



# City of Broken Arrow

City Hall  
220 S 1st Street  
Broken Arrow OK  
74012

## Meeting Agenda

### City Council

**Mayor Craig Thurmond**  
**Vice Mayor Richard Carter**  
**Council Member Mike Lester**  
**Council Member Johnnie Parks**  
**Council Member Scott Eudey**

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Monday, November 9, 2015

6:30 PM

Council Chambers

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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. [15-607](#) Approval of City Council Meeting Minutes of October 20, 2015

**Sponsors:** City Council

**Attachments** [10-20-2015 Council Minutes](#)

- B. [15-654](#) Approval of and authorization to execute Budget Amendment Number 2 for Fiscal Year 2015-2016

**Attachments** [11-09-15 FY 2016 BA #2.xls](#)

- C. [15-634](#) Approval of Worker's Compensation Court Order for Daniel Haas, Fire Department Employee

**Attachments** [Workers' Compensation Court Order](#)

- D. [15-637](#) Approval of and authorization to execute Earth Change Pay Request Number 3 for Tri-Star Construction, LLC through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center

**Attachments** [Pay Req#3 Fully Signed.pdf](#)

- E. [15-612](#) Approval of and authorization to execute an Agreement for Professional Consultant Services (Architect-Engineer agreement) for conceptual design of 23rd Street from New Orleans Street to Houston Street, a Surface Transportation Program Project
- Attachments** [151109 AE Agreement 23rd New Orleans to Houston](#)
- F. [15-655](#) Approval of and authorization to execute Pay Request Number 4 for Professional Design Services through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center
- Attachments** [Prof.Srvs.Draw 4.pdf](#)
- G. [15-600](#) Approval of and authorization to execute Traffic Impact Analysis Pay Request Number 1 to Cowan Group Engineering through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center
- Attachments** [TIA Draw1.09Nov15.pdf](#)
- H. [15-603](#) Approval of and authorization to execute an Agreement for Administration of the Sales and Use Tax Ordinances of the City and an Agreement to Engage in Compliance Activities by the City of Broken Arrow, a Sales and Use Tax Collection Agreement between the City of Broken Arrow and the Oklahoma Tax Commission
- Attachments** [Agreement for Admin. of the Sales and Use Tax Ordinances.pdf](#)
- I. [15-624](#) Approval of and authorization to execute a Professional Consultant Agreement with R.L. Shears Company, P.C., for Design of Rose District Water Feature
- Attachments** [151109 Prof Consultant Agmt Shears Fountain](#)
- J. [15-617](#) Approval of and authorization to execute a Professional Consultant Agreement with R.L. Shears Company, P.C., for Schematic Design of Downtown Main Street Streetscapes, Phase IV
- Attachments** [151103 Prof Consultant Agmt Shears Phase IV Streetscapes](#)
- K. [15-657](#) Approval of and authorization to execute a Professional Services Contract with Olsson Associates, Inc., for Design of Repairs to Hillside Park Retaining Wall (Tiger Hill - southwest corner of Kenosha Street and Lynn Lane)
- Attachments** [151016 Prof Svcs Contract Olsson Hillside Park Retaining Wall](#)

- L.**     [15-613](#)       Approval of and authorization to execute an Engineering Contract Funding Agreement with the Oklahoma Department of Transportation for Engineering Services on 23rd Street from New Orleans Street to Houston Street, a Surface Transportation Program Project
- Attachments**   [151030 ODOT-City Funding Agreement Signed by Legal](#)
- M.**     [15-531](#)       Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Amateur Basketball Association (BAABA)
- Attachments**   [BAABA Signed Contract](#)
- N.**     [15-590](#)       Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Youth Football Association and Broken Arrow Lacrosse Club
- Attachments**   [Signed BAYFA and BALC Contract 2015-19](#)
- O.**     [15-620](#)       Approval of and authorization to execute a Second Amendment to the Site Lease Agreement between the City of Broken Arrow and Crown Castle for AT&T Wireless
- Attachments**   [Memorandum of Second Amendment to Site Lease Agreement](#)  
                          [Second Amendment to Site Lease Agreement](#)
- P.**     [15-578](#)       Approval of the purchase of a one-ton cab and chassis from Bob Hurley Ford pursuant to the Oklahoma statewide vehicle contract for the Parks Department
- Attachments**   [1 Ton Cab Chassis Parks SC 100009341](#)
- Q.**     [15-611](#)       Award of the lowest and best bid to Pavement Conservation Specialists, Inc., and approval of and authorization to execute a construction contract for Village Square I, II, and III Street Improvements
- Attachments**   [151027 Certified bid tab Village Square Rehab](#)
- R.**     [15-566](#)       Approval of Final Acceptance for the public improvements for Life Church South - Water and Paving
- Attachments**   [Itemized Cost Breakdown](#)

- S. [15-621](#) Approval of PT15-113, Conditional Final Plat, Stoney Creek Hotel and Conference Center at The Village of Stone Wood Hills, 1 lot, 15.00 acres, CH/PUD 156F, north of Albany Street, one-quarter mile east of Elm Place

**Attachments** [2.CHECKLIST.PT15-113.pdf](#)  
[3A-CONDITIONAL FINAL PLAT-SHEET 1.pdf](#)  
[3B-CONDITIONAL FINAL PLAT-SHEET 2.pdf](#)  
[4-SITE PLAN.pdf](#)

- T. [15-622](#) Approval of PUD 241, RoCo Properties, 0.56 acres, R-3, one-third mile south of Kenosha Street, one-quarter mile east of Elm Place on the northeast corner of Cedar Avenue and Elgin Street

**Attachments** [1-FAC SHEET.PLANNING COMMISSION 09-28-2015](#)  
[2-CASE MAP.PUD-241](#)  
[3-AERIAL.PUD 241](#)  
[4-COMPREHENSIVE PLAN DRAWING](#)  
[5-6-PUD 241 DESIGN STATEMENT AND CONCEPTUAL SI](#)

- U. [15-658](#) Approval of the Claim List 11-09-2015

**Attachments** [11-09-15 CL.pdf](#)

- V. [15-667](#) Consideration, discussion, possible approval of and authorization to execute a General Release and Separation Agreement with Assistant City Manager Jeffrey G. Jenkins

**Sponsors:** City Council

**Attachments** [Jenkins Separation Agreement](#)

## 6. Consideration of Items Removed from Consent Agenda

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

- A. [15-623](#) Presentation by representatives of Stoney Creek Hospitality Corporation regarding Hotel Facility Changes, in association with construction of the Stoney Creek Hotel and Conference Center, and related discussion on the property which is located in the Northwest Quarter (NW/4) of Section Two (2), Township Eighteen (18) North, Range Fourteen (14) East, Tulsa County, State of Oklahoma, and generally north of Albany Street approximately ¼ mile east of Elm Place across from Bass Pro Outdoor World (Project: Hotel-Conference Center)

**Attachments** [Existing Proposed.pdf](#)  
[Proposed New Elevation.pdf](#)  
[Proposed New Elevation 2.pdf](#)

- B. [15-618](#) Consideration and acceptance of Great Street Award from the Oklahoma Chapter of the American Planning Association

**Attachments** [MAIN STREET BROKEN ARROW.GREAT STREET.OKAPA](#)

**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. [15-619](#) Consideration and possible approval of BAZ 1941, The Crossings at 71st (Park Place), 80.00 acres, rezoning A-1 to RS-3, east of Midway Road, one-quarter mile north of Kenosha Street

**Attachments** [1-Power Point 71st Crossing \(Park Place\) Broken Arrow](#)  
[2-FACT SHEET.CITY COUNCIL 9.1.15](#)  
[3-FACT SHEET.PLANNING COMMISSION 8.13.15](#)  
[4-CASE MAP](#)  
[5-AERIAL.PHOTO](#)  
[6-COMPREHENSIVE PLAN](#)  
[7-CONCEPTUAL STREER LAYOUT](#)  
[8-POLICIES T-P16.C AND T-16.D FROM THE COMPREHEN](#)  
[9-SECTIONS 5.3.B.2 AND 5.3.B.5 OF THE ZONING ORDINA](#)  
[10-PHOTOS SUBMITTED BY JIM BEARD.PC 8.13.15](#)

- B.**     [15-627](#)           Consideration, discussion, possible approval and direction to publish and provide notice in accordance with state law a Second Amended Legal Notice of Annexation for the voluntary annexation of property for a Planned Unit Development named Walnut Grove on 7.834 acres of land located in the South Half (S/2) of the Northwest Quarter (NW/4) of Section Eight (8), Township Seventeen (17) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma and located south of the Southeast corner of the intersection of East 131st and South Garnett Road

**Attachments**   [Second Amended Notice of Annexation.pdf](#)  
[Annexation map.pdf](#)  
[Annex\\_WalnutGrove\\_RADIUS.pdf](#)

- C.**     [15-632](#)           Consideration, possible approval of and authorization to execute Resolution Number 898, a resolution fixing the amount of Series 2016A bonds to mature each year, fixing the time and place the bonds are to be sold and authorizing the Clerk to give notice of said sale as required by law; ratifying and confirming a Legal Services agreement and a Financial Advisor Services agreement with respect to the issuance of such bonds and approving the Preliminary Official Statement pertaining thereto

**Attachments**   [11-09-15 SERIES 2016A BOND PROJECTS.xlsx](#)  
[11-09-15 Resolution 898, Series 2016A.doc](#)

- D.**     [15-633](#)           Consideration, possible approval of and authorization to execute Resolution Number 899, a resolution fixing the amount of Series 2016B bonds to mature each year, fixing the time and place the bonds are to be sold and authorizing the Clerk to give notice of said sale as required by law; ratifying and confirming a Legal Services agreement and a Financial Advisor Services agreement with respect to the issuance of such bonds and approving the Preliminary Official Statement pertaining thereto

**Attachments**   [11-09-15 SERIES 2016B BOND PROJECTS.xlsx](#)  
[11-09-15 Resolution 899, Series 2015B.doc](#)

- E.**     [15-664](#)           Consideration, discussion, possible approval of and authorization of two-hour parking restrictions within the Rose District and authorize the placement of appropriate signage

**Attachments**   [11-09-15 Parking Restriction](#)

## 10. Preview Ordinances

- A. [15-602](#) Consideration, discussion and possible preview of an ordinance amending Chapter 23, Traffic, Article I, In General, Sec. 23-37. - Use of child passenger restraining system required; exceptions; penalty; specifically amending Section 23-37 to be in compliance with State Statute; repealing all ordinances to the contrary; and declaring an emergency

**Attachments** [11-9-2015 Sec. 23-37. - Use of child passenger restraining system](#)

- B. [15-604](#) Consideration, discussion and possible preview of an ordinance amending Chapter 25, Stormwater Management - Article I, Section 25-304. - Basis for establishing the regulatory flood area; specifically revising regulatory flood areas in Wagoner County within the Spunky Creek Basin; repealing all ordinances to the contrary; and declaring an emergency

**Attachments** [Draft Ordinance and Supporting Documentation](#)

## 11. Ordinances

- A. [15-639](#) Consideration, discussion and possible adoption of Ordinance No. 3297-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1901, granting Single Family Residential-1 zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

**Attachments** [ORDINANCE 3297-CORRECTED](#)  
[ZONING MAP](#)

- B. [15-642](#) Consideration, discussion and possible adoption of Ordinance No. 3298-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1890, granting Single Family Residential-1 zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

**Attachments** [ORDINANCE 3298-CORRECTED](#)  
[ZONING MAP](#)

- C. [15-643](#) Consideration, discussion and possible adoption of Ordinance No. 3299-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1892, granting Downtown Mixed-Use Core zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- Attachments** [ORDINANCE 3299-CORRECTED](#)  
[ZONING MAP](#)
- D. [15-644](#) Consideration, discussion and possible adoption of Ordinance No. 3300-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1896, granting PUD 223 and Commercial Neighborhood zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- Attachments** [ORDINANCE 3300-CORRECTED](#)  
[ZONING MAP](#)
- E. [15-645](#) Consideration, discussion and possible adoption of Ordinance No. 3301-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1907, granting PUD 137B and Office Neighborhood zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- Attachments** [ORDINANCE 3301-CORRECTED](#)  
[ZONING MAP](#)
- F. [15-646](#) Consideration, discussion and possible adoption of Ordinance No. 3303-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1917, granting Commercial Neighborhood zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- Attachments** [ORDINANCE 3303-CORRECTED](#)  
[ZONING MAP](#)



- G.**     [15-647](#)           Consideration, discussion and possible adoption of Ordinance No. 3305-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1894, granting PUD 221 and Industrial Light zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

**Attachments**   [ORDINANCE 3305-CORRECTED](#)  
[ZONING MAP](#)

- H.**     [15-648](#)           Consideration, discussion and possible adoption of Ordinance No. 3306-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1878, granting PUD 217 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

**Attachments**   [ORDINANCE 3306-CORRECTED](#)  
[ZONING MAP](#)

- I.**     [15-649](#)           Consideration, discussion and possible adoption of Ordinance No. 3307-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1736 and BAZ 1860, granting PUD 207B and Commercial Heavy zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

**Attachments**   [ORDINANCE 3307-CORRECTED](#)  
[ZONING MAP](#)

- J.**     [15-650](#)           Consideration, discussion and possible adoption of Ordinance No. 3311-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1799, granting PUD 188 and Downtown Fringe zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

**Attachments**   [ORDINANCE 3311-CORRECTED](#)  
[ZONING MAP](#)

- K.**     [15-651](#)           Consideration, discussion and possible adoption of Ordinance No. 3312-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1848, granting Commercial General zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

**Attachments**   [ORDINANCE 3312-CORRECTED](#)  
[ZONING MAP](#)

- L.**     [15-652](#)           Consideration, discussion and possible adoption of Ordinance No. 3313-Corrected, an ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1758, granting Floodplain District zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

**Attachments**   [ORDINANCE 3313-CORRECTED](#)  
[ZONING MAP](#)

- M.**     [15-629](#)           Consideration, discussion and possible adoption of Ordinance No. 3365 - CORRECTED, an ordinance amending Chapter 2, Administration, Article IX, Employee Rules and Regulations, Section 2-121, Attendance, of the Broken Arrow Code, to add Christmas Eve to the list of observed holidays for the City of Broken Arrow, Oklahoma; repealing all ordinances to the contrary; and declaring an emergency

**Attachments**   [11-09-2015 3365 - CORRECTED - Chapter 2, Administration, S](#)

- N. [15-631](#) Consideration, discussion and possible adoption of Ordinance No. 3366 - CORRECTED, an ordinance amending Chapter 6, Building and Building Regulations, Article II, Building Code; Section 6-16, Adopted; Section 6-17 Amendments; Section 6-21, Construction standards for handicapped parking spaces; Section 6-23, Existing building code adopted; Section 6-24 Amendments; Article IV, Electrical Code; Section 6-66, Adoption of National Code; amendments; Repealing Section 6-70, Receptacle and light fixture loading; Repealing Section 6-71, Special circuits and independent fusing for appliances; Repealing Section 6-74, Wall switches required; Article V, Plumbing, Division 1, Generally, Section 6-94 Plumbing code - adopted; Section 6-95, Same - Amendments; Division 2, Landscape Irrigation; Section 6-101 - Backflow prevention; Section 6-103 Installation requirements; Article VI, Underground Outside Gas Piping, Section 6-111 Application of article; Section 6-112 Amendments; Repealing Section 6-113, Installation requirements generally; Article VII, Mechanical Code, Section 6-128 - Adopted; and Section 6-129 Amendments; specifically adopting the requirements of the 2014 and 2015 NFPA NEW ICC Code as to Building, Mechanical, Fuel Gas, Plumbing, and Electrical into the City's Code of Ordinances in order to comply with regulations and to become effective November 1, 2015; repealing all ordinances to the contrary and declaring an emergency

**Attachments** [11-09-2015 ORDINANCE NO. 3366 - CORRECTED - BUILD](#)

## 12. Remarks and Inquiries by Governing Body Members

## 13. Remarks by City Manager

#### 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:

(1) economic development and specifically discussing an economic development proposal involving a commercial and retail establishment proposed for the location immediately north and south of the Creek Turnpike between South Olive Avenue and South Elm Place, to include the transfer of property, financing, and the creation of a proposal to entice a business to locate within the City of Broken Arrow, and taking appropriate action in open session, including direction to the City Manager and Staff to negotiate for an economic development proposal, under 25 O.S. §307(C)(10); and

(2) the possible purchase and appraisal of real property located immediately north and south of the Creek Turnpike between South Olive Avenue and South Elm Place and possible action in open session, including authorization to negotiate for the potential purchase of this real property and obtain additional appraisals for this real property, 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 protect the confidentiality of the businesses and also that disclosure will impair the ability of the City Council to process the pending appraisal and acquisition of real property 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**