



**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*

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**Tuesday, April 17, 2018**

**6:30 PM**

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

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**1. Call to Order**

**2. Invocation**

**3. Roll Call**

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

**5. Consideration of Consent Agenda**

- A. [18-432](#) Approval of City Council Meeting Minutes of April 3, 2018
- B. [18-433](#) Approval of City Council Special Meeting Minutes of March 26, 2018
- C. [18-462](#) Approval of and authorization to execute a General Release and Separation Agreement with Utilities Director Anthony Daniel
- D. [18-438](#) Approval of and authorization to execute a Professional Services Agreement between Kleinfelder, Inc. and the City of Broken Arrow, for Wetland and Stream Mitigation of the 37th Street Regional Detention Areas
- E. [18-443](#) Approval of and authorization to execute a Professional Services Agreement between Industrial/Organizational Solutions Master Consulting Agreement and the City of Broken Arrow to provide Promotional Examinations for the Fire Department
- F. [18-447](#) Approval of and authorization to execute a First Amendment to the Professional Services Agreement between the City of Broken Arrow and Kristen Brightmire with Doerner, Saunders, Daniel & Anderson, LLP, for providing counsel and legal advice regarding employment and labor law

- G. [18-446](#) Approval of and authorization to execute a First Amendment to the Professional Services Agreement between the City of Broken Arrow and S. Doug Dodd with Doerner, Saunders, Daniel & Anderson, LLP, for providing counsel and legal advice regarding planning and zoning matters, including related litigation and conflict of interest and ethical issues
- H. [18-445](#) Approval of and authorization to execute a First Amendment to the Professional Services Agreement between the City of Broken Arrow and McAfee & Taft, P.C., for providing counsel and legal advice regarding sovereignty law, employment law and labor law
- I. [18-444](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Wood, Puhl & Wood, P.L.L.C., for providing representation in the case of Wilson v City of Broken Arrow, et al, Case number CJ-2017-1521, and legal advice regarding risk management and civil cases filed against the City and members of the Police Department
- J. [18-405](#) Approval of a letter from Crossland Heavy Contractors agreeing to delay the award of the lowest responsible bid to Crossland Heavy Contractors, for East Nashville Street (Project No. ED1701)
- K. [18-428](#) Notification of Change Orders with a value of less than \$25,000 on Public Contracts
- L. [18-439](#) Approval and authorization of Final Acceptance for the public improvements at Lynn Lane Self Storage Phase II located at 11715 South Lynn Lane Road
- M. [18-424](#) Approval and authorization of Final Acceptance for the public improvements at Stone Horse II - III located on 129th East Avenue between 121st Street South and 131st Street South
- N. [18-25](#) Approval of the Broken Arrow City Council Claims List for April 17, 2018

**6. Consideration of Items Removed from Consent Agenda**

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

- A. [18-464](#) Administration of Oath of Office and Loyalty Oath of Finance Director, Cynthia S. Arnold
- B. [18-419](#) Consideration, discussion, presentation, approval of and authorization for the Mayor to execute a Proclamation declaring the week of April 15th - 21st, 2018, 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

- C. [18-407](#) Presentation on the Proposed 2018 General Obligation Bond Program
- D. [18-458](#) Presentation and update related to the Land Subdivision Code, Article VI, Miscellaneous Requirements, Policies and Approvals, Section 6.2 Miscellaneous Requirements; more particular sanitary sewer backwater device (backflow preventer) for buildings in Broken Arrow

**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. [18-456](#) Receipt and consideration of bids for and possible action awarding the sale of \$18,755,000 in principal amount of Series 2018A General Obligation Bonds and authorization to execute the pertinent documents related thereto
- B. [18-430](#) Consideration, discussion, and possible award of the most advantageous bid to Utility Supply Inc., for the supply of water line pipes and accessories for the construction of water distribution system improvements along First Street from Detroit Street to Greeley Street
- C. [18-413](#) Consideration, discussion, and possible approval of BACP-161 (Broken Arrow Comprehensive Plan), Timber Ridge Cottages, 8.05 acres, Level 4 to Level 3, one-quarter mile south of Kenosha Street, east of 209th East Avenue
- D. [18-455](#) Consideration, discussion, possible approval and authorization to execute Resolution No. 1099, 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 matter of Juan Rodriguez v. City of Broken Arrow, et al., Case No. CJ-2017-978 in the District Court for Tulsa County, State of Oklahoma 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
- E. [18-459](#) Consideration, discussion, and possible approval of the reappointment of Pablo Aguirre to the City of Broken Arrow Planning Commission for a three-year term to expire May 5, 2021
- F. [18-353](#) Consideration, discussion, and possible approval of the reappointment of Fred Dorrell for the City of Broken Arrow Planning Commission for a three-year term to expire May 5, 2021
- G. [18-356](#) Consideration, discussion, and possible approval of the reappointment of Ricky Jones to the City of Broken Arrow Planning Commission for a three-year term to expire May 5, 2021

**10. Preview Ordinances - NONE**

**11. Ordinances**

- A. [18-448](#) Consideration, discussion, and possible adoption of Ordinance No. 3525, an ordinance amending Chapter 23 -Traffic, Article II- Operation of Vehicles Generally, Section 23-95, Reserved of the Broken Arrow Code, more specifically adding regulations regarding neighborhood electric vehicles in the Downtown Rose District; and declaring an emergency
  
- B. [18-457](#) Consideration, discussion, and possible adoption of Ordinance No. 3526, an ordinance providing for the issuance of \$18,755,000 General Obligation Bonds, Series 2018A by the City of Broken Arrow, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing levy of an annual tax for the payment of principal and interest on the same; and fixing other details of the issue 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:

- 1. Litigation, including potential resolution, of a matter involving litigation in the matter of Oklahoma Keepers, et. al v. State Farm Mutual Insurance Co., et. al, United States District Court for the Western District of Oklahoma Case No. 5:17-CV-01221-R, and taking appropriate action in open session, including possible authorization to settle this litigation, under 25 O.S. §307(B)(4).
  
- 2. Litigation, including potential resolution, involving litigation in the matter of Wilson v. City of Broken Arrow et. al, Tulsa County, Case No. CJ-2017-01521 and taking appropriate action in open session. 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 and 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.**

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**City Clerk**