



City of Broken Arrow
Meeting Agenda
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, April 19, 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. [16-407](#) Approval of City Council Meeting Minutes of April 5, 2016
- B. [16-427](#) Approval of Special City Council Meeting Minutes of April 5, 2016
- C. [16-401](#) Acceptance of minutes of Planning Commission meeting held January 28, 2016
- D. [16-428](#) Consideration, discussion and possible approval of authorizing agents of the City of Broken Arrow for processing claims, invoices and other required documents of the Vision 2025 sales tax program associated with the Creative Arts Center
- E. [16-412](#) Approval of Workers' Compensation Court Order for Lesia Thomas, City Clerk's Office Employee, and authorize payment as set forth in the Order
- F. [16-413](#) Approval of Workers' Compensation Court Order for Billy Wilkinson, Fire Department Employee, and authorize payment as set forth in the Order
- G. [16-424](#) Approval of and authorization to execute Resolution No. 917 to adopt the amended and restated International City/County Management Association Retirement Corporation (ICMA-RC) Governmental Money Purchase Plan & Trust Document
- H. [16-422](#) Approval of and authorization to execute Addendum to Exhibit A of the Agreement for Plan Supervisor with CoreSource, Inc. to provide a maternity program as part of the third party administration for the employee health plan for calendar year 2016

- I. [16-434](#) Approval of and authorization to execute a Professional Services Contract for right-of-way and property acquisition services with Seven C's Enterprises dba Terra Acquisition Services for city projects
- J. [16-397](#) Approval of and authorization to execute a Medical Director Services Agreement between David Gearhart, D.O. and the City of Broken Arrow for services as the Physician Medical Director for the Fire Department
- K. [16-420](#) Approval of and authorization to award a purchase order for Keystone Services, Inc., pursuant to the Oklahoma Statewide Contract No. SW 816 for the crack sealing of County Line Road (23rd Street) from Kenosha Street (71st Street) to Albany Street (61st Street)
- L. [16-398](#) Review of bids received, award of the lowest responsible bid to Brashear Pavement Coatings, LLC, and approval of and authorization to execute a construction contract for Crack Fill, Sealcoat, and Restripe of Nienhuis Park Football Complex Parking Lot (Project No. 156004)
- M. [16-426](#) Review of bids received, award of the lowest responsible bid to Oklahoma Mechanical Solutions, Inc., and approval of and authorization to execute a construction contract for Justice Center Mechanical Systems Modifications (HVAC)
- N. [16-423](#) Review of bids received, award the most advantageous bid to Chief Fire and Safety, and authorize the purchase of the fire apparatus equipment for the Spartan ERV Fire Pumper Truck
- O. [16-406](#) Review of bids received and award the most advantageous bid to Rush Truck Center for the purchase of a 2017 Peterbilt 567 tractor/trailer cab and chassis for the Streets Department
- P. [16-405](#) Approval of and authorization to execute Work Order WO-01 for Tri-Star Construction, LLC Contract for Portland Cement Concrete Street Repair (Bid # 16.126) for the installation of handicap ramps in the Arrow Springs Subdivisions
- Q. [16-404](#) Approval of BAZ 1955, Paliotta property, 2.50 acres, A-1 to RS-1, one-half mile south of Florence Street, about one-quarter to one-half mile west of Aspen Avenue
- R. [16-402](#) Approval of BAZ 1956, Aspen Creek Marketplace, 38.40 acres, A-1 to CH, south of the Creek Turnpike, west of Aspen Avenue, and north of Tucson Street
- S. [16-400](#) Approval of PT15-117, Conditional Final Plat, Crossings at Lynn Lane Phase I, 40 lots, 15.49 acres, A-1 to RS-3, north and east of the northeast corner of Washington Street and 9th Street
- T. [16-438](#) Approval of the Broken Arrow City Council Claims List April 19, 2016

6. Consideration of Items Removed from Consent Agenda

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

- A. [16-399](#) Presentation, discussion, and status report of the Broken Arrow Creek Trail - phase I project, the Broken Arrow Creek Trail - phase II proposal, and the Main Street Bikeway proposal

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. [16-430](#) Consideration, discussion, possible approval of and authorization to publish a Notice of Availability of Annual Audit for Fiscal Year 2014-2015
- B. [16-443](#) Consideration, discussion, possible approval of and authorization to execute a Contract for Program Management Services for the City Hall Renovation with Magnum Construction, Inc.
- C. [16-421](#) Consideration, discussion, possible approval of and authorization to execute Resolution No. 915, a Resolution authorizing the City Attorney to enter into a proposed Joint Application for Approval of Settlement and a Journal Entry of Judgment in regard to Eric Tyler Manke v. The City of Broken Arrow, Oklahoma, Tulsa County District Court Case No. CJ-2016-01144, and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a Journal Entry of Judgment for the court's approval, pursuant to 51 O.S. § 158
- D. [16-425](#) Consideration, discussion, possible approval of and authorization to execute Resolution No. 916, a Resolution repealing Resolution No. 913 and authorizing the City Attorney to enter into a proposed Joint Application for Approval of Settlement and a Journal Entry of Judgment in regard to the Tort Claim filed by Gary Clark, and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a Journal Entry of Judgment for the court's approval, pursuant to 51 O.S. § 158
- E. [16-378](#) Consideration, discussion, possible approval of and authorization to execute a Promotional License Agreement allowing the Broken Arrow Chamber of Commerce to host the 2016 Rooster Days Festival
- F. [16-431](#) Consideration, discussion, possible approval of and authorization to execute a Minor Change Order C01 (Change of Plans) for Third Generation Electrical, Inc. Construction Contract 166022, Central Park Electrical Upgrade
- G. [16-086](#) Consideration and possible approval to reschedule the June 7, 2016 City Council meeting to June 6, 2016 and the June 21, 2016 City Council meeting to June 20, 2016

10. Preview Ordinances

- A. [16-225](#) Consideration, discussion and possible preview of an ordinance amending Chapter 7.7 Campaign Financing, Section 7.7-1 Short Title; Section 7.7-2

Intent; Section 7.7-3 Administration; Section 7.7-4 Definitions; Section 7.7-5 Duties of municipal clerk; Section 7.7-6 Filing contribution and expenditure reports by candidates for the city council; Section 7.7-7 Appeal; Section 7.7-8 Hearing; findings; assessment; Section 7.7-9 Contributions and expenditures by candidates or committees; Section 7.7-10 Statement of registration for committees; Section 7.7-11 Procedural requirements for committees and officers of committees; Repealing Section 7.7-12 Campaign contributions and expenditures reports; forms; certification; statements of inactivity' interest earned; dissolution procedures; filing of report forms; Repealing Section 7.7-13 Time for filing reports of contributions and expenditures or statements of inactivity; Repealing Section 7.7-15, Requirement to file reports and penalties for violation; Repealing Section 7.7-16, Suspected violation, Repealing Section 7.7-17, Disclosure of affidavit, Repealing Section 7.7-18, Withdrawal of affidavit; Repealing Section 7.7-19 Abstention for conflict of interest; and Repealing Section 7.7-20, Individual of family contributions, of the Broken Arrow Code; specifically including language to comply with the Municipal Campaign Finance and Financial Disclosure Act; repealing all ordinances to the contrary and declaring an emergency

11. Ordinances

- A. [16-410](#) Consideration, discussion and possible adoption of Ordinance No. 3419, an Ordinance amending the Broken Arrow Code by amending Chapter 10, Fire Prevention and Protection, Article IV. - Explosives, Division 1. - Generally, Section 10-72. - Classified; and Section 10-73. - Manufacture; specifically excepting from the definition of explosives small arms ammunition and components thereof; repealing all ordinances to the contrary; and declaring an emergency
- B. [16-415](#) Consideration, discussion and possible adoption of Ordinance No. 3420 closing a mutual road easement on property located in the Southwest Quarter (SW/4 SW/4) (Lot Four) of Section Thirty (30), Township Eighteen (18) North, Range Fourteen (14) East, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of the West Florence Street and east of South Mingo Road; repealing all ordinances to the contrary; and declaring an emergency
- C. [16-429](#) Consideration, discussion and possible adoption of Ordinance No. 3421 closing a stormwater drainage easement on property located in the Southwest Quarter (SW/4 SW/4) (Lot Four) of Section Thirty (30), Township Eighteen (18) North, Range Fourteen (14) East, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of the West Florence Street and east of South Mingo Road; repealing all ordinances to the contrary; and declaring an emergency
- D. [16-418](#) Consideration, discussion and possible adoption of Ordinance No. 3422 closing a waterline easement on property located in the Southwest Quarter (SW/4 SW/4) (Lot Four) of Section Thirty (30), Township Eighteen (18)

North, Range Fourteen (14) East, Berwick South, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of the West Florence Street and east of South Mingo Road; repealing all ordinances to the contrary; and declaring an emergency

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. the possible purchase and appraisal of real property located at 201 East Washington Street (the southeast corner of East Washington Street and South 1st Place), Broken Arrow, Oklahoma, 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),

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