



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

---

Tuesday, April 18, 2017

6:30 PM

Council Chambers  
220 S. 1st Street  
Broken Arrow, OK

---

**A M E N D E D   A G E N D A**

**1. Call to Order**

**2. Invocation**

**3. Roll Call**

**4. Pledge of Allegiance to the Flag**

**5. Administration of Oaths of Office**

**6. Election of Mayor and Vice-Mayor**

**7. Consideration of Consent Agenda**

- A.     [17-1667](#)           Approval of City Council Meeting Minutes of April 4, 2017

**Attachments:**   [04-04-17 Council Minutes](#)

- B.     [17-2058](#)           Acceptance of Planning Commission meeting minutes of February 9, 2017  
and March 9, 2017

**Attachments:**   [FEBRUARY 9, 2017 PLANNING MINUTES.pdf](#)  
[MARCH 9, 2017 PLANNING MINUTES.pdf](#)

- C.     [17-2070](#)           Approval of and authorization to execute Pay Request Number 1 for  
Building and Accessibility Plan Review with the Institute for Building  
Technology and Safety (IBTS) in association with the construction of the  
Shops at Broken Arrow Phase 2

**Attachments:**   [City of Broken Arrow R762-BA1-1216.pdf](#)

- D.     [17-2073](#)           Approval of and authorization to execute Pay Request Number 4 to Tri-Star  
Construction, LLC, for Parking Lot, Phase III, Part A, (No. 13 overall)  
through the Vision 2025 Sales Tax Program in association with the Stoney  
Creek Hotel and Conference Center

**Attachments:**   [Pay Invoice 4 \(13\), Phase III, A - Part 1.pdf](#)  
[Pay Invoice 4 \(13\), Phase III, A - Part 2.pdf](#)

- E.     [17-2074](#)           Approval of and authorization to execute Pay Request Number 5 to Tri-Star  
Construction, LLC, for Parking Lot, Phase III, Part A, (No. 14 overall)

through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center

**Attachments:** [170410 CoBA TS Pay Req#5 Part 1.pdf](#)  
[170410 CoBA TS Pay Req#5 Part 2.pdf](#)  
[170410 CoBA TS Pay Req#5 Part 3.pdf](#)

- F. [17-2041](#) Ratification of Resolution No. 1008, a Resolution authorizing the acceptance of a General Warranty Deed and Temporary Construction Easement for Parcel 4, which consists of 2,275 square feet of permanent right-of-way and 400 square feet of Temporary Construction Easement for 37th Street: Houston to Albany Road Improvements, located in the NW1/4 of Section 5, Township 18 North, Range 15 West, Wagoner County, from Terry N. Carter, Sr., and authorization of payment in the amount of \$3,420.00 to Terry N. Carter, Sr., for 37th Street: Houston to Albany Road Improvements Project (Project No. ST1413)

**Attachments:** [Resolution 1008 Fully Executed](#)

- G. [17-2049](#) Approval of and authorization to execute Resolution No. 1010, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 6, which consists of 0.17 acres of permanent right-of-way for 23rd Street Widening from Houston to Kenosha, in Lot 1, Block 2, Oak Creek Park, Wagoner County, from Nicole Grisham and Brent Grisham, wife and husband, and authorization of payment in the amount of \$22,500.00 to Nicole Grisham and Brent Grisham, wife and husband, for the 23rd Street Widening from Houston to Kenosha Project (Project No. ST0914), and authorizing City staff to apply to the Oklahoma Department of Transportation for reimbursement of eighty percent of the acquisition cost of this property for the 23rd Street Widening from Kenosha to Houston Project

**Attachments:** [100418 Grisham Resolution 1010](#)  
[170418 Grisham CC Docs](#)

- H. [17-2079](#) Approval of and authorization to execute Resolution No. 1011, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 2, which consists of 0.023 acres of Permanent Right-Of-Way for 4th Street Sidewalk, in the East 60 feet of the West 270 feet of the N1/2 of Block 2, College Addition, Tulsa County, from David Hathhorn, and authorization of payment in the amount of \$2,000.00 to David Hathhorn for the 4th Street Sidewalk Project (Project No. ST1708)

**Attachments:** [170418 Hathhorn Resolution 1011](#)  
[170408 Hathhorn CC Docs](#)

- I. [17-2077](#) Approval of and authorization to execute Resolution No. 1013, a Resolution of the City Council of the City of Broken Arrow accepting and acknowledging passage and receipt of a Resolution of the Board of Education of Independent School District No. 3 of Tulsa County, Oklahoma, dedicating Real Property, Utility Easements and Temporary Construction

Easements for public street purposes, and declaring certain property located on tracts of land near 9th Street and Detroit and 9th street and Houston, Broken Arrow, Oklahoma, dedicated to public use as a public street

**Attachments:** [170418 Parcels 24,34 BAPS Resolution 1013](#)  
[170418 Parcel 24, 34 BAPS CC Docs](#)

- J. [17-2056](#) Approval of and authorization to execute an 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 Creative Arts Center in the Rose District Project

**Attachments:** [Amendment to the Capital Improvements Agreement](#)

- K. [17-2054](#) Approval of and authorization to execute Amendment No. 4 to Agreement for Professional Consulting Services between City of Broken Arrow and R.L. Shears Company, P.C., for Downtown Main Street Streetscapes Phase IV (Project No. ST161709)

**Attachments:** [20170407 Contract Amendment No. 4 ready for CC agenda](#)

- L. [17-2037](#) Approval of and authorization to purchase 14 car radios for police vehicles from Harris Corporation pursuant to the Oklahoma Statewide Contract (SW1053H) for Police Department

**Attachments:** [FY17 Harris Radio Quote](#)  
[FY17 State Contract Harris Radio](#)

- M. [17-2060](#) Award of the most advantageous bid to Northern Safety for the purchase of coats, pants, gloves, and boots, Casco Industries, Inc. for the purchase of helmet's and NAFECO for the purchase of flashover hoods, for a total of 19 complete sets of Structural Firefighting Protective Clothing (Bunker Gear), at a cost of \$66,196.00

**Attachments:** [Bid 17.149 Bid Tabulation](#)

- N. [17-2063](#) Award of the lowest responsible bid to Magnum Construction, Inc. for Albany Corridor Improvements, a Vision 2025 Project (Project No. ST1709), and authorization to execute a construction contract

**Attachments:** [170412 Certified Bid Tab Albany Corridor](#)

- O. [17-2075](#) Approval of and authorization to execute Change Order C03-Final for Construction Contract ST1203; Aspen & Kenosha Street Improvements

**Attachments:** [ST.1203 Change Order #3](#)

- P. [17-2051](#) Acceptance of a General Warranty Deed and a Temporary Construction Easement conveyed to the City of Broken Arrow on a tract of land lying in the S1/2 of the East 60 feet of the West 270 feet of Block 2, College Addition, Tulsa County to the City of Broken Arrow for the 4th Street Sidewalk Project (Project No. ST1708)

**Attachments:** [170418 Phillips CC Docs](#)

- Q. [17-2068](#) Acceptance of a Temporary Construction Easement conveyed to the City of Broken Arrow on a tract of land lying in Lot 1, Block 31, Broken Arrow Original Town, Tulsa County to the City of Broken Arrow for the Downtown Streetscapes Phase IV Project (Project No. 161709)

**Attachments:** [FUMC CC Docs](#)

- R. [17-2072](#) Acceptance of a Temporary Construction Easement conveyed to the City of Broken Arrow on a tract of land lying in Lots 17, 18, 19, 20, 21 and 22, Block 30, Broken Arrow Original Town, Tulsa County to the City of Broken Arrow for the Downtown Streetscapes Phase IV Project (Project No. 161709)

**Attachments:** [170418 BAPS CC Docs](#)

- S. [17-2069](#) Acceptance of a Utility Easement and a Temporary Construction Easement conveyed to the City of Broken Arrow on a tract of land located in the SW1/4 of Section 35, Township 19 North, Range 14 East, Tulsa County to the City of Broken Arrow for 24” Waterline from 5MG Tank to Distribution System Project (Project No. WL1609)

**Attachments:** [FBCBA Donation Certificate Signed](#)  
[FBCBA CC Docs](#)

- T. [16-1552](#) Approval of the Broken Arrow City Council Claims List for April 18, 2017

**Attachments:** [4-18-17 CL](#)

## **8. Consideration of Items Removed from Consent Agenda**

## **9. Public Hearings, Appeals, Presentations, Recognitions, Awards**

- A. [17-1990](#) Discussion, consideration, and possible approval of and authorization for the Mayor to execute a Proclamation declaring the week of April 23rd -29th, 2017, as “Volunteers in Police Service Week” in the City of Broken Arrow, and recognition of the volunteers in Police Service and presentation of a symbolic “check” from the volunteers for their provided services

**Attachments:** [FY17 Proclamation](#)

- B. [17-2083](#) Presentation by Alex Mills, P.E., CFM, Director of Engineering and Construction, regarding various projects of the Engineering and Construction Department and answer questions presented by the City Council

- C. [17-2064](#) Presentation by Jannette McCormick, Human Resources Director on training initiative with Tulsa Technology Center

## **10. 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)**

## **11. General Council Business**

- A. [17-2052](#) Consideration, discussion, and possible approval of the relocation of the Vietnam War Memorial in Central Park to Veterans’ Park

**Attachments:** [Vietnam Site Plan](#)  
[Vietnam Memorial Photos](#)  
[Veterans Park Master Plan](#)  
[Relocated Vietnam memorial](#)  
[Vietnam Memorial cost estimate](#)

- B.** [17-2076](#) Ratification of Mayor's signature on Community Development Block Grant (CDBG), 2017 Tulsa Urban County, City of Broken Arrow, Resolution No. 1012 and Application for FY 2017 Tulsa Urban County Community Development Block Grant (CDBG) Funds

**Attachments:** [140418 Resolution 1012 FY17 CDBG](#)  
[170413 2017 CDBG Budget](#)

## **12. Preview Ordinances**

- A.** [17-2061](#) Consideration, discussion, and possible preview of an Ordinance repealing Chapter 7 of the Broken Arrow Code, Article VI, Massage Establishments, Section 7-116; repealing all ordinances to the contrary; and declaring an emergency

**Attachments:** [02-20-17 Chapter 7-116 Massage Establishments Repealing and Reserving.docx](#)

## **13. Ordinances - - NONE**

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

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

## 16. Executive Session

**Executive Session for the purpose of confidential communications between the Broken Arrow City Council, the City Manager and the City Attorney, and possible action in open session on matters pertaining to the following:**

- 1. The possible purchase and appraisal of real property located at 2300 South 1st Street, Broken Arrow, Oklahoma, and possible action in open session, including authorization to negotiate for the potential purchase of this real property and obtain additional appraisals for this real property, under 25 O.S. §307(B)(3);**
- 2. The possible purchase and appraisal of real property located at 310 South 9th Street, Broken Arrow, Oklahoma, and possible action in open session, including authorization to negotiate for the potential purchase of this real property and obtain additional appraisals for this real property, under 25 O.S. §307(B)(3);**
- 3. Discussion of a potential claim and potential litigation relating to the provision of municipal services on a Creek Nation allotment owned by Bim Bruner on property located South of the Creek Turnpike and West Olive Avenue and taking appropriate action in open session under 25 O.S. § 307(B)(4);**
- 4. Discussing litigation, including potential resolution, involving 71st Midway, an Oklahoma Limited Liability Company vs. City of Broken Arrow, Case No. CV-2016-27 in the District Court of Wagoner County, State of Oklahoma, and taking appropriate action in open session, including authorization to settle this litigation under 25 O.S. § 307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending 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.**

## 17. 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