



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, May 2, 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. [17-1670](#) Approval of City Council Meeting Minutes of April 18, 2017

Attachments: [04-18-17 Council Minutes](#)

B. [17-2116](#) Approval of Downtown Residential Overlay Study Pay Request Number 4 in the amount of \$5,700, for Phase Two, to ADG, PC through the Sales Tax Capital Improvement Program (STCI) in association with the Downtown Residential Overlay District Revitalization Study and authorize payment of \$5,700.00 using STCI funds

Attachments: [2-INVOICE 14070. 4TH PAYMENT REQUEST.pdf](#)
[Executed Agreement.pdf](#)

C. [17-2144](#) Approval of and authorization to execute Pay Request Number 14 for Professional Design Services through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center

Attachments: [Draw 14 - D&D Apr17 Revised.pdf](#)

D. [17-2085](#) Approval of and authorization to execute Resolution No. 1014, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 4, which consists of 0.48 acres of permanent right-of-way for 23rd Street Widening from Houston to Kenosha, in the NE 1/4 of Section 12, Township 18 North, Range 14 East, Tulsa County, from East Kenosha Development, LLC and authorization of payment in the amount of \$80,000.00 to East Kenosha Development, LLC for the 23rd Street Widening from Houston to Kenosha

Project and authorizing 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 Houston to Kenosha Project (Project No. ST0914)

Attachments: [170502 Parcel 4 East Kenosha Development Resolution 1014](#)
[170502 EKD Administrative Settlement](#)
[170502 Parcel 4 EKD CC Docs Revised](#)
[170502 Parcel 4 EKD Management Agreement](#)

- E. [17-2086](#) Approval of and authorization to execute Resolution No. 1015, a Resolution authorizing the acceptance of General Warranty Deeds for Parcels 3 and 14, which consists of 3.88 acres of Permanent Right-of-Way for 23rd Street Widening from Houston to Kenosha, in the N 1/2 of the SE 1/4 of Section 12, Township 18 North, Range 14 East, Tulsa County, from Margaret Couch Scrapper and Danny Lee Scrapper, wife and husband, and authorization of payment in the amount of \$139,680.00 to Margaret Couch Scrapper and Danny Lee Scrapper, wife and husband for the 23rd Street Widening from Houston to Kenosha Project and authorizing 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 Houston to Kenosha Project (Project No. ST0914)

Attachments: [170502 Parcel 3,14 Couch CC Docs](#)
[170502 Parcel 3,14 Couch Resolution 1015](#)

- F. [17-2088](#) Approval of and authorization to execute Resolution No. 1016, a Resolution authorizing the acceptance of a General Warranty Deed, Utility Easement, and Temporary Construction Easement for Parcel 23, which consists of 0.121 acres of Permanent Right-of-Way and .133 acres of Easement for 9th Street Widening Elgin to El Paso, being part of the NE 1/4 of the SE 1/4 of Section 11, Township 18 North, Range 14 East, Tulsa County, from PACCAR, Inc., and authorization of payment in the amount of \$20,500.00 to PACCAR, Inc. for the 9th Street Widening from Elgin to El Paso Project (Project No. ST1210)

Attachments: [170502 PACCAR Resolution 1016](#)
[170502 PACCAR CC Docs Revised](#)

- G. [17-2105](#) Notification of City Manager's, Assistant City Manager's, and Engineering and Construction Department Director's signing Professional Consultant Agreements with a value less than \$25,000

Attachments: [20170407 Prof Svcs Contract Traffic Study 9th and Detroit TEC fully executed CADD 17-01 signed contract](#)
[170407 Terracon Agreement - Project No, 16](#)

- H. [17-2134](#) Approval of and authorization to execute Renewal Agreement No. 3 with Admiral Express to provide office supplies on a city wide basis

Attachments: [14.163 Office Supplies Admiral Express Renewal 3](#)

- I. [17-2131](#) Approval of and authorization to execute a Pest Control Service Agreement (Renewal No. 3) with Arrow Exterminators for monthly pest control at all City facilities

Attachments: [14.120 Pest Control renewal # 3](#)

- J. [17-2132](#) Approval of and authorization to execute a Fourth Renewal Agreement with Bee Clean Cleaning Services, Inc. to supply custodial services and supplies for the Public Safety Complex

Attachments: [14.147 Custodial Service for PD 4 of 5 renewal](#)

- K. [17-2137](#) Approval of and authorization to execute an Amendment to Service Agreement (Renewal No. 1) with Clean Uniform for non-public safety employee uniform rental service

Attachments: [16.148 Uniform rental non-public safety-renewal # 2](#)
[16.148 Uniform rental agreement](#)

- L. [17-2065](#) Approval of and authorization to execute a Service Agreement and Addendum with GovernmentJobs.com, Inc., d/b/a NeoGov, to provide human resources software

Attachments: [GovernmentJobs.com, Inc. Agreement and Amendment](#)

- M. [17-2135](#) Approval of and authorization to execute Sales Purchase Agreement, Contract Extension 2 with Petroleum Traders Corporation for the purchase of gasoline and diesel fuel

Attachments: [15.148 Gas and diesel renewal 2 of 4 renewal](#)

- N. [17-2145](#) Approval of and authorization to execute an access use agreement between the City of Broken Arrow and Scott Wise to use a portion of the City of Broken Arrow Rose District Overflow Parking Lot Entry, Birch Entry Drive, particularly located at 214 West Dallas Street (Section 11, T18N, R14E) (Dallas Brownstones, Lot 11 and 12, Block 54, Original Town of Broken Arrow)

Attachments: [4-25-2017 Scott Wise access use agreement KRS changes \(002\).doc](#)
[Attachment A.pdf](#)
[Lot Exhibit.pdf](#)
[Proposed Lots.pdf](#)

- O. [17-2139](#) Approval of and authorization to execute a 3rd Renewal Agreement with Storey Wrecker Inc. for wrecker services

Attachments: [15.147 Wrecker contract 2015 renewal # 3](#)
[15.147 Storey Wrecker bid 2015](#)

- P. [17-2121](#) Approval of and authorization to execute Contract Amendment No. 1 with A&A Asphalt, Inc., for the cold milling of asphalt streets at various locations

throughout the City

Attachments: [A&A Asphalt Amendment #1](#)
[Extension Letter from A&A Asphalt](#)

- Q. [17-2136](#) Approval of and authorization to execute the Transaction Confirmation #4 (second contract renewal) with Tiger Inc. for third party natural gas supply

Attachments: [15.145 base contract and confirmation](#)
[15.145 Third party gas supply fact sheet 2nd renewal](#)
[15.145 Cost Savings-City of Broken Arrow](#)

- R. [17-2087](#) Award the most advantageous bid to 911 Custom for the purchase of police vehicle equipment

Attachments: [FY17 PPV Equipment](#)

- S. [17-2112](#) Award the most advantageous bid to Frank Bills Trucking for the purchase of 1200 tons of medium road salt with yellow prussiate of soda for the Street Division

Attachments: [17.159 salt bid tab](#)

- T. [17-2113](#) Award the lowest responsible bid to J.E. Dirt Wurx, LLC, and approve and authorize execution of a construction contract for Cedar Avenue Improvements, Elgin to Freeport (Project No. ST1510)

Attachments: [170424 Bid Tab Certified Cedar Freeport to Elgin](#)
[170426 Ltr CGE Cedar Ave Award Recommendation](#)

- U. [17-2143](#) Award the lowest responsible bid to Paragon Contractors, LLC, to include the Base Bid plus Additive Alternate No. 1, and approve and authorize execution of a construction contract for 37th Street: Omaha to Albany and Wagoner County Rural Water District No. 4 209th Waterline (Project No. ST1507)

Attachments: [170417 Bid Tab Certified 37th Omaha-Albany](#)

- V. [17-2104](#) Notification of Change Orders and Work Orders with a value of less than \$25,000 on Public contracts

Attachments: [Work Order WO-031](#)
[Work Order WO-032](#)
[Work Order WO-033](#)
[Work Order WO-035](#)
[Work Order WO-036](#)

- W. [17-2082](#) Approve the Final Acceptance of the public improvements at Aspen Ridge, located at Southwest corner of Aspen Avenue and Jasper Street

Attachments: [Infrastructure Inventory](#)

- X. [17-2080](#) Approve the Final Acceptance for the public improvement at Indian Springs

Manor Extended - Lot 1 Block 8, located at 801 East Ocala Street

Attachments: [Infrastructure Inventory](#)

- Y. [17-2081](#) Approve the Final Acceptance for the public improvements at Kum & Go #1837, located at 24055 East Highway 51

Attachments: [Infrastructure Inventory](#)

- Z. [17-2089](#) Approve the Final Acceptance for the public improvements at Washington Lane VII, located at 2700 South 9th Street

Attachments: [Infrastructure Inventory](#)
[Final Release and Waiver of Lien](#)

- AA. [17-2109](#) Approval of PT15-117A, Conditional Final Plat, Ninety-One Phase I, a re-plat of Crossings at Lynn Lane I, 40 lots, 15.49 acres, A-1 to RS-3, north and east of the northeast corner of Washington Street and 9th Street

Attachments: [1-Planning Commission Staff report, April 13, 2017.pdf](#)
[2-CONDITIONAL FINAL PLAT AS NINETY ONE PH I.pdf](#)
[3-STAFF APPROVED FINAL PLAT.CROSSINGS AT LL I.pdf](#)
[4-RECORDED PLAT.CROSSINGS AT LYNN LANE I.pdf](#)

- BB. [17-2107](#) Approval of PT16-113, Conditional Final Plat, Oak Creek South Phase II, 19.13 acres, R-1 to RS-3, one-half mile south of Houston Street, one-quarter mile east of 23rd Street, north of the M.K.&T. Railroad

Attachments: [2-PT16 113.PC PUBLISHED FACT SHEET](#)
[3-CHECKLIST.OAK CREEK SOUTH](#)
[4-CONDITIONAL FINAL PLAT.OAK CREEK SOUTH PHASE 2](#)

- CC. [17-2111](#) Approval of PT17-100, Conditional Final Plat, Kum & Go 1866 Addition, 1 lot, 3.07 acres, A-CG to CG/PUD-94, northeast corner of Omaha Street and Aspen Avenue

Attachments: [1-PT17 100.PUBLISHED FACT SHEET](#)
[2-CHECKLIST](#)
[3-KUM & GO CONDITIONAL FINAL PLAT](#)
[4- KUM & GO 1866 ADDITION SITE PLAN](#)
[4-SITE PLAN.KUM & GO](#)

- DD. [17-2106](#) Acceptance of a Temporary Construction Easement conveyed to the City of Broken Arrow on a tract of land lying in Lot 6, Block 1 of the Westwind Addition, being part of the N/2 of Section 1, Township 18 North, Range 14 East, Tulsa County, to the City of Broken Arrow for Westwind and Charleston II Storm Sewer Improvements (Project No. SW1707)

Attachments: [Rosencutter TCE Westwind Charleston II Storm](#)

- EE. [17-2117](#) Acceptance of a 15 foot Utility Easement from REIP, LLC, on property located east of the northeast corner of Omaha Street and Aspen Avenue,

Tulsa County, State of Oklahoma, (Section 27, T19N, R14E) (Kum & Go, Omaha Street)

Attachments: [Dedication 15 ft Wide SS Easement for KG 1866](#)
[Exhibit A](#)
[Final Plat Kum Go 1866.pdf](#)

- FF. [17-2115](#) Acceptance of a 17.5 foot Utility Easement from REIP, LLC, on property located east of the northeast corner of Omaha Street and Aspen Avenue, Tulsa County, State of Oklahoma, (Section 27, T19N, R14E) (Kum & Go, Omaha Street)

Attachments: [Dedication](#)
[Exhibit A](#)
[Final Plat Kum Go 1866.pdf](#)

- GG. [17-2161](#) Approve the reappointment of Lee Whelpley for the City of Broken Arrow Planning Commission for a three-year term to expire May 5, 2020

Attachments: [MeetingAttendance27-Apr-2017-04-03-36](#)

- HH. [16-1555](#) Approval of the Broken Arrow City Council Claims List for May 02, 2017

Attachments: [05-02-17 CL](#)

6. Consideration of Items Removed from Consent Agenda

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

- A. [17-2128](#) Presentation by the Broken Arrow Youth City Council on the 2017 Congressional City Conference, and recognition of Youth City Council Members and presentation of certificates
- B. [17-2127](#) Presentation by the Broken Arrow Youth City Council, discussion and possible acceptance of the 2017 Youth City Council “Big Idea”-adding accessible and inclusive playground equipment and play areas to Broken Arrow Parks
- Attachments:** [Big Idea 2017 jmh](#)
- C. [17-2015](#) Presentation of an annual report by representatives of Cox Communications, a cable service provider with a Non-Exclusive Franchise with the City of Broken Arrow, and regarding the services provided by Cox and operation of the cable system
- D. [17-2064](#) Presentation by Jannette McCormick, Human Resources Director on training initiative with Tulsa Technology Center
- E. [17-2126](#) Presentation by Information Technology (IT) Director Stephen Steward on the activities of the IT department including future projects and related discussion

Attachments: [Full PowerPoint on IT Dept.pptx](#)

- F. [17-2119](#) Consideration, discussion, and possible approval of and authorization to

execute a Proclamation declaring June through August 2017 as “Play Ball Summer” throughout the City of Broken Arrow

Attachments: [PlayBall 2017 Proclam](#)
[Playballpledge](#)
[Playballmayors](#)

- G. [17-192](#) Consideration, discussion, and possible approval of and authorization to execute a Proclamation declaring May 19, 2017 as "The Way We Worked" day in the City of Broken Arrow

Attachments: [Museum Broken Arrow letter](#)
[May 19th The Way We Worked day 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. [17-2165](#) Consideration, discussion, presentation, and acceptance of a Special Warranty Deed for the real property located at 709 Magnolia Court in Broken Arrow (the former Bever residence), from TCF Real Estate, LLC
- B. [17-2084](#) Consideration, discussion, and possible approval for the Mayor to execute an official ballot from the Oklahoma Municipal Assurance Group (OMAG) casting votes for three Trustee positions with three-year terms commencing July 1, 2017

Attachments: [OMAG Official Ballot](#)

- C. [17-2129](#) Consideration, discussion, and possible acceptance of the City of Broken Arrow’s Audit Report for Fiscal Year 2015-2016

Attachments: [FY 2016 AUDIT.pdf](#)
[FY 2016 Broken ARROW SINGLE AUDIT .pdf](#)
[FY 2016 REQUIRED COMMUNICATION LETTER.pdf](#)

- D. [17-2025](#) Consideration, discussion, and possible approval to purchase one (1) Full Sized Sport Utility Vehicle for the Police Department pursuant to the Oklahoma Statewide Contract

Attachments: [SUV state contract - BAPD FY17 EM Vehicle](#)

- E. [17-2122](#) Consideration, discussion and possible appointment of three (3) representatives and one alternate representative to the Indian Nations Council of Governments (INCOG) Board of Directors and one representative and one alternate to the INCOG General Assembly, each for a two-year term beginning in January, 2017

Attachments: [INCOG Appointments to the Board of Directors & General Assembly 11-21-16](#)

10. Preview Ordinances - - NONE

11. Ordinances

- A. [17-2141](#) Consideration, discussion, and possible adoption of Ordinance No. 3482, an amendment to the City of Broken Arrow Zoning Ordinance, Chapter 5, Development Standards, Section 5.9, Telecommunication Facilities, adding a section for definitions, separating the provisions for telecommunication towers and antennas, and creating new provisions for the requirements, placement, maintenance, zoning, relocation, removal and abandonment of small cell facilities; repealing all ordinances to the contrary; and declaring an emergency

Attachments: [4-26-17 Ordinance 3482 CELL TOWER.docx](#)

- B. [17-2102](#) Consideration, discussion, and possible adoption of Ordinance No. 3483, an ordinance repealing Chapter 7 of the Broken Arrow code, Article VI, Massage Establishments, Section 7-116; repealing all ordinance to the contrary; and declaring an emergency

Attachments: [4-21-17 Ordinance 3483 Repealing Chapter 7 Massage Establishments.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 Broken Arrow City Council, the City Manager and the City Attorney, and possible action in open session on matters pertaining to the following:

1. **Discussing the purchase and appraisal of real property located at the Southwest corner of the intersection of South 23rd Street and East 114th Street South, and taking appropriate action in open session, including making an offer of purchase, under 25 O.S. § 307(B)(3); and**
2. **Discussing the purchase and appraisal of real property located at the Northeast corner of the intersection of South 9th Street and east New Orleans Street and taking appropriate action in open session, including making an offer of purchase, under 25 O.S. § 307(B)(3).**

In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to discuss 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