



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*

Monday, July 31, 2023

6:30 PM

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

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. [23-46](#) Approval of the Special City Council Meeting Minutes of July 17, 2023
 - B. [23-1001](#) Acceptance Planning Commission meeting minutes of June 22, 2023
 - C. [23-1022](#) Approval of and authorization to execute Budget Amendment Number 37 for Fiscal Year 2023
 - D. [23-1000](#) Approval of and authorization to execute Budget Amendment Numbers 3 and 4 for Fiscal Year 2024
 - E. [23-833](#) Approval of and authorization to declare two pallets of dated and used bunker gear pants and coats as surplus and authorize the donation of those items to the City of Coweta Fire Department
 - F. [23-1021](#) Approval of and authorization to execute a Use Agreement and Services Contract between the City of Broken Arrow and the Broken Arrow Seniors, Inc.
 - G. [23-986](#) Approval of and authorization to execute an amendment to the Benefit Services Management Agreement with HealthComp Holding Company, LLC and its subsidiaries HealthComp Integrated Solutions, LLC and Gilsbar, LLC

H. [23-959](#) Approval of and authorization to execute a Project Agreement between Oklahoma Department Of Transportation (ODOT) and City of Broken Arrow for construction of the Pedestrian/Bike/Trail Improvements Project TAP3-8101(004)IG, J/P 38101(04) (Project No. ST23330)

I. [23-1019](#) Approval of and authorization to execute a First Amendment to Ground Lease between the City of Broken Arrow, the Broken Arrow Economic Development Authority and Stoney Creek Investors of Broken Arrow, LLC, successor in interest to Stoney Creek Hospitality Corporation, an Iowa Corporation, for the purpose of correcting the legal description of the Conference/Convention Center

J. [23-1004](#) Approval of and authorization to execute an agreement with Trane to replace four (4) package rooftop units with heat recovery wheels and two (2) package rooftop units without heat recovery wheels at the Broken Arrow Animal Shelter

K. [23-967](#) Approval of and authorization to fund the third year of the Microsoft Enterprise Agreement for Microsoft software, products, and licenses through SHI

L. [23-933](#) Award the most advantageous bid to Stryker Medical, for the purchase of three (3) LifePak 15 Cardiac monitors, pursuant to Oklahoma Statewide Contract, and authorization to surplus and trade-in for a credit three (3) Lifepak 15 monitors for the Fire Department

M. [23-1007](#) Award the most advantageous quote to Premier Truck Group of Tulsa for the purchase of three (3) 2024 Western Star 49-X Series Chassis with Dump Body Trucks equipped with snowplows and spreaders for the Streets and Stormwater Department pursuant to the Oklahoma statewide vehicle contract

N. [23-995](#) Approval of PT-000841-2023 | PR-000140-2022, Conditional Final Plat, Blue Bell XL, 28.56 acres, 1 lot, PUD-67C/IL, located south of Houston Street (81st Street), east of State Highway 51

O. [23-996](#) Approval of PT-000828-2023 | PR-000199-2023, Conditional Final Plat, Regent Corner, 5 acres, 2 proposed lots, CH/PUD-156, located south of the southwest corner of West Albany Street (61st Street) and North Elm Place (161st East Avenue)

P. [23-997](#) Approval of PT-000843-2023 | PR-000286-2023, Conditional Final Plat, 8800 at Indian Springs, 2 lots, 6.44 acres, R-2 (Single Family Residential) to ON (Office Neighborhood)/PUD-285 (Planned Unit Development) via BAZ-2018, one-half mile south of Jasper Street (131st Street), one-quarter mile east of Aspen Avenue (145th E. Avenue)

Q. [23-990](#) Acceptance of an Access Easement from Eagle-1 Investments, LLC, on property located one-eighth mile north of Washington Street (91st Street), one-third mile west of 23rd Street (County Line Road), Tulsa County, State of Oklahoma, (Section 13, T18N, R14E) (EASE-000942-2023)

R. [23-991](#) Acceptance of an Access Easement from Eagle-1 Investments, LLC, on property located one-eighth mile north of Washington Street (91st Street), one-quarter mile west of 23rd Street (County Line Road), Tulsa County, State of Oklahoma, (Section 13, T18N, R14E) (EASE-000943-2023)

S. [23-989](#) Acceptance of a Utility Easement from Eagle-1 Investments, LLC, on property located one-eighth mile north of Washington Street (91st Street), one-quarter mile west of 23rd Street (County Line Road), Tulsa County, State of Oklahoma, (Section 13, T18N, R14E) (EASE-000941-2023)

T. [23-988](#) Acceptance of a Utility Easement from Eagle-1 Investments, LLC, on property located one-eighth mile north of Washington Street (91st Street), one-quarter mile west of 23rd Street (County Line Road), Tulsa County, State of Oklahoma, (Section 13, T18N, R14E) (EASE-000940-2023)

U. [23-1002](#) Acceptance of a Drainage Easement from The Greens at Broken Arrow, Phase II, a Limited Partnership, on property located approximately one-quarter mile west of 23rd Street (Countyline Road) and south of Omaha Street (51st Street), Tulsa County, State of Oklahoma, (Section 36, T19N, R14E)(EASE-000897-2023)

V. [23-1003](#) Acceptance of a Waterline Easement from The Greens at Broken Arrow, Phase II, a Limited Partnership, on property located approximately one-quarter mile west of 23rd Street (Countyline Road) and south of Omaha Street (51st Street), Tulsa County, State of Oklahoma, (Section 36, T19N, R14E)(EASE-000896-2023)

W. [23-796](#) Acceptance of a Right-of-Way Dedication from The Robson Companies, INC, on property located east of 79th Street (Midway Road/S. 257th E. Avenue), one-half mile south of Kenosha Street (71st Street), Section 11, T18N, R15E (EASE-000846-2023)

X. [23-797](#) Acceptance of a Right-of-Way Dedication from The Robson Companies, INC, on property located east of 79th Street (Midway Road/S. 257th E. Avenue), one-half mile south of Kenosha Street (71st Street), Section 11, T18N, R15E (EASE-000847-2023)

Y. [23-974](#) Ratification of the Claims List Check Register Dated July 24, 2023

6. Consideration of Items Removed from Consent Agenda

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

A. [23-880](#) Consideration, discussion and possible direction regarding Chapter 2 of the City of Broken Arrow Ordinances, Article IX-Employee Rules and Regulations, Section 2-146 Employment Requirements

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. [23-960](#) Consideration, discussion, and possible direction to the Administration relative to nominating a City Councilor, or an appointed designee, to the Broken Arrow Genealogical Society Board

B. [23-961](#) Consideration, discussion, and possible appointment of a Council member to co-sponsor the Youth City Council

C. [23-987](#) Consideration, discussion, and possible approval of the Master Plan for the new Central Park Rose Garden and approval to execute Amendment No. 1 to Agreement for Professional Consulting Services with R. L. Shears Company, P.C. (Project Number 2360450)

D. [23-992](#) Consideration, discussion and possible approval of and authorization to execute Resolution No. 1542 authorizing the City Attorney to enter into a Final Journal Entry of Judgment in Vastly, L.P. vs. the City of Broken Arrow et. al., Tulsa County District Court, Case Number: CV-2023-1126, authorizing foreclosure of a Temporary Storm Sewer Easement situated on property located one-quarter mile north of Florence Street (111th East Avenue), East of Olive Avenue (129th East Avenue), Tulsa County, State of Oklahoma (Section 28, T18N, R14E)

E. [23-993](#) Consideration, discussion and possible appointment of one City Council member to the Subdivision Regulation Update Committee

10. Preview Ordinances - NONE

11. Ordinances

A. [23-998](#) Consideration, discussion and possible adoption of Ordinance No. 3795 amending Section 5.2.B.4.a (Approved Tree List) of the City of Broken Arrow Zoning Ordinance; repealing all ordinances or parts of ordinances in conflict herewith; and declaring an emergency

B. [23-1010](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3795

C. [23-930](#) Consideration, discussion, and possible adoption of Ordinance No. 3797, closing a utility easement from Atul Sood, on property located approximately one-half mile north of Dearborn Street (41st Street), one-half mile west of 37th Street (209th East Avenue) at 20105 E 36th Place, Wagoner County, State of Oklahoma, (Section 19, T19N, R15E); repealing all ordinances to the contrary; and declaring an emergency (EASE-000876-2023)

D. [23-931](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3797

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:

An eminent domain litigation proceeding, asserted by the City of Broken Arrow against Northstar Cemetery Services of Oklahoma, et. al., Tulsa County Case CJ-2022-3939, and taking appropriate action in open session, 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 pending litigation and disclosure will seriously impair the ability of the public body to process the litigation in the public interest. 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.

City Clerk