



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, February 20, 2018

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. [18-101](#) Approval of City Council Meeting Minutes of February 6, 2018
- B. [18-264](#) Approval of AMENDED City Council Meeting Minutes of January 16, 2018
- C. [18-282](#) Approval of and authorization to execute Resolution No. 1090 requesting programming of Federal Fiscal Year (FFY) 2021 Surface Transportation Program (STP) funds for Washington Street Widening from Garnett Road to Olive Avenue
- D. [18-292](#) Approval of and authorization to execute a Professional Consultant Services Contract with Destination Services, LLC to continue the implementation of the Strategic Plan for the Convention and Visitors' Bureau
- E. [18-284](#) Approval of and authorization to execute a Professional Consultant Agreement with Flynt & Kallenberger, Inc. for design of Fire Station No. 2 Heating, Ventilation, and Air Conditioning (HVAC) Investigation and Renovation (Project No. 183512)

- F. [18-280](#) Approval of and authorization to execute Amendment No. 2 to a Professional Consultant Agreement with Olsson Associates for Design of a Broken Arrow Industrial Collector Street and Water Line Extension (Project No. ED1701)
- G. [18-267](#) Approval of bids received and award the most advantageous bid to Yamaha Golf Cars for the purchase of (72) Yamaha Drive 2 electric golf carts with geographical positioning system (GPS), (1) range utility cart, (1) refreshment cart, and (1) all-purpose utility cart, for Battle Creek Golf Club, and declare the current golf cart fleet at Battle Creek Golf Club consisting of (72) electric golf carts and (2) utility carts surplus and approve Budget Amendment No. 3
- H. [18-299](#) Approval of and authorization to execute Work Order WO-08, Contract for Cold Milling Asphalt Streets (Bid # 16.141) for the repair of asphalt streets of Lancaster Park I & II, Phase II
- I. [18-265](#) Acceptance of a Corrected Deed of Dedication from Nathan Lovelle and Kimberly Lovelle on property located one-eighth mile north of New Orleans Street, west of 9th Street, Tulsa County, State of Oklahoma, (Section 23, T18N, R14E)
- J. [18-266](#) Acceptance of a Corrected Utility Easement from Nathan Lovelle and Kimberly Lovelle on property located one-eighth mile north of New Orleans Street, west of 9th Street, Tulsa County, State of Oklahoma, (Section 23, T18N, R14E)
- K. [18-13](#) Approval of the Broken Arrow City Council Claims List for February 20, 2018

6. Consideration of Items Removed from Consent Agenda

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

- A. [18-287](#) Recognition of the 2017 City of Broken Arrow University (COBA-U) Participants
- B. [18-307](#) Presentation and discussion on ShamRock the Rose Event for Soldier's Wish

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. [18-286](#) Consideration, discussion, possible approval of and authorization to execute the Fiscal Year 2017-18 Collective Bargaining Agreement with the International Association of Firefighters Local #2551

- B. [18-291](#) Consideration, discussion, and possible approval of and authorization to execute the Professional Services Agreement with Catalyst Commercial for assisting the City in revitalization strategy of the Elm and New Orleans area
- C. [18-256](#) Consideration, discussion, and possible approval of Resolution No. 1082, a Resolution of the City Council of the City of Broken Arrow authorizing initiation of an action for Declaratory Relief against Henry and Vestina Hanewinkel, Brown and Perkins, LLC, and other necessary and appropriate Defendants regarding what zoning classification should be applied to a tract of land consisting of 19.64 acres of land located east of North Elm Avenue, and One-Quarter mile south of Omaha Street in Broken Arrow, Tulsa County, State of Oklahoma, and potentially challenging the requirements of Okla. Stat. tit. 11, § 14-102
- D. [18-276](#) Consideration, discussion, and possible approval of Resolution No. 1088, a Resolution of Necessity to Condemn Property located in the SE/4 of Section 12, T-18-N, R-14-E of the Indian Meridian, Tulsa County, State of Oklahoma, for the 23rd Street, Houston to Kenosha, Widening Project (Project No. ST0914)
- E. [18-296](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1089, a Resolution confirming the supplementation and publication of the City of Broken Arrow's Code of Ordinances
- F. [18-261](#) Consideration, discussion, and possible approval of PUD (Planned Unit Development) 271 and BAZ-1994, Bill Knight Collision, 2.74 acres, CH, north of Kenosha Street, west of 9th Street
- G. [18-268](#) Consideration, discussion, and possible approval of PUD (Planned Unit Development) 272, Restore House 0.64 acres, DM to PUD-272/DM, on the northwest corner of West Knoxville Street and South Main Street
- H. [18-269](#) Consideration, discussion, and possible action regarding PUD (Planned Unit Development) 270, Rose Event Center 0.48 acres, DM to PUD-270/DM, between Indianola Street and Jackson Street along South Main Street
- I. [18-298](#) Consideration, discussion, and possible approval of the appointment of Pablo Aguirre to the City of Broken Arrow Planning Commission to replace Carolyne Isbell-Carr for the remainder of a three-year term to expire May 1, 2018

10. Preview Ordinances - NONE

11. Ordinances

- A. [18-221](#) Consideration, discussion, and possible adoption of Ordinance No. 3507, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving portions of BAZ 1655, BAZ 1827, and BAZ 1904, generally located north of Omaha Street, one-quarter mile west of 27th Street, granting a RS-3 zoning classification be placed upon the tract along with PUD 225, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- B. [18-247](#) Consideration, discussion, and possible adoption of Ordinance No. 3508, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1685, generally located one-quarter mile east of Olive Avenue, one-half mile north of Jasper Street, granting a RS-3 zoning classification to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- C. [18-255](#) Consideration, discussion, and possible adoption of Ordinance No. 3509, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1815, generally located one-third mile west of Evans Road, south of State Highway 51, granting an IH zoning classification be placed upon the tract along with PUD 248, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- D. [18-254](#) Consideration, discussion, and possible adoption of Ordinance No. 3510, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1803, generally located one-quarter mile south of Omaha Street, west of Aspen Avenue, granting a CH zoning classification be placed upon the tract along with PUD 209, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- E. [18-252](#) Consideration, discussion, and possible adoption of Ordinance No. 3511, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1790, generally located one-half mile south of Washington Street, east of Aspen Avenue, granting an ON zoning classification be placed upon the tract along with PUD 158B, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- F. [18-306](#) Consideration, discussion, and possible adoption of Ordinance No. 3512, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1986, granting PUD-266 (Planned Unit Development) and Residential Multi-Family zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- G. [18-285](#) Consideration, discussion, and possible adoption of Ordinance No. 3514, an Ordinance annexing property located in the East Half (E/2) of the Southwest Quarter (SW/4) of Section Eleven (11), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian (I.B.&M.), Wagoner County, State of Oklahoma, and generally located North of Houston Avenue, between Midway Road and South 273rd East Avenue, repealing all ordinances to the contrary; and declaring an emergency

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:

Litigation, including potential resolution, of a matter involving a case titled Henry and Vestina Hanewinkel v. City of Broken Arrow, et al, Case No. CJ-2018-00012, in the District Court of Tulsa County, State of Oklahoma, and potential filing litigation against Henry and Vestina Hanewinkel, Brown and Perkins, LLC, and other necessary and appropriate Defendants and potentially challenging the requirements of Okla. Stat. tit. 11, § 14-102 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 and the purchase and appraisal of real property in accordance with State Statute. 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