



City of Broken Arrow
Meeting Agenda
Broken Arrow City Council

Mayor Craig Thurmond
Vice Mayor Scott Eudey
Council Member Mike Lester
Council Member Johnnie Parks
Council Member Debra Wimpee

Tuesday, November 21, 2017

6:30 PM

Council Chambers
220 S. 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. [17-1710](#) Approval of City Council Meeting Minutes of November 7, 2017

Attachments: [11-7-2017 City Council Minutes](#)

- B. [17-2893](#) Approval of and authorization to execute Resolution No. 1067, a Resolution concerning Bridge Inspection responsibility by local government for compliance with National Bridge Inspection Standards, Bridge Inspection Contracts and selecting Guy Engineering, Inc. to perform the 2018 inspections for April 1, 2018 to March 31, 2020

Attachments: [Resolution 1067](#)
[171115 2018 Bridge Inspection Non-Disclosure](#)

- C. [17-2894](#) Approval of and authorization to accept Allstate Insurance Company's offer to settle a claim for a 2007 Chevrolet Malibu vehicle loss, declaring the vehicle surplus and releasing it to Allstate Insurance Company

Attachments: [settlement for 0753 nada value](#)

- D. [17-2914](#) Approval of and authorization for the Broken Arrow Public Schools to place a temporary hiring banner at the southeast corner of Kenosha and 9th Street, on City property, outside the intersection rights-of-way (BAPS Banner)

Attachments: [BAPS Banner.pdf](#)

- E. [17-2885](#) Approval of and authorization to execute the Fifth Amendment to the Capital Improvements Agreement by and between the Board of County Commissioners of Tulsa County, Oklahoma, and the City of Broken Arrow related to the Rose District Improvements Project
- Attachments:** [CIA 5th Amendment - Rose District](#)
- F. [17-2887](#) Approval of and authorization to execute a Capital Improvements Agreement by and between the Board of County Commissioners of Tulsa County, Oklahoma, and the City of Broken Arrow related to the Rose District Improvements Project, (Streetscape V)
- Attachments:** [CIA Steetscapes V](#)
- G. [17-2818](#) Notification of City Manager's or City Manager's designee execution for Professional Consulting Contractual Services with a value less than \$25,000
- Attachments:** [Signed Agreement](#)
[171113 EXECUTED Professional Services Contract TEC - Speed Study](#)
[171106 EXECUTED Geotech Services Contract for Nienhuis](#)
- H. [17-2825](#) Approval of and authorization to execute a Services Contract between the City of Broken Arrow and ArtsOK to assist with the development and programming of the Center for Arts, Innovation and Creativity
- Attachments:** [Services Contract with ArtsOK](#)
- I. [17-2903](#) Approval of and authorization to purchase salt and sand spreaders from Southwest Trailer for the Streets Division pursuant to the State of Oklahoma Contract SW500
- Attachments:** [State Contract SW 500 bid tab](#)
- J. [17-2902](#) Approval of and authorization to purchase three (3) snow plows with hitches from Southwest Trailer for the Streets Division pursuant to the State of Oklahoma Contract SW500
- Attachments:** [Snow plow bid tab](#)
- K. [17-2900](#) Reject bid awarded to Defender Supply for the purchase of police vehicle lighting equipment and award the most advantageous bid to 911 Custom
- Attachments:** [Bid Tab 18.115](#)
[Supporting email from Defender Supply](#)
- L. [17-2906](#) Approval of bids received and award the most advantageous bid to Kubota Construction Equipment for the purchase of a 2017 Kubota SVL95-2SHFC Rubber Tracked Skid Steer Loader
- Attachments:** [Skid Steer bid tab](#)

- M.** [17-2895](#) Award of the lowest responsible bid to Voy Construction, LLC for Schedule A Base Bid with Additive Alternate No. 2 (Playground) and Schedule B Base Bid (Picnic Pavilions) and approval of and authorization to execute a construction contract for Events Park Playground and Picnic Pavilions (Project Nos. 176038 and 176040)
- Attachments:** [171108 Certified Bid Tab for Base Bid A & B and Alternates](#)
- N.** [17-2872](#) Approval of PT17-111, Preliminary/Conditional Final Plat, Vaquero Addition, being a replat of Lot 1, Block 1 Compton Addition II, 2 lots, 1.58 acres, CH, north of Kenosha Street, one-quarter mile west of 9th Street
- Attachments:** [1-FACT SHEET, PLANNING COMMISSION.pdf](#)
[2-CHECKLIST.VAQUERO.DOC](#)
[3-CONDITIONAL FINAL PLAT.VAQUERO ADDITION.pdf](#)
[4-APPROVED SITE PLAN FOR COTTON PATCH CAFE.pdf](#)
[5-APPROVED SITE PLAN FOR TAKE 5 OIL CHANGE.pdf](#)
- O.** [17-2884](#) Approval of PUD 267 (Planned Unit Development), QuikTrip No. 0050, 4.96 acres, CN, southwest corner of Houston Street and State Highway 51
- Attachments:** [1-Fact Sheet.PC Meeting.Oct 26 2017](#)
[2-CASE MAP.PUD 267](#)
[3-AERIAL.PUD 267](#)
[4-QuikTrip 0050 PUD and Exhibits](#)
[5-QuikTrip Commercial Center 49RR Plat](#)
[6-PICTURE 1 SUBMITTED AT PC MTG BY ROBERT DURAN](#)
[7-PICTURE 2 SUBMITTED AT PC MTG BY ROBERT DURAN](#)
- P.** [17-2852](#) Acceptance of a Drainage Easement from Broken Arrow Retail, LLC along the southern boundary of Lot 1A, Block 2 of Northeast Crossroads, located north of the northeast corner of Kenosha Street and 209th Street (Section 5, T18N, R15E)
- Attachments:** [2- Detention Easement Dedication form 2017-10-10](#)
[3-Exhibit A.pdf](#)
- Q.** [17-2897](#) Acceptance of a Mutual Access and Utility Easement on a portion of unplatted property south of Houston Street, one-quarter mile west of 23rd Street
- Attachments:** [2-MUTUAL ACCESS AND UTILITY EASEMENT.pdf](#)
[3-AERIAL.TWIN CITIES EASEMENT.pdf](#)
- R.** [16-1596](#) Approval of the Broken Arrow City Council Claims List for November 21, 2017
- Attachments:** [11-21-17 CL](#)

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Appeals, Presentations, Recognitions, Awards - - NONE

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. [17-2883](#) Consideration, discussion, and possible action regarding PUD 266 (Planned Unit Development) and BAZ-1986 (rezoning), Centennial Crossing, 19.64 acres, A-1 to PUD 266/RM, east of North Elm Avenue, one-quarter mile south of Omaha Street

Attachments: [1-FACT SHEET.PLANNING COMMISSION.pdf](#)
[2-CASE MAP.PUD 266 & BAZ-1986.pdf](#)
[3-AERIAL.PUD 266 & BAZ 1986.pdf](#)
[4-CASE MAP.BACP 96.pdf](#)
[5-PUD DESIGN STATEMENT AND SITE PLAN.\(09-29-2017\).pdf](#)
[6-DRAFT PUD SUBMITTED WITH BACP 146.\(08-04-2015\).pdf](#)

- B. [17-2888](#) Consideration, discussion, and possible approval of and authorization to execute Amendment No. 3 to an Architect/Engineer Contract with CEC Corporation for Design of Florence Street Widening, Olive Avenue to Aspen Avenue (Project No. ST1410)

Attachments: [Amendment 3 to CEC contract for Sidewalk & HAWK Signal System](#)

- C. [17-2905](#) Consideration, discussion, and possible approval of and authorization to execute Change Order C03 for 37th Street: Omaha to Albany and Rural Water District #4 Waterline (Project No. ST1507)

Attachments: [Change Order C03 and Backup Docs](#)

- D. [17-2844](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1065, a Resolution authorizing execution of a Financing Agreement between the City of Broken Arrow and BOK Financial Equipment Finance, Inc. to amortize a portion of the costs associated with the purchase of three (3) new ambulances

Attachments: [RFP 18-122 Bid Tabulation](#)
[RFP 18-122 BOK Financial Proposal](#)
[11-16-17 RES. 1065 Ambulance bids BOK and City](#)

- E. [17-2904](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1068, a Resolution of support for the Tulsa Regional Chamber 2018 OneVoice Legislative Priorities

Attachments: [2018 OneVoice Legislation Resolution](#)
[2018 OneVoice Agenda](#)

- F. [17-2886](#) Consideration, discussion, and possible approval of the nomination and appointment of Karen Chambless to the Broken Arrow Convention and Visitors' Bureau (CVB) Board to fulfill an unexpired term expiring September 30, 2018

10. Preview Ordinances

- A. [17-2912](#) Consideration, discussion, and possible preview of an ordinance adopting an employee retirement system, defined contribution plan for the position of City Manager for the City of Broken Arrow, Oklahoma; providing retirement benefits for eligible employees of City of Broken Arrow, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for employer and employee contributions; providing for accounting, allocation, and valuation; providing benefits; providing for required notice; providing for amendments and termination; providing for transfer to and from other plans; creating a committee and providing for powers duties, and rights of committee; providing for payment of certain obligations; providing for duration and payment of expenses; providing for effective date; providing for vesting schedules; providing for a fund to finance the system to be pooled with other incorporated cities, towns and their agencies and instrumentalities for purposes of administration, management, and investment as part of the Oklahoma Municipal Retirement Fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement Fund for management and investment; providing for non-alienation of benefits and loss of benefits for cause; adopting those amendments mandated by the Internal Revenue Code; providing for repealer and severability; and declaring an emergency

Attachments: [11-9-17 Draft Preview Ordinance for CMO-SI Broken Arrow ORD \(2018-03-01 DC Master Plan \(2015-09-30\) Exhibit B.pdf joinder exhibit a.pdf](#)

11. Ordinances

- A. [17-2890](#) Consideration, discussion, and possible adoption of Ordinance 3503, an ordinance amending Chapter 15, Article I, in General, Section 15-1. - Nuisance code, Article II, Property Maintenance Code, Section 15-44. - Adopted, Sec. 15-45. - Amendments, specifically amending to adopt the 2015 International Property Maintenance Code, of the Broken Arrow Code; repealing all ordinances to the contrary, and declaring an emergency

Attachments: [Ordinance 3503.docx](#)

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

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 and conferring on matters pertaining to:

- 1. Litigation, including potential resolution, of a matter involving the tort claim of John Martin vs. City of Broken Arrow, and taking appropriate action in open session, including possible authorization to settle this litigation, under 25 O.S. §307(B)(4); and**
- 2. litigation, including potential resolution, of a matter involving the matter of Premier Site Development, LLC v. City of Broken Arrow, et al, Case No. CJ-2013-00473, in the District Court of Tulsa County, State of Oklahoma, and taking appropriate action in open session, including possible authorization to settle this litigation, 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 claims, litigation and possible 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.

POSTED this ____ day of _____, _____, at _____
a.m./p.m.

City Clerk