



City of Broken Arrow

Minutes
City Council

City Hall
220 S 1st Street
Broken Arrow OK
74012

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

Tuesday, December 20, 2016

Time 6:30 p.m.

Council Chambers

1. Call to Order

Mayor Thurmond called the meeting to order at approximately 6:30 p.m.

2. Invocation

Pastor Richard Manganero delivered the invocation.

3. Roll Call

Present: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

4. Pledge of Allegiance to the Flag

Councilor Lester led the Pledge of Allegiance to the Flag.

5. Consideration of Consent Agenda

Mayor Thurmond asked if there were any items to be removed from the Consent Agenda. There being none, he asked for a motion.

MOTION: A motion was made by Mike Lester, seconded by Richard Carter.

Move to approve the Consent Agenda as presented

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

- A. 16-975 Approval of City Council Meeting Minutes of December 6, 2016**
- B. 16-1502 Approval of Planning Commission meeting minutes of October 27, 2016 and November 3, 2016**
- C. 16-1466 Approval to declare certain City-owned vehicles and equipment as surplus and authorize the sale of those items by public auction**
- D. 16-1470 Approval of and authorization to execute an Agreement for Professional Consultant Services with CEC Corporation for the Design of Olive Avenue Improvements from Kenosha Street to Albany Street (Project Number ST1710)**
- E. 16-1500 Ratification of a Second Amended Interlocal Agreement by and between the Cities of Bixby, Claremore, Collinsville, Glenpool, Jenks, Owasso, Sand Springs, Sapulpa, Skiatook, Tulsa, of Governments' (INCOG) regarding a Regional 911 Board for the purpose of shared management of 911 services**
- F. 16-1487 Approval of and authorization to execute a Second Amendment to the Use/Lease Agreement between the City of Broken Arrow and Sprint Spectrum Realty Company, L.P., successor in interest to Sprint Spectrum, L.P.**
- G. 16-1467 Approval of and authorization to execute a services contract between the City of Broken Arrow and ARTSOK to assist with development and programming of the Center for Arts, Innovation and Creativity**
- H. 16-1452 Approval of bids received, award of the lowest responsible bid to RGroup, Inc., and approval of and authorization to execute a construction contract for Nienhuis Park Football Fields Synthetic Turf Conversion (Project No. 176020)**
- I. 16-1474 Approval of and authorization to execute a Parks and Recreation Addendum regarding a Use Agreement between the City of Broken Arrow and the Broken Arrow Youth Baseball Association**
- J. 16-1443 Approval of and authorization to execute Parking Lot, Phase III, Part A, Pay Request Number 1 (No. 10 overall) for Tri-Star Construction, LLC, through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center**

- K. 16-1497 Approval of and authorization to execute Albany Corridor Study Pay Request Number 3 to Cowan Group Engineering through the Sales Tax Capital Improvement (STCI) Program in association with the Stoney Creek Hotel and Conference Center**
- L. 16-1471 Approval of bids received and award the lowest and most advantageous bid to Southwest Trailers for a 50-ton equipment trailer for the Street Division**
- M. 16-1479 Approval of and authorization to execute Change Order C03 for Construction Contract Number S1307, Aspen Creek Relief Line**
- N. 16-1480 Approval of and authorization to execute Change Order C05 for Construction Contract Number 161708, Farmers Market Interactive Water Feature**
- O. 16-1476 Approval of PT14-109, Conditional Final Plat, Silverleaf, 19.86 acres, PUD 225/RS-3, one-quarter mile west of the northwest corner of 37th Street and Omaha Street**
- P. 16-1472 Approval of PT16-109, Conditional Final Plat, The Shops at Broken Arrow II Amended, a Re-subdivision of part of Lot 4 and all of Lot 8, Block 1, The Shops at Broken Arrow II, and a part of Reserve F, Amended Plat of The Park at Adam's Creek Phase I, 18.91 acres, CH, SP 223 and PUD 252, one-quarter mile east of 9th Street, north of the Broken Arrow Expressway**
- Q. 16-1475 Approval of request to approve an Amendment of Deed of Dedication and Restrictive Covenants associated with 61st Street Industrial Park, Recorded Plat, IL, one-quarter mile west of Aspen Avenue, south of Albany Street**
- R. 16-1485 Acceptance of a General Warranty Deed for a tract of land that is part of Block Two (2), Mound View Addition, an addition to the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the recorded plat thereof for the 9th Street widening from Elgin to El Paso (Project No. ST1210)**
- S. 16-1491 Approval of and authorization to execute a Channel and Regional Detention Facility agreement between Immanuel Evangelical Lutheran Church, Inc. and the City of Broken Arrow, located approximately quarter mile south of Kenosha and east side of Aspen Avenue, Broken Arrow, Tulsa County, State of Oklahoma**
- T. 16-1496 Acceptance of a Drainage Easement from Immanuel Evangelical Lutheran Church, Inc., for a Regional Stormwater detention facility, on property located quarter mile south of Kenosha Street and east of Aspen, Tulsa County, State of Oklahoma, (Section 9, T18N, R14E)**
- U. 16-1483 Acceptance of a Drainage Easement and Temporary Construction Easement for a tract of land lying in the S/2 of the NW/4 of Section 5, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, for the 37th Street improvements from Houston to Albany (Project No. ST1413)**
- V. 16-1486 Acceptance of a Temporary Construction Easement for a tract of land lying in Lot 1, Block 1, Hill View Acres I, in the NW/4 of Section 5, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, for the 37th Street improvements from Houston to Albany (Project No. ST1413)**
- W. 16-1482 Acceptance of a Utility Easement for a strip, piece or parcel of land lying in part of the SW/4 of Section 14, Township 18 North, Range 14 East, City of Broken Arrow, Tulsa County, State of Oklahoma, for the Washington Street Waterline (Project No. WL1606)**
- X. 16-1484 Acceptance of a Utility Easement for a strip, piece or parcel of land lying in part of the SW/4 of Section 14, Township 18 North, Range 14 East, City of Broken Arrow, Tulsa County, State of Oklahoma, for the Washington Street Waterline (Project No. WL1606)**
- Y. 16-850 Approval of the Broken Arrow City Council Claims List for December 20, 2016**

6. Consideration of Items Removed from Consent Agenda.

There were no items removed from the Consent Agenda. No action was required or taken.

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

- A. 16-1477 Presentation and discussion of the 2017 Comprehensive Plan Update**
Farhad Daroga, Special Projects Manager, told the council that the current Broken Arrow Comprehensive Plan was adopted in 1997 with a modest update in the year 2003, and one of the policies within the plan called for the Council and the Planning Commission to review this plan every 10-15 years and update it as necessary. He stated he wanted to introduce this item today, as meetings and discussions about the future update of the 1997 Comprehensive Plan would begin next month. He said the city should address issues such as, health, fitness, sustainability, the environment, and future transportation needs. He stated the input of the Council and the community would be needed to discuss what the 20-30-year vision was going to be for the community. He added that he had highlighted some items of special note in the document that he would like the Council to consider. He stated the immediate goal was to get a consulting firm on board to guide the process, and that it would take 12-18 months to complete. He stated every facet of the city would be involved in the update. City Manager, Michael Spurgeon, said that there were funds in the budget for hiring the consulting services.

Presentation and discussion of the Albany Corridor Study in the vicinity of the Stoney Creek Conference Center

Mr. Alex Mills, Director of Engineering and Construction, introduced a presentation and asked the Council for guidance in moving forward in the process. He said that in the 2025 Vision Surplus Funds, money was requested out of Proposition 2 to hire a consultant to look at the Albany Corridor, from Elm Street to Hillside Drive. He stated these consultants were asked to make recommendations for traffic and pedestrian crossings to help with traffic calming and to help people transverse Albany Street. He stated they were looking at economic and effective traffic calming methods, which might include signals, roundabouts, reduction of traffic lanes, and pedestrian crossings which could be at grade or elevated in both normal traffic situations and traffic during events. He said in July of 2016, the Cowan Group was engaged, and he introduced Jeff Cowan who made a presentation.

Jeff Cowan of Cowan Group Engineers thanked Mr. Mills and his staff for their help in the project. He began his presentation with an overview of topics which included a discussion of the Albany Corridor as it was now, the Corridor's demand, the traffic control options, and his recommendations. As it is now, he said it is a four-lane corridor divided with a grass median, fully lighted. He said from north to south, Stonewood Drive and Bass Pro Drive are two lane roads that come into Albany. He said the Bass Pro Drive entrance is a two/three lane road as it comes into Albany, and East Hillside Drive is a four-lane road that goes over to Ninth Street. He explained that their task was to conduct a study and look at the Corridor analysis for an opening day of next year, which was coming very soon. He displayed a map which showed North Elm Place just past Hillside Drive. He explained the color code of the map, explaining the pink color was what had been studied and two design software packages (Synchro and Rodel) were used to analyze the traffic through the corridor. To study and project traffic 20 years into the future, certain anchors were looked at, including the Stoney Creek Event Center, the Bass Pro Retail, restaurants in the area and hotels that are coming soon.

Mr. Cowan stated at the kickoff meeting for this project, certain goals were decided upon, with signals and roundabouts being options. The roundabout option would be placed at Stonewood Drive and also at Hillside Drive. A key factor in this option was the lanes which would be restricted with striping to one way per direction. He explained the midblock for pedestrian crossings was to move from the Event Center to the south and from the south to the north. He explained this option would need an additional right of way. He stated the next roundabout was at Hillside Drive and this would be single lane in and out into the roundabout with striping. He said the retaining wall to the north would be moved to the north to accommodate this, and there would be potential for some right of way there. He explained the signal option, the traditional signal, would be put at Stonewood Drive and also Hillside Drive and midblock crossing would be south at Stoney Creek. He stated this would include some improvements in the median with left turn movements.

Councilor Eudey asked if the crosswalk would be signalized also. Mr. Cowan responded that it would be. He continued explaining the options would fit all changes within the right of way.

Mr. Cowan presented a chart of recommendations which would meet the current demands of traffic with either a roundabout or a signal. He explained that future demands would be met with a signal, but traffic calming would be met with a roundabout. For events, the roundabout or the signal could meet demands; for emergency services, the signal would work best, and the "Go Plan" would best be met with a roundabout. He said that for pedestrian crossing access and safety either roundabout or signal would work; the best choice for "placemaking" is the roundabout; the best choice for midblock crossing would be either option. In the area of construction, the choice across the board was a signal. He stated as far as scheduling, the advantages would be with a signal. Mr. Cowan stated the recommendation of his company was for a signal.

Councilor Lester commented that if a car was going east to the top of the grade, the distance from the top of the grade to the signal light did not seem sufficient to have a signalized intersection. He asked if the grade was too steep to allow time for a stop. Mr. Cowan responded that it would not be a problem because it was going to be fully actuated, and they would look at the site distance. It was further commented that the grade was too steep to see the signal in time if other traffic was stopped. Mr. Cowan responded that would be reviewed. Comment was made concerning speed limit and if it would be reduced. Mr. Cowan stated the speed limit would be 35 mph as it currently is, but in the case of a roundabout, the speed would be reduced.

Discussion ensued concerning the use of an elevated pedestrian crossing, and it was commented that people would choose the street level crossing if given a choice. Councilor Eudey asked Councilor Lester to clarify the location of the grade to which he was referring. Mr. Lester said coming east from Elm Street down Albany, about where the ice cream place was, up where the shopping center was, so the grade stops dropping off significantly at that point. Mr. Cowan pointed out that the signals will be synced, the traffic was modeled, and it does work.

Councilor Parker commented that roundabouts could be confusing and dangerous to someone who was not familiar with them, Councilor Eudey concurred. It was also commented by Mayor Thurmond that after an event a roundabout would slow the flow of traffic and a traffic signal would work better in that area. A discussion of the use of a raised

pedestrian crossing ensued. Mr. Cowan pointed out that it would have to have either an elevator at both ends or long ramps to be ADA compliant, which would be costly. A request was made to explore that option rather than a signal.

Mr. Cowan said at Stonewood Drive, because of the vertical grades coming in and going out, north and south, the road would have to be flattened out to get the roundabout in there. He said with the utilities that are in there, the cost would keep going up.

Mr. Spurgeon stated that at the beginning of the process, his preference was a roundabout, but when existing conditions were examined, it was not a viable option. He also stated the elevated crossing was discussed, which would minimally cost a few hundred thousand dollars. He said it certainly was something that could be put into Phase Two of the Capital Improvement Budget. He stated that for right now their recommendation was to do the traffic signal, but they would get the information regarding the cost for an elevated crossing. Councilor Carter discussed the difficulty of driving on roundabouts, the extra cost of space and right of way would probably be more than constructing an elevated pedestrian crossing. He stated he liked the signal option best, and if it turns out not to be the best option, it could be changed later.

Mr. Spurgeon said that sometime in September, the conference center is going to have a soft opening and then open full time shortly thereafter. He asked Mr. Cowan what the tentative schedule would be if, based on the Council's discussion, they moved forward. Mr. Cowan stated the design would move forward very quickly and go out to bid. He said the beauty of signals was they were very quick to design and construct, so they would be done in time.

C. 16-1503

Ratification of a Proclamation declaring December 20, 2016 as "Warren Unsicker Day" in the City of Broken Arrow

Economic Development Coordinator Norm Stephens informed the Council of a ceremony held prior to the meeting where the Mayor proclaimed December 20 "Warren Unsicker Day" as this individual was instrumental in bringing much economic development to the City of Broken Arrow. He stated that Mr. Unsicker had taken a job in New Mexico as the Economic Development Director for a large organization.

MOTION: A motion was made by Richard Carter, seconded by Mike Lester.

Move to ratify the Proclamation as presented

The motion carried by the following vote:

Aye: 5 -

Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services

Mayor Thurmond stated that no citizens had signed up to speak.

9. General Council Business

A. 16-1473

Consideration, discussion, and possible approval of PUD-253 (Planned Unit Development) and BAZ-1965 (Rezoning Request), Kenosha-Elm Business Park, 13.20 acres, RM, R2, CN, and CH to IL/PUD-253, north of Kenosha Street, One-quarter mile east of Elm Place

Director of Development Services, Michael Skates, explained this was a proposed mixed use development and included the shopping center where Uncle Vinny's was, but was primarily the property behind it. He said the PUD company wants the comprehensive plan change and zoning. He stated the property was made up of three different areas: Development Area A was mini storage, Development Area B was an office area, and Development Area C was the existing shopping area. He stated this development included a public roadway extension, and some citizens had come forth with drainage concerns, and the consultant was addressing the drainage that came out of Kenwood Hills. He said they were proposing a detention facility, which might improve drainage in the area. He also said the applicant was present and would answer questions.

Councilor Parks had a question about flooding and where the detention area water was going to go. Mr. Skates answered that it would be going to an inlet on the north side of Kenosha. He said that this issue was being addressed.

Councilor Eudey asked if the concerns of the citizens of Kenwood Hills had been addressed. Mr. Skates responded that he believed so, the consultant had met with them and it was also discussed at the planning commission.

MOTION: A motion was made by Johnnie Parks, seconded by Mike Lester.

Move to approve PUD-253 and BAZ-1965 subject to the property being platted

The motion carried by the following vote:

Aye: 5 -

Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

B. 16-1501

Consideration, discussion, and possible approval of BAZ-1966 (Rezoning Request), The Falls Event Center of Broken Arrow, 5.16 acres, A-1 to ON, and partial abrogation of PUD-110, east of 9th Street, one-quarter mile south of Omaha Street

Mr. Skates stated that this item is a proposed event center located just north of Nienhuis Park on approximately five acres. He said the request was to change the zoning from A-1 to office and neighborhood. He stated they have worked with the applicant for some time to develop the proposed project. He said this applicant has developed similar projects in other areas. He explained the property would be about a 17,000 square foot proposed event

center. He stated there was a flood plan that they would not be getting in to. He said the proposal was for maximum occupant use of 400 people, and the applicant had requested an additional access point to Nienhuis Park. He said they recommended to the planning commission one point of connection, but during times of large crowds, they were told they could use a connection to North Drive and Nienhuis Park to allow traffic to exit the facility. He stated the details have not been laid out exactly. He said it looked like a beautiful facility. He stated the applicant representing the developer was present for questions. Mr. Skates stated that one individual from the neighborhood had come to a meeting and wanted to know what was happening, and they were able to answer his questions regarding noise and traffic. Councilor Lester asked if there would be a mutual access agreement in place to use city property, Mr. Skates confirmed there would be one in place for that specific area of Nienhuis Park.

MOTION: A motion was made by Mike Lester, seconded by Scott Eudy.

Move to approve BAZ-1966 subject to the property being platted

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

- C. 16-1450 **Consideration, discussion and possible approval of and authorization to execute Resolution No. 959, a Resolution of the City Council of the City of Broken Arrow approving and authorizing a Project Agreement for a Federal-Aid Railroad Project with the Oklahoma Department of Transportation, at the At-Grade Crossing of Union Pacific Railroad at South Elm Place in Broken Arrow, Tulsa County, Project RRCS-272N(217)CS, J/P # 333075(10)**

Engineering and Construction Planning Department Manager, Tom Hendrix, explained that this resolution was for participation in railroad improvements. He said that this item and the one immediately after were for two different locations, and the first was on Elm Place at Broadway. He said that last January the railroad and ODOT looked at several of the crossings, and in September the Council approved a request for pre-emption of the signals in connection with the improvements. He said since then, the design had improved, and they had identified a project for Elm Place costing \$357,990. He said they were asking the City to put up 10% of that. He stated the improvements were to the crossing arms, the medians, and generally making the crossing safer. He recommended that the Council approve this Resolution, agreement and invoice.

Councilor Eudey asked if this was budgeted in to the Capital Improvements budget, in response Mr. Hendrix said the money for this project was not in the budget already, but the funding would come from the Streets and Storm Water Department, which he has been told was available in the signal budget.

Councilor Lester asked if it was changing the signalization or if it was road improvement. Mr. Hendrix answered that it entailed putting up warning lights, making changes to the power feed to the controls, and changing the crossing arms.

MOTION: A motion was made by Johnnie Parks, seconded by Richard Carter.

Move to approve Resolution No. 959 and authorize its execution

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

- D. 16-1451 **Consideration, discussion, and possible approval of and authorization to execute Resolution No. 960, a Resolution of the City Council of the City of Broken Arrow approving and authorizing a Project Agreement for a Federal Aid Railroad Project with the Oklahoma Department of Transportation, at the At-Grade Crossing of Union Pacific Railroad at Main Street in Broken Arrow, Tulsa County, Project RRCS 272B(218)CS, J/P # 333075(11)**

Mr. Hendrix stated that this Resolution was the same for the crossing on Main Street in the Rose District, and was able to be coordinated with the Phase 3 StreetScapes Improvements. He said there was a signal proposed at Ft. Worth and Main Street and the pedestal for the crossing arms would be located in the median. He stated the cost was less, \$307,984, with their share being \$30,798.40.

MOTION: A motion was made by Richard Carter, seconded by Scott Eudy.

Move to approve Resolution No. 960 and authorize its execution

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

- E. 16-1478 **Consideration, discussion, and possible approval of and authorization to execute Resolution No. 966, a Resolution confirming the supplementation and publication of the City of Broken Arrow's Code of Ordinances**

City Attorney, Beth Anne Childs, explained that this resolution was regarding quarterly codification. She stated that she could have put this item on the Consent Agenda, but she preferred to put it on General Council in order to be more transparent. She said the City had received the most recent modifications to the code, and this would formally notify the public. She recommended that the Council approve Resolution No. 966 and authorize its execution.

MOTION: A motion was made by Mike Lester, seconded by Richard Carter.

Move to approve Resolution No. 966 and authorize its execution

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

- F. 16-1488 **Consideration, discussion, and possible approval of and authorization to execute Resolution No. 967, a Resolution authorizing the City attorney and outside counsel to file an action against O.J.C. Co., Contech, Inc. Heartstone of Oklahoma, Inc. and Employers Mutual Casualty Company, and Bituminous Insurance Co. in Tulsa County District Court seeking recovery for a figure in excess of \$75,000.00 for issues involving the Hillside Park Retaining Wall Project (also known as the Tiger Hill Wall, located at the Southwest corner of 9th Street and east Kenosha Street) and directing the City Attorney and outside counsel to prepare and file necessary documents to initiate an action against the parties referenced herein, as well as any other material party**

City Attorney, Beth Anne Childs, stated that she did not place this item on for Executive Session, but should the Council wish to discuss it in Executive Session, it could be tabled and put on the agenda for the next meeting. Ms. Childs reported that mediation occurred recently, and unfortunately an agreement was not reached. She stated this resolution authorizes her and outside counsel to coordinate filing an action against these parties. Her recommendation was to move forward with litigation. The Council agreed.

MOTION: A motion was made by Scott Eudey, seconded by Mike Lester.

Move to approve Resolution No. 967 and authorize its execution

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

10. Preview Ordinances

There were not preview ordinances. No action was required or taken.

11. Ordinances

- A. 16-1493 **Consideration, discussion, and possible adoption of Ordinance No. 3460, an Ordinance annexing property located on 27.97 acres of land located in Section 1, Township 17 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, repealing all ordinances to the contrary, changing the zoning from AG to RE/PUD, adopting a service plan, and declaring an emergency**

Recusing himself, Mayor Thurmond left the room at approximately 7:33 p.m.

Ms. Childs stated that this ordinance was previewed at the last meeting in addition to being presented at a public hearing. She stated that all the statutory requirements had been met, and requested that the Council adopt Ordinance No. 3460 and approve the emergency clause.

MOTION: A motion was made by Johnnie Parks, seconded by Mike Lester.

Move to adopt Ordinance No. 3460

The motion carried by the following vote:

Aye: 4 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter
Recused: 1 - Craig Thurmond

MOTION: A motion was made by Mike Lester, seconded by Scott Eudy.

Move to approve the emergency clause for Ordinance Number 3460

The motion carried by the following vote:

Aye: 4 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter
Recused: 1 - Craig Thurmond

Mayor Thurmond returned to the room at approximately 7:34 p.m.

- B. 16-1494 **Consideration, discussion, and possible adoption of Ordinance No. 3461, an Ordinance opening an alley right of way, located on Lots 1 through 24, Block Forty (40), Original Town of Broken Arrow, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded Plat thereof; repealing all ordinances to the contrary including Ordinance No. 2932; and declaring an emergency**

Ms. Childs explained that this ordinance reopened an alley right of way and was in the same form as it was previewed. She requested that it be adopted it and an emergency clause be approved.

MOTION: A motion was made by Johnnie Parks, seconded by Mike Lester.

Move to adopt Ordinance No. 3461

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

MOTION: A motion was made by Richard Carter, seconded by Scott Eudey.

Move to approve the emergency clause for Ordinance Number 3461

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

- C. 16-1495** **Consideration, discussion, and possible adoption of Ordinance No. 3462, an Ordinance amending Chapter 2, Article IX, Section 2-151-Attendance; specifically giving the City Manager authority to direct dates for holidays if celebrated on a weekend and providing for other minor revisions; repealing all ordinances to the contrary; and declaring an emergency**

Ms. Childs explained that this ordinance gave the City Manager the power to modify holidays when they fell on a Saturday or a Sunday, and she requested that the ordinance be adopted.

MOTION: A motion was made by Mike Lester, seconded by Scott Eudey.

Move to adopt Ordinance No. 3462

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

MOTION: A motion was made by Johnnie Parks, seconded by Richard Carter.

Move to approve the emergency clause for Ordinance Number 3462

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

- D. 16-1499** **Consideration, discussion, and possible adoption of Ordinance No. 3463, an Ordinance amending Chapter 24, Article 1, Section 24-29-Annual water rate increase evaluation required; repealing all ordinances to the contrary; and declaring an emergency**

Ms. Childs stated that this ordinance revises how the review of the finances is handled, eliminating the requirement of timelines. She recommended approval.

MOTION: A motion was made by Mike Lester, seconded by Richard Carter.

Move to adopt Ordinance No. 3463

The motion carried by the following vote:

Aye: 5- Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

MOTION: A motion was made by Scott Eudey, seconded by Johnnie Parks.

Move to approve the emergency clause for Ordinance Number 3463

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

- E. 16-1498** **Consideration, discussion, and possible adoption of Ordinance No. 3464, an Ordinance amending Chapter 24, Article 1, Section 24-114-Annual sewer rate increase evaluation required; repealing all ordinances to the contrary; and declaring an emergency**

Ms. Childs explained that this pertained to the annual sewer rate increase and gave more flexibility and provided that it be handled through the budgeting process. She recommended adoption of this ordinance.

MOTION: A motion was made by Richard Carter, seconded by Mike Lester.

Move to adopt Ordinance No. 3464

The motion carried by the following vote:

Aye: 5- Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

MOTION: A motion was made by Johnnie Parks, seconded by Richard Carter.

Move to approve the emergency clause for Ordinance Number 3464

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

- F. 16-1504** **Consideration, discussion, and possible adoption of Ordinance No. 3465, an Ordinance amending Section 2.1.A (Table 2.1-1) Zoning Districts Established; Section 2.3, Residential Districts; Section 3.1.F (Table 3.1-1) Table of Allowed Uses; Section 3.2 Specific Use Permit Standards; Section 3.3.C.2 Dimensional Standards for Accessory Buildings and Structures; Section 4.1.B (Table 4.1-2) Dimensional and Density Standards - Residential Districts; Section 4.1.E.1 Bulk and Area Requirements for Planned Unit Developments; and Section 5.9.J Council Permits for Towers; repealing all ordinances or parts of ordinances in conflict herewith; and declaring an emergency**

Ms. Childs explained that these revisions created the RS 4 at zoning district, and had been before the Council on a number of occasions. She requested that they be adopted.

MOTION: A motion was made by Mike Lester, seconded by Richard Carter.

Move to adopt Ordinance No. 3465

The motion carried by the following vote:

Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

MOTION: A motion was made by Johnnie Parks, seconded by Scott Eudey.
Move to approve the emergency clause for Ordinance Number 3465
The motion carried by the following vote:
Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

12. Remarks and Inquiries by Governing Body Members

Mayor Thurmond and the Council members wished a Merry Christmas to all.

13. Remarks and updates by City Manager, including Recognition of Recent Accomplishments by Employees and Elected Officials

City Manager, Michael Spurgeon introduced Fire Chief Jeremy Moore who introduced the new Assistant Fire Chief Mark Steward, who had been promoted from within. He said Mr. Steward had been with the department since 2003 and was a paramedic with a nursing degree. Mr. Steward commented he was honored to be a part of the leadership at Broken Arrow. Mr. Spurgeon also introduced the Chief of Police David Boggs who introduced the new Emergency Management Coordinator Jamie Ott, who he commented was a local applicant whose resume stood out among resumes from all over the country. Mr. Ott said he appreciated the opportunity to work for the city of Broken Arrow and his goal was to take something good and make it even better. Mr. Spurgeon thanked the Council for supporting the Endeavor Initiative to begin the City Council Highlights. He stated the community watched them and they provided information to the community. He stated in January he would like to give a short presentation to the Council of the summary he gave to the Chamber of Commerce on the successes of 2016.

He also reported that the Oklahoma Water Resources Board had approved the loan application for the projects in the Utility BAMA for about \$29 million. He said they were very pleased to support the City of Broken Arrow’s endeavors and reinvest in the infrastructure.

Mr. Spurgeon stated last week the Public Forum for Downtown Housing Overlay Initiative was kicked off. He said there were approximately 75 people in attendance and the feedback was tremendous. He stated there were concerns about infrastructure and the city’s plans concerning same, and noted that this will be a process that will require a long term plan.

Finally, he reported that the third meeting of the Citizens Recycling Committee was held and the Committee did a site visit of the M.E.T. He reported that Russell Peterson was selected as the Chairperson and Youth City Council member, EJ Hardwick was selected as Vice Chair. He reported the Recycling Committee's next visit would be to Covanta and then the American Waste Material Recovery Facility (the MRF), and invited all Council members to come.

14. Executive Session

There was no Executive Session.

15. Adjournment

The meeting adjourned at approximately 7:50 p.m.

MOTION: A motion was made by Johnnie Parks, seconded by Mike Lester.
Move to adjourn

The motion carried by the following vote:
Aye: 5 - Scott Eudey, Johnnie Parks, Mike Lester, Richard Carter, Craig Thurmond

Attest:

Mayor

City Clerk