFF or operated SILENTLY during meetings.

Exhibits, petitions, pictures, etc., shall be received and deposited in case files to be kept at the Broken Arrow City Hall. If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

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 or the business of any political subdivision, which includes publicly posted meetings, or any agency operations or any employee, agent, official or representative of the state or political subdivision.
- 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 or any political subdivision or its employees, agents or representatives or used in any manner to conduct state business or any political subdivision's 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 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.

A paper copy of this agenda is available upon request.

POSTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m.

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City Clerk