



City of Broken Arrow
Meeting Agenda
Broken Arrow City Council

City Hall
220 S 1st Street
Broken Arrow OK
74012

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

Tuesday, December 20, 2016

6:30 PM

Council Chambers

1. Call to Order

2. Invocation

3. Roll Call

4. Pledge of Allegiance to the Flag

5. Consideration of Consent Agenda

- A. [16-975](#) Approval of City Council Meeting Minutes of December 6, 2016

Attachments: [12-06-16 Council Minutes](#)

- B. [16-1502](#) Approval of Planning Commission meeting minutes of October 27, 2016 and November 3, 2016

Attachments: [20161027 PC MINUTES](#)
[20161103 PLANNING COMMISSION MINUTES](#)

- C. [16-1466](#) Approval to declare certain City-owned vehicles and equipment as surplus and authorize the sale of those items by public auction

Attachments: [Copy of 2016 AUCTION List](#)

- 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)

Attachments: [Agreement executed by the Asst City Attorney](#)

- 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, Broken Arrow and Rogers County and Indian Nations Council of Governments' (INCOG) regarding a Regional 911 Board for the purpose of shared management of 911 services

Attachments: [FY17 second amended agreement](#)

- 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.
- Attachments:** [Sprint 1](#)
- 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
- Attachments:** [City of Broken Arrow Services Contract with ARTSOK](#)
[Timeline Summary of Primary Consultant Activities](#)
- 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)
- Attachments:** [161208 Bid Tab Certified](#)
[161212 CoBA Nienhuis Park - Bid Recommendation Letter - 121216](#)
- 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
- Attachments:** [BAYBA Signed Addendum](#)
- 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
- Attachments:** [161130 Pay Req#1 1of2.pdf](#)
[161130 Pay Req#1 2of2.pdf](#)
- 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
- Attachments:** [Draw 3](#)
- 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
- Attachments:** [17.122 50 Ton Trailer bid tab](#)
- M. [16-1479](#) Approval of and authorization to execute Change Order C03 for Construction Contract Number S1307, Aspen Creek Relief Line
- Attachments:** [Aspen Creek Relief Line Change Order #3 with Supporting Docs](#)
- N. [16-1480](#) Approval of and authorization to execute Change Order C05 for

Construction Contract Number 161708, Farmers Market Interactive Water Feature

Attachments: [Change Order #5 Supporting Documents](#)

- 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

Attachments: [PC PUBLISHED FACT SHEET](#)
[2-CHECKLIST.SILVERLEAF](#)
[3-PT14 109.COND FINAL PLAT](#)

- P. [16-1472](#) Approval of PT16-109, Conditional Final Plat, The Shops at Broken Arrow II Amended, a Resubdivision 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

Attachments: [1-PLANNING COMMISSION FAC SHEET](#)
[2- CHECKLIST](#)
[3-SHOPS AT BROKEN ARROW II AMENDED PLAT](#)

- 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

Attachments: [PUBLISHED FACT SHEET](#)
[2-PROPOSED AMENDMENT OF DEED OF DEDICATION AND RESTRICT](#)
[3A-61ST STREET INDUSTRIAL PARK PLAT](#)
[3B-61ST STREET INDUSTRIAL PARK PLAT COVENANTS](#)
[4-PROTECTIVE COVENANTS AND RESTRICTIONS RECORDED MARCF](#)

- 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)

Attachments: [GWD TGI-KDH 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

Attachments: [Contract Agreement](#)
[Opinion of Probable Cost](#)
[ILC Drainage Improvements Plans](#)

- 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)
- Attachments:** [Drainage Easement](#)
[Exhibit A.1 and A.2](#)
[Easement Site Plan](#)
- 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)
- Attachments:** [DE Laney ST1413](#)
[TCE Laney 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)
- Attachments:** [TCE Moa 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)
- Attachments:** [161220 Utility Easement](#)
- 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)
- Attachments:** [UE Burch Brothers WL1606](#)
- Y. [16-850](#) Approval of the Broken Arrow City Council Claims List for December 20, 2016
- Attachments:** [12-20-16 CL](#)

6. Consideration of Items Removed from Consent Agenda

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

- A. [16-1477](#) Presentation and discussion of the 2017 Comprehensive Plan Update
- B. [16-1481](#) Presentation and discussion of the Albany Corridor Study in the vicinity of the Stoney Creek Conference Center

- C. [16-1503](#) Ratification of a Proclamation declaring December 20, 2016 as “Warren Unsicker Day” in the City of Broken Arrow

Attachments: [PROCLAMATION OF Warren Unsicker Day jmh](#)

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. [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

Attachments: [1-FACT SHEET OF NOV 17, 2016](#)
[2- CASE MAP](#)
[3- AERIAL](#)
[4- PUD DOCUMENT AND ASSOCIATED EXHIBITS](#)
[5- BACP 123 CASE MAP](#)
[6-HANDOUT FROM DON STEPHENS PRESENTED AT PLANNING MTG](#)
[7-HANDOUT FROM RICK BROWN PRESENTED AT PLANNING MTG](#)

- 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

Attachments: [1-Planning Commission Fact Sheet](#)
[2-CASE MAP.BAZ 1966](#)
[3-AERIAL.BAZ 1966](#)
[4-COMP PLAN.BAZ 1966](#)
[5-SITE PLAN OVERLAY](#)
[6-PLAT OF SURVEY](#)
[7-PUD 110 DESIGN STATEMENT.THE GREENS AT BROKEN ARROW](#)

- 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)

Attachments: [161109 413393C UPRR City Agreement 90% 110716 Elm Pl](#)
[161220 Resolution No. 959 UPRR Crossing at Elm](#)
[161109 413393C CityCountyInvoice 3307510 Elm Pl](#)

- 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)

Attachments: [161220 Resolution No. 960 UPRR Crossing at Main](#)
[161109 413396X UPRR City Agreement 90% 110716 Main St](#)
[161109 413396X CityCountyInvoice 3307511 Main St](#)

- 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

Attachments: [12-20-2016 RES No. 966- Supplementation of City of BA Code of Ordinance](#)

- 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

Attachments: [12-20-2016 RESOLUTION NO. 967 FILE PETITION AGAINST O.J.C CONSI](#)

10. Preview Ordinances -- NONE

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

Attachments: [Legal Notice of Annexation](#)
[map 1](#)
[map 2](#)
[Ordinance for annexation](#)

- 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

Attachments: [reopening alley ordinance](#)
[The Oaks off main](#)

- 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

Attachments: [Ordinance for attendance](#)

- 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

Attachments: [ordinance for water rate increase](#)

- 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

Attachments: [ordinance for sewer rate increase](#)

- 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

Attachments: [SIGNED ORD 3465.pdf](#)
[FACT SHEET OF NOV 7, 2016.pdf](#)
[FACT SHEET OF NOV 1, 2016.pdf](#)
[FACT SHEET OF OCT 13, 2016.pdf](#)
[FACT SHEET OF SEPT 22, 2016.pdf](#)
[ZONING ORD W RS4 INCORPORATED.pdf](#)
[-LUIS.docx](#)
[LEVEL 2 CRITERIA.docx](#)
[LEVEL 3 CRITERIA.docx](#)
[10-RS4 LOT CHARACTERISTICS.pdf](#)

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 - - NONE

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