



City of Broken Arrow
Meeting Agenda - Final Amended
City Council

City Hall
220 S 1st Street
Broken Arrow OK
74012

Mayor Craig Thurmond
Vice Mayor Richard Carter
Council Member Mike Lester
Council Member Johnnie Parks
Council Member Scott Eudey

Tuesday, April 5, 2016

6:30 PM

Council Chambers

AMENDED AGENDA

1. Call to Order

2. Invocation

3. Roll Call

4. Pledge of Allegiance to the Flag

5. Consideration of Consent Agenda

- A. [16-370](#) Approval of Broken Arrow City Council Minutes of March 15, 2016
- B. [16-345](#) Acceptance of minutes of Planning Commission meeting held February 25, 2016
- C. [16-348](#) Approval of and authorization to execute Earth Change Pay Request Number 8 for earth work to Tri-Star Construction, LLC, and utility work to Davis H. Elliott Construction Company, Inc., through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center
- D. [16-357](#) Approval of and authorization to execute Pay Request Number 9 for Professional Design Services through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center
- E. [16-349](#) Approval of and authorization to execute Amendment No. 1 to Agreement for Professional Consulting Services for 37th Street - Omaha to Albany (Project No. ST1112)
- F. [16-358](#) Approval of and authorization to execute a sole source Service Agreement with SeeClickFix to provide software services for the new online citizen reporting tool and mobile application
- G. [16-354](#) Approval of and authorization to execute a contract between Resource Management Associates and the City of Broken Arrow to provide Promotional Examinations for the Fire Department

- H. [16-318](#) Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Volleyball Club for the use of Nienhuis Park Community Center
- I. [16-343](#) Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the R.C. Dickenson Family YMCA of Greater Tulsa for use of the Country Aire Swimming Pool
- J. [16-344](#) Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the R.C. Dickenson Family YMCA of Greater Tulsa for use of the Family Aquatic Center
- K. [16-352](#) Approval of and authorization to execute Change Orders 1-5 to the System Installation Agreement with Ford Audio-Video for integrating equipment utilized in the video production system, adding controls for cameras, installation of a new countdown timer system, installation of executive session lighting outside the Council Chambers, and adding equipment to activate the LED lights at the base of dais microphones (originally purchased pursuant to the State contract)
- L. [16-327](#) Approval of and authorization for the sole source purchase of 11 Naviline Mobile Data Brower Client Licenses, 25 Naviline Field Incident Reporting Licenses, and 36 License Maintenance agreements from SunGard Public Sector for police mobile data solution
- M. [16-368](#) Review of bids received, award of the lowest responsible bid to A&A Asphalt, Inc, and approval of and authorization to execute a non-encumbered construction contract for Cold Milling Asphalt Streets - Option 3
- N. [16-304](#) Approval of the final acceptance of the public improvements for Casey's General Store located at 2400 East Albany Street
- O. [16-321](#) Approval of the final acceptance of the public improvement (paving) for Access Optics, located at 2201 North Maple Avenue, Broken Arrow, Oklahoma
- P. [16-326](#) Approval of the final acceptance of the public improvement (paving) for Hillside Crossing Retail Center, located at 901 East Hillside Drive, Broken Arrow, Oklahoma
- Q. [16-340](#) Approval of PT15-103, Conditional Final Plat, Riverstone Estates, 103 lots, 37.28 acres, A-1 to RS-3, one-third mile east of Olive Avenue, south of Tucson Street
- R. [16-341](#) Approval of PT15-114, Conditional Final Plat, Villas at Bricktown, 32 lots, 11.58 acres, R-1 to PUD 240/RS-3, north of the northeast corner of Kenosha Street and Olive Avenue
- S. [16-382](#) Approval of the Broken Arrow City Council Claims List for April 05, 2016

6. Consideration of Items Removed from Consent Agenda

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

- A. [16-315](#) Discussion, consideration, presentation, approval of and authorization for the Mayor to execute a Proclamation declaring the week of April 10-16, 2016, as “Volunteers in Police Service Week” in the City of Broken Arrow, recognition of the volunteers and presentation of the symbolic “check” for the services provided

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. [16-356](#) Consideration, discussion, possible acceptance of the City of Broken Arrow’s Audit Report for Fiscal Year 2014-2015
- B. [16-337](#) Consideration, discussion, and possible approval of a 30-day suspension of a low-point beer City license issued to Rooster Corner located at 1535 South Main Street, Broken Arrow, Oklahoma, effective April 6, 2016, pursuant to Chapter 4, Section 4-96 of the Broken Arrow Code of Ordinances, for repeated violations of selling beer to minors
- C. [16-342](#) Consideration, discussion, possible approval of proposed columbarium style and placement plan, authorization for the Park Grove Cemetery staff to plan, budget, and solicit bids for the purchase of the first columbarium set and add the niche pricing to the Manual of Fees
- D. [16-346](#) Consideration, discussion, possible approval of bids received, extension of the time to award the bids by 15 days for good cause shown, award of the lowest responsible bids to Cherokee Pride Construction, Inc., and Tri-Star Construction, LLC, and approval of and authorization to execute two unencumbered construction contracts for Portland Cement Concrete Street Repairs
- E. [16-381](#) Consideration, discussion, possible approval of and authorization to execute Resolution No. 914 for assignment of the three Material Procurement Contracts to the Construction Contract for the Rose District Farmers Market Interactive Water Feature, and authorization to execute the three Assignments of Contract (Project No. 161708)
- F. [16-350](#) Consideration, discussion, possible approval of bids received, award of the lowest responsible bid to Magnum Construction, Inc., and approval of and authorization to execute a construction contract for Rose District Farmers Market Interactive Water Feature (Project No. 161708)
- G. [16-355](#) Presentation, discussion and possible selection of Young Strategies for the Tourism Market Research and Asset Inventory, for a project cost of \$54,160.00
- H. [16-232](#) Consideration, discussion, possible approval of and authorization to execute Resolution No. 909, a Resolution authorizing the City Attorney to file a

Quiet Title Petition in the matter of the City of Broken Arrow, an Oklahoma Municipal Corporation v. the Heirs, and Unknown Heirs, Personal Representatives, Devisees, Trustees, Successors and assigns of Ira N. Jones, Deceased, et al., in the Tulsa County District Court, ratifying payment of the ad valorem taxes on the subject property; and agreeing to entry of judgment without admitting liability; and directing the City Attorney to prepare and file the necessary documents to effectuate judgment, including a Journal Entry of Judgment incorporating the resolution of the Court's approval, pursuant to 12 O.S. §1141

- I. [16-375](#) Consideration, discussion, possible approval of and authorization to execute Resolution No. 913, a Resolution authorizing the City Attorney to enter into a proposed Joint Application for Approval of Settlement and a Journal Entry of Judgment in regard to the Tort Claim filed by Gary Clark, and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a Journal Entry of Judgment for the court's approval, pursuant to 51 O.S. § 158
- J. [16-380](#) Consideration and possible reappointment of Steven E. Edgar as Presiding Judge and Dennis A. Sagely as Alternate Judge for the City of Broken Arrow Municipal Court

10. Preview Ordinances

- A. [16-374](#) Consideration, discussion and possible preview of an ordinance amending the Broken Arrow Code by amending Chapter 10, Fire Prevention and Protection, Article IV. - Explosives, Division 1. - Generally, Section 10-72. - Classified; and Section 10-73. - Manufacture; specifically excepting from the definition of explosives small arms ammunition and components thereof; repealing all ordinances to the contrary; and declaring an emergency
- B. [16-369](#) Consideration, discussion and possible preview of an ordinance closing a mutual road easement on property located in the Southwest Quarter (SW/4 SW/4) (Lot Four) of Section Thirty (30), Township Eighteen (18) North, Range Fourteen (14) East, Berwick South, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of W. Florence Street and east of S. Mingo Road; repealing all ordinances to the contrary; and declaring an emergency
- C. [16-351](#) Consideration, discussion and possible preview of an ordinance closing a stormwater drainage easement on property located in the Southwest Quarter (SW/4 SW/4) (Lot Four) of Section Thirty (30), Township Eighteen (18) North, Range Fourteen (14) East, Berwick South, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of W. Florence Street and east of S. Mingo Road; repealing all ordinances to the contrary; and declaring an emergency
- D. [16-353](#) Consideration, discussion and possible preview of an ordinance closing a waterline easement on property located in the Southwest Quarter (SW/4 SW/4) (Lot Four) of Section Thirty (30), Township Eighteen (18) North,

Range Fourteen (14) East, Berwick South, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of W. Florence Street and east of S. Mingo Road; repealing all ordinances to the contrary; and declaring an emergency

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

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 appraisal of real property located on the North side of Tiger Hill (on the Southwest corner of Lynn Lane and Kenosha), and an economic development proposal for this area to include the transfer of property and the creation of a proposal to entice businesses to locate within the City of Broken Arrow, taking appropriate action in open session, including direction for the City Manager and Staff to continue negotiations for an economic development proposal and obtaining additional appraisals, under 25 O.S. §307(B)(3) and 25 O.S. §307(C)(10); and
2. Pending litigation and offer of settlement and taking appropriate action in open session in the matter of Eric Tyler Manke v. City of Broken Arrow, Tulsa County District Court Case Number CJ-2016-1144, 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 claim and/or potential 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