



City of Broken Arrow

City of Broken Arrow
Council Chambers
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

Tuesday, August 4, 2015

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. [15-216](#) Approval of Special Council meeting minutes of July 13, 2015
- B. [15-218](#) Approval of Special Council meeting minutes of July 17, 2015
- C. [15-219](#) Approval of Council meeting minutes of July 21, 2015
- D. [15-231](#) Acceptance of minutes of Planning Commission meeting held, June 25, 2015
- E. [15-253](#) Approval of and authorization to execute an Interlocal Agreement between the Broken Arrow School District and the City of Broken Arrow for the provision of school crossing guards
- F. [15-217](#) Approval of and authorization to execute an Interlocal Agreement between the Union School District and the City of Broken Arrow for the provision of school crossing guards
- G. [15-212](#) Approval of and authorization to execute Amendment No. 5 to the Blackboard Connect-CTY Services Agreement for emergency/community notification systems services
- H. [15-245](#) Approval of and authorization to execute a Youth Counseling

Agreement between the City of Broken Arrow and Youth Services of Tulsa, Inc.

- I. [15-262](#) Approval of and authorization to execute the City of Broken Arrow annual services contract with Broken Arrow Seniors, Inc.
- J. [15-209](#) Approval of and authorization to execute the Renewal of the City of Broken Arrow Golf Course Management Contract with Greenway Golf Associates, Inc.
- K. [15-215](#) Approval of and authorization to purchase twelve (12) Ford SUV Interceptors for the Police Department from Bob Hurley Ford pursuant to the State Contract
- L. [15-213](#) Approval of and authorization to purchase Police Duty and Practice Ammunition from Precision Delta Corporation pursuant to the State Contract
- M. [15-224](#) Approval of and authorization to purchase from Ford Audio-Video a video and broadcast lighting/dimming system for the City Council Chambers pursuant to the State Contract and authorization to execute a System Installation Agreement
- N. [15-211](#) Approval of and authorization to purchase annual software maintenance services from SunGard Public Sector, Inc.
- O. [15-226](#) Approval of and authorization to execute an Encroachment Agreement and Release of Liability from Ricky and Krystal Hanks for a portion of a roofed terrace into a utility easement located on Lot 17, Block 1, Southern Trails Estates, approximately one-third mile west of Olive Avenue and south of New Orleans Street on (S29 T18N R14E)
- P. [15-227](#) Acceptance of a Utility Easement on Lot D of Tract B of The Village at Stone Wood Hills, located south of Albany Street and east of Elm Place, Broken Arrow, Tulsa County, State of Oklahoma (Section 02, T18N, R14E) for the purpose of extending sanitary sewer
- Q. [15-228](#) Acceptance of a Utility Easement on Lot D of Tract B of The Village at Stone Wood Hills, located south of Albany Street and east of Elm Place, Broken Arrow, Tulsa County, State of Oklahoma (Section 02, T18N, R14E) for the purpose of stormwater management
- R. [15-229](#) Acceptance of a Temporary Overland Drainage Easement on Lot C of Tract B of The Village at Stone Wood Hills, located south of Albany Street and east of Elm Place, Broken Arrow, Tulsa County, State of

Oklahoma (Section 02, T18N, R14E)

- S. [15-223](#) Approval of final acceptance for the public improvements for Hartford Villas (sanitary sewer, water and paving)
- T. [15-237](#) Approval of final acceptance for the water and sanitary sewer public improvements for The Shops at Aspen Creek
- U. [15-268](#) Approval of final acceptance for the storm sewer public improvements for The Shops at Aspen Creek
- V. [15-234](#) Approval of final acceptance for the public improvements for Warren Clinic (traffic signals)
- W. [15-235](#) Approval of final acceptance for the public improvements for Warren Clinic (water and paving)
- X. [15-269](#) Approval of the August 4, 2015 Claims List

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Appeals, Presentations, Recognitions, Awards - NONE

8. Citizens' Opportunity to Address the Council on General Topics

9. General Council Business

- A. [15-244](#) Consideration, discussion, possible approval of and authorization to execute an Employment Agreement between the City of Broken Arrow, Oklahoma and Michael L. Spurgeon
- B. [15-273](#) Consideration, discussion, possible approval of and authorization to execute the Fiscal Year 2015-16 Labor Agreement with the International Association of Firefighters Local No. 2551
- C. [15-276](#) Consideration, discussion, possible approval of and direction to publish an Amended Legal Notice of Annexation for the voluntary annexation of approximately 14 acres of land located in the West Half of the Northwest Quarter of the Northwest Quarter (W/2 NW/4 NW/4) of Section Nine (9), Township Seventeen (17) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, and generally located on the Southeast corner of 131st Street and 129th East Avenue (Olive) and being adjacent to and abutting 131st Street and 129th Street East Avenue (Olive)

- D. [15-263](#) Consideration, discussion, possible approval of and authorization to execute Resolution No. 887, a Resolution authorizing the City Attorney to agree to Entry of Judgment without admitting liability in the matter of First Priority Bank v. City of Broken Arrow, Wagoner County District Court, Case No. CJ-2015-0180; and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a Journal Entry incorporating the Resolution of the Court's approval, pursuant to 51 O.S. § 158

10. Preview Ordinances

- A. [15-248](#) Consideration, discussion and possible preview of an ordinance amending the Broken Arrow Code of Ordinances by amending Chapter 24, Water, Sewers and Sewage Disposal, Article VII Sewer services charges and rates; Section 24-704, Rates for sanitary sewer service established, deleting the reference to cost per 1,000 gallons, repealing all ordinances to the contrary; and declaring an emergency
- B. [15-130](#) Consideration, discussion and possible preview of an ordinance closing a utility easement on property located on the westerly portion of Lot 1, Block 4, Berwick on Cedar Ridge, Blocks 2, 3, 4, 5, and 6, a subdivision in the City of Broken Arrow, Tulsa County, Oklahoma, generally located east of Mingo Road and one-quarter mile north of Florence Street; repealing all ordinances to the contrary; and declaring an emergency

11. Ordinances

- A. [15-232](#) Consideration, discussion and possible adoption of Ordinance No. 3356, an Ordinance amending the Employee Retirement System, Defined Contribution Plan for the position of City Manager for the City of Broken Arrow, Oklahoma by adopting a revised and restated retirement plan; providing retirement benefits for eligible employees of the City of Broken Arrow, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participating; providing for non-alienation of benefits; loss of benefits for cause and limitations of benefits; providing for required notice; providing for amendment and termination; providing for transfer to and from other plans; creating a retirement committee and providing for powers, duties, and rights of retirement committee; providing for payment of certain obligations; providing for duration and payment of expenses; providing to finance the system to be pooled with other

incorporated cities towns and their agencies and instrumentalities for purposes of administration, management, and investments part of the Oklahoma Municipal Retirement Fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement Fund for management and investment; providing for repealer and severability; adopting those amendments mandated by the Internal Revenue Code

- B.** [15-236](#) Consideration, discussion and possible adoption of Ordinance No. 3357, an Ordinance amending the Employee Retirement System, Defined Contribution Plan for the City of Broken Arrow, Oklahoma by adopting a revised and restated retirement plan; providing retirement benefits for eligible employees of the City of Broken Arrow, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for non-alienation of benefits; loss of benefits for cause and limitations of benefits; providing for employer and employee contributions; providing for accounting, allocation, and valuation; providing benefits; providing for required notice; providing for amendments and termination; providing for transfer to and from other plans; creating a retirement committee and providing for powers, duties and rights of retirement committee; providing for payment of certain obligations; providing for duration and payment of expenses; providing for effective date; providing for vesting schedules; providing for a fund to finance the system to be pooled with other incorporated cities, towns, and their agencies and instrumentalities for purposes of administration, management, and investment as part of the Oklahoma Municipal Retirement fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement Fund for management and investment; providing for repealer and severability; adopting those amendments mandated by the Internal Revenue Code

12. Remarks and Inquiries by Governing Body Members

13. Remarks by Acting City Manager

14. Executive Session

Executive Session for the purpose of confidential communications between the City Council, the Acting City Manager, and the City Attorney, and possible action in open session regarding a pending litigation offer of settlement and taking appropriate action in open

session in Green Acre Sod Farm v. City of Broken Arrow, a pending tort claim, under 25 O.S. §307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation 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.

City Clerk