



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, October 17, 2017

6:30 PM

Council Chamber
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. [17-1704](#) Approval of City Council Meeting Minutes of October 3, 2017

Attachments: [10-03-2017 City Council Minutes](#)

- B. [17-2772](#) Acceptance of Planning Commission meeting minutes of September 14, 2017

Attachments: [SEPTEMBER 14, 2017.pdf](#)

- C. [17-2784](#) Approval of and authorization to execute Resolution No. 1060, a Resolution authorizing the acceptance of a General Warranty Deed for a tract of land, which consists of 0.21 acres of permanent Right-of-Way for 15th Street associated with the Board of Education of School District No. 3, in the northwest quarter of the northeast quarter of Section 12, Township 18 North, Range 14 East, of the Indian Base and Meridian, Tulsa County, State of Oklahoma (BAPS Bus Barn)

Attachments: [Resolution No.1060.docx](#)
[General Warranty Deed.pdf](#)
[Exhibit A.pdf](#)

- D. [17-2792](#) Approval of and authorization to execute Resolution No. 1061, a Resolution stating the intention to reimburse certain capital expenditures from proceeds of tax exempt bonds
- Attachments:** [10-17-17 Resolution No. 1061](#)
- E. [17-2769](#) Approval of Downtown Residential Overlay Study Pay Request Number 9 in the amount of \$4,750.00 for Phase Four to be paid through the Sales Tax Capital Improvement Program (STCI) in association with the Downtown Residential Overlay District Revitalization Study and authorize payment of \$4,750.00 using Sales Tax Capital Improvement Program Funds
- Attachments:** [ADG INVOICE 9.pdf](#)
[Executed Agreement.pdf](#)
- F. [17-2768](#) Acceptance of a donation in the amount of \$10,000 from Saint Francis Hospital South for the purpose of implementing the PulsePoint mobile application
- Attachments:** [Saint Francis South Commitment Letter](#)
- G. [17-2737](#) Ratification of acceptance of the Victim of Crime Advocate Program Grant Award for Fiscal year 2017-2018 with the Oklahoma District Attorneys Council
- Attachments:** [VOCA Grant application](#)
- H. [17-2747](#) Ratification of the Motorcycle Safety Training and Awareness Grant application and Agreement for Fiscal year 2017-2018 with the Oklahoma Highway Safety Office
- Attachments:** [OHSO MC FY18 Award Packet](#)
- I. [17-2779](#) Notification of City Manager's, Assistant City Manager's, and Department Director's execution of Professional Consultant Agreements with a value of less than \$25,000
- Attachments:** [171002 Asbestos Survey Contract 2300 S 1st St Signed.pdf](#)
- J. [17-2773](#) Approval of and authorization to execute a purchase agreement with Baysinger's Uniforms and Equipment, LLC for the purchase of police uniforms and equipment
- Attachments:** [Basinger Uniforms and Equipment Agreement- PD](#)
- K. [17-2785](#) Approval of and authorization to execute an Amended Professional Services Agreement between the City of Broken Arrow and Doerner, Saunders, Daniel & Anderson, LLP for providing counsel and legal advice regarding employment and labor issues and litigation updates
- Attachments:** [10-17-2017 AMENDED AGREEMENT Doener, Saunders- Employment and la](#)

L. [17-2757](#) Approval of and authorization to execute a Service Agreement Work Order between the City of Broken Arrow and Institute for Building Technology and Safety (ITBS), to provide building, mechanical, electrical, plumbing and accessibility plan review for Phase I of Alfa Laval, a 62,250 square foot office building located just east of 9th Street and a half mile south of Houston Street

Attachments: [Service Agreement Work Order \(Broken Arrow\) #2_Alfa Laval.pdf](#)
[Alfa Laval.081717.pdf](#)

M. [17-2758](#) Approval of and authorization to execute a Service Agreement Work Order between the City of Broken Arrow and Institute for Building Technology and Safety (ITBS), to provide building, mechanical, electrical, plumbing and accessibility plan review for the Milestone Mixed Use Facility located at 305 N. Main Street

Attachments: [Service Agreement Work Order \(Broken Arrow\) #3_Milestone.pdf](#)
[Milestone.concept.080117.pdf](#)

N. [17-2780](#) Approval of and authorization to execute Agreement for Professional Consultant Services, Amendment No. 1 with Professional Engineering Consultants, P.A. for Design of Events Park Adult Softball Fields (Project No. 176037)

Attachments: [171009 Amendment No. 1 signed by Legal.pdf](#)

O. [17-2781](#) Approval of and authorization to execute Amendment No. 3 to Architect-Engineer Contract with Infrastructure Solutions Group for 23rd Street Improvements (Houston Street to Kenosha Street) for redesign of Sidney Street and warrant analysis at the Houston intersection (Project No. ST0914)

Attachments: [Amendment No. 3.pdf](#)

P. [17-2748](#) Approval of and authorization to purchase CISCO Smartnet Maintenance Services from Chickasaw Telecom pursuant to the Oklahoma Statewide Contract

Attachments: [CityofBA-SmartNet-2016-17-092817-rev2.xls](#)

Q. [17-2777](#) Approval of PT16-100, Conditional Final Plat, The Villas at Bel Lago, 55 lots, 17.96 acres, A-1 to RS-3, one-quarter mile west of Evans Road, north of Houston Street

Attachments: [1-PUBLISHED PLANNING COMMISSION FACT SHEET](#)
[2-CHECKLIST.THE VILLAS AT BEL LAGO](#)
[3-CONDITIONAL FINAL PLAT & COVENANTS](#)

- R. [17-2736](#) Approval of SP-285 (Specific Use Permit), The Ridge at Broken Arrow, 12.0028 acres, A-1, east of 37th Street, one-third mile south of Kenosha Street
- Attachments:** [2-PLANNINGCOMMISSIONFACTSHEET.SP 285.JMW.12OCT2017](#)
[3-CASE MAP.SP-285](#)
[4-AERIALSP 285](#)
[5-TEE TOWN GOLF RANCH PLAT](#)
[6-SP 285.PROPOSAL](#)
[7-SP 285.SITE PLAN](#)
[8-REQUEST TO ABROGATE SP-164](#)
- S. [17-2756](#) Acceptance of a Detention Easement from 91st Lynn Lane, LLC on a portion of unplatted property north of Washington Street and quarter mile east of 9th Street, shown as Exhibit 6A (Section 13, T18N, R14E) (Ninety One Subdivision)
- Attachments:** [6A Dedication paperwork.pdf](#)
[Ninety-One Overall Map.pdf](#)
- T. [17-2754](#) Acceptance of an Overland Drainage Easement from 91st Lynn Lane, LLC on a portion of unplatted property north of Washington Street and quarter mile east of 9th Street, shown as Exhibit 4A (Section 13, T18N, R14E) (Ninety One Subdivision)
- Attachments:** [4A Dedication paperwork.pdf](#)
[Ninety-One Overall Map.pdf](#)
- U. [17-2755](#) Acceptance of an Overland Drainage Easement from 91st Lynn Lane, LLC on a portion of unplatted property north of Washington Street and quarter mile east of 9th Street, shown as Exhibit 5A (Section 13, T18N, R14E) (Ninety One Subdivision)
- Attachments:** [5A Dedication paperwork.pdf](#)
[Ninety-One Overall Map.pdf](#)
- V. [17-2752](#) Acceptance of a Temporary Roadway and Utility Easement from 91st Lynn Lane, LLC on a portion of unplatted property north of Washington Street and quarter mile east of 9th Street, shown as Exhibit 1A (Section 13, T18N, R14E) (Ninety One Subdivision)
- Attachments:** [1A Dedication paperwork.pdf](#)
[Ninety-One Overall Map.pdf](#)

- W. [17-2753](#) Acceptance of a Utility Easement from 91st Lynn Lane, LLC on a portion of unplatted property north of Washington Street and quarter mile east of 9th Street, shown as Exhibit 3A (Section 13, T18N, R14E) (Ninety One Subdivision)

Attachments: [3A Dedication paperwork.pdf](#)
[Ninety-One Overall Map.pdf](#)

- X. [17-2765](#) Acceptance of a Utility Easement from REIP, LLC on a portion of unplatted property north of Albany Drive and a quarter mile east of Aspen Avenue, shown as Exhibit A (Section 34, T19N, R14E) (Jim Norton Chevrolet Support Lot)

Attachments: [Norton REIP Ded of UE.pdf](#)
[Overall Map.pdf](#)

- Y. [17-2766](#) Acceptance of a Utility Easement from Tahoe II Properties, LLC on a portion of unplatted property south of Albany Drive and a quarter mile east of Aspen Avenue, shown as Exhibit A (Section 34, T19N, R14E) (Jim Norton Chevrolet Support Lot)

Attachments: [Norton Tahoe Ded of UE.pdf](#)
[Overall Map.pdf](#)

- Z. [16-1590](#) Approval of the Broken Arrow City Council Claims List for October 17, 2017

Attachments: [10-17-17 CL](#)

6. Consideration of Items Removed from Consent Agenda

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

- A. [17-2764](#) Review and discussion of proposed draft of the Downtown Residential Overlay District Design Standards and associated changes to Table 3.1-1 and Section 5.8.D of the Broken Arrow Zoning Ordinance

Attachments: [2-DROD Final Draft 8-31-17.pdf](#)
[3-MODIFICATION TO TABLE 3.1-1. TABLE OF ALLOWABLE USES.docx](#)
[4-MODIFICATION TO SECTION 5.8.D.rtf](#)

- B.** [17-2790](#) Public Hearing for proposed deannexation of 36.02 acres located generally at 10900 South 209th East Avenue, Broken Arrow, Oklahoma, more particularly described as a part of the Southeast Quarter of the Southeast Quarter of Section 30, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma in accordance with Oklahoma State Statute

Attachments: [Published Notice of Public Hearing set for October 17 2017 Council Meeting 2017 0714 filing with City Clerk - Request for DeAnnex](#)
[Attached Description Plat \(TRACT 1\) to filing with City Clerk](#)
[CASE MAP - DEANNEXATION STOKELY](#)
[ComPlanMap](#)
[COWETA Limits Map](#)

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.** [17-2791](#) Consideration, discussion, and possible action on the proposed deannexation of 36.02 acres located generally at 10900 South 209th East Avenue, Broken Arrow, Oklahoma, more particularly described as a part of the Southeast Quarter of the Southeast Quarter of Section 30, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma in accordance with Oklahoma State Statute

Attachments: [Published Notice of Public Hearing set for October 17 2017 Council Meeting 2017 0714 filing with City Clerk - Request for DeAnnex](#)
[2017 0714 Description Plat \(TRACT 1\) filing with City Clerk](#)
[1 CASE MAP.DEANNEXATION STOKELY](#)
[ComPlanMap](#)
[COWETA Limits Map](#)

- B.** [17-2775](#) Consideration, discussion, and possible approval of BACP-160 (Comprehensive Plan), The Villas at Turnberry, 5.46 acres, Level 4 to Level 3, south and west of the southwest corner of Dearborn Street and 37th Street

Attachments: [1-PLANNING COMMISSION FACT SHEET.BACP 160](#)
 [2-CASE MAP.BACP 160](#)
 [3-AERIAL.BACP 160](#)
 [4-COMP PLAN.BACP 160](#)
 [5-CONCEPTUAL SITE PLAN](#)
 [6-LUIS MODEL](#)
 [7-TURNBERRY COMMERCIAL RECORDED PLAT](#)
 [8-ITEMS SUBMITTED TO PLANNING COMMISSION FROM CITIZEN](#)

10. Preview Ordinances

- A.** [17-2774](#) Consideration, discussion, and possible preview of an ordinance closing a utility easement on property located in the Northeast Quarter (NE/4) of Section Thirty Four (34), Township Nineteen (19), North Range Fourteen (14) East, Wakefield Heights at Battle Creek, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located south of Omaha Street and one-half mile west of Elm Place; repealing all ordinances to the contrary; and declaring an emergency (Yancy Thompson)

Attachments: [2-Preview.ordinance.3401 N NARCISSUS AVE.doc](#)
 [3-UTILITY EASEMENT VACATION EXHIBIT](#)
 [4-RECORDED PLAT Wakefield Heights.pdf](#)

- B.** [17-2786](#) Consideration, discussion, and possible preview of an ordinance closing all utility easements on property located in Part of Lot Two (2), Block One (1), Tiger Plaza, a subdivision in the City of Broken Arrow, Wagoner County, State of Oklahoma, generally located north of Kenosha and east of 23rd Street; repealing all ordinances to the contrary; and declaring an emergency (QuikTrip #33)

Attachments: [Preview Ordinance Closure 1.doc](#)
 [Application.pdf](#)
 [Legal. - Closure 1.pdf](#)
 [Location Map.pdf](#)

- C. [17-2787](#) Consideration, discussion, and possible preview of an ordinance closing utility easements on property located in Part of Lot One (1), Block One (1), Wagoner County Line Plaza, a subdivision in the City of Broken Arrow, Wagoner County, State of Oklahoma, generally located north of Kenosha and east of 23rd Street; repealing all ordinances to the contrary; and declaring an emergency (QuikTrip #33)

Attachments: [Preview Ordinance Closure 2.doc](#)
[Application.pdf](#)
[Legal - Closure 2.pdf](#)
[Preliminary Plat map-pg 1.pdf](#)
[Preliminary Plat map-pg 2.pdf](#)
[Location Map.pdf](#)

11. Ordinances

- A. [17-2759](#) Consideration, discussion, and possible approval of Ordinance No. 3499, an ordinance amending Chapter 2, Administration, Article XIV, Convention and Visitors' Bureau, Sec. 2-211 Created, specifically adding two members to the CVB Board, clarifying the experience members must possess, adding a City Councilmember to the Board and requiring members to live and/or work within the Broken Arrow city limits; repealing all ordinances to the contrary, and declaring an emergency

Attachments: [Ordinance No. 3499](#)

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 115th Street South, and taking appropriate action in open session, including making an offer of purchase, under 25 O.S. § 307(B)(3);**
- 2. Discussing litigation, including potential resolution of a matter involving the Daniel Obarr and Kimberly Obarr v. City of Broken Arrow, Case No. CJ-2016-2672, in the District Court of Tulsa County, State of Oklahoma, and taking appropriate action in open session, including possible authorization to settle this litigation, under 25 O.S. §307(B)(4); and**

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