



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, September 6, 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. [16-954](#) Approval of City Council Meeting Minutes of August 16, 2016
- B. [16-1057](#) Acceptance of Broken Arrow Planning Commission Meeting Minutes of July 28, 2016
- C. [16-1076](#) Approval of and authorization to execute a first amendment to the Pharmacy Benefit Management Services Agreement with Navitus Health Solutions, LLC to continue to provide pharmacy benefit manager services for the employee health plan
- D. [16-1069](#) Approval of and authorization to ratify benefits renewal from Unum to provide long-term disability insurance to City employees
- E. [16-1096](#) Approval of and authorization to execute a Professional Services Agreement with First Southwest Asset Management, LLC for arbitrage rebate compliance services
- F. [16-1075](#) Approval of and authorization to execute a Professional Consultant Agreement with GH2 Architects, LLC for design of new Fire Station No. 7 (Project No. 173509)
- G. [16-1088](#) Approval of and authorization to execute a Third Amended Contract for Program Management Services for the City Hall Renovation with Magnum Construction, Inc.
- H. [16-888](#) Approval of and authorization to purchase a video and audio system for the Development Services Conference Room from Ford Audio-Video pursuant to Oklahoma State Purchasing Contract #ITSW1021 and approval of and

authorization to execute a System Installation Agreement for the purchase

- I. [16-1047](#) Approval of and authorization to execute Pay Request Number One (1) to the Institute for Building Technology and Safety for Professional Building Plan Review and Inspection Services through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center
- J. [16-1022](#) Notification of Change Orders with a value of less than \$25,000 on Engineering and Construction contracts since the last City Council Meeting
- K. [16-1083](#) Acknowledgment of Architect-Engineer Agreements and Professional Services Contracts and Amendments with a value of less than \$25,000
- L. [16-1023](#) Approval of and authorization to execute the Traffic Calming Policy for 37th Street South between 194th Street and 197th Street
- M. [16-1030](#) Final Acceptance of the public improvement (water) for Creekwood Apartments located at 2401 West Omaha Street, Broken Arrow, Oklahoma
- N. [16-1092](#) Approval of and authorization to execute Union Pacific Railroad Traffic Signal Preemption Request Forms for railroad grade crossings at Main Street near Fort Worth Street, Elm Place near Broadway Street, and Oneta Road near State Highway 51
- O. [16-1025](#) Acceptance of a Deed of Dedication from The Donald R. Tredway and Donna J. Tredway Family Trust for Tract A, located one-quarter mile south of Albany Street, east of Evans Road, Wagoner County, State of Oklahoma
- P. [16-1027](#) Acceptance of a Utility Easement from The Donald R. Tredway and Donna J. Tredway Family Trust for Tract A, located one-quarter mile south of Albany Street, east of Evans Road, Wagoner County, State of Oklahoma
- Q. [16-1031](#) Acceptance of a Deed of Dedication from The Donald R. Tredway and Donna J. Tredway Family Trust for Tract B, located one-quarter mile south of Albany Street, east of Evans Road, Wagoner County, State of Oklahoma
- R. [16-1034](#) Acceptance of a Utility Easement from The Donald R. Tredway and Donna J. Tredway Family Trust for Tract B, located one-quarter mile south of Albany Street, east of Evans Road, Wagoner County, State of Oklahoma
- S. [16-1035](#) Acceptance of a Deed of Dedication from The Donald R. Tredway and Donna J. Tredway Family Trust for Tract D, located south of the southeast corner of Albany Street and Evans Road, Wagoner County, State of Oklahoma
- T. [16-1036](#) Acceptance of a Utility Easement from The Donald R. Tredway and Donna J. Tredway Family Trust for Tract D, located south of the southeast corner of Albany Street and Evans Road, Wagoner County, State of Oklahoma
- U. [16-1046](#) Acceptance of a Deed of Dedication from The Donald R. Tredway and Donna J. Tredway Family Trust for Tract G, located one-quarter mile south of Albany Street, east of Evans Road, and east of Evans Road, south of

Albany Street, Wagoner County, State of Oklahoma

- V. [16-1048](#) Acceptance of a Utility Easement from The Donald R. Tredway and Donna J. Tredway Family Trust for Tract G, located one-quarter mile south of Albany Street, east of Evans Road, and east of Evans Road, south of Albany Street, Wagoner County, State of Oklahoma
- W. [16-1043](#) Acceptance of a Deed of Dedication from James R. Rolland and Tamara J. Rolland for Tract F, located one-quarter mile south of Albany Street, east of Evans Road, Wagoner County, State of Oklahoma
- X. [16-1040](#) Acceptance of a Utility Easement from James R. Rolland and Tamara J. Rolland for Tract F, located one-quarter mile south of Albany Street, east of Evans Road, Wagoner County, State of Oklahoma
- Y. [16-1041](#) Acceptance of a Utility Easement for Sanitary Sewer, on Lot 1, Block 65, Original Town of Broken Arrow, and Lot 12, Block 11, Homestead Addition, Tulsa County, State of Oklahoma
- Z. [16-1042](#) Acceptance of a Utility Easement for Sanitary Sewer, on Lot 12, Block 11, Homestead Addition, Tulsa County, State of Oklahoma
- AA. [16-1067](#) Acceptance of a General Warranty Deed and Temporary Construction Easement for a tract of land located at Lot One (1), Block Seven (7), of Blocks 4 through 7, Arrow Village 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)
- BB. [16-1066](#) Acceptance of a General Warranty Deed, Utility Easement, and Temporary Construction Easement conveyed to the City of Broken Arrow 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)
- CC. [16-1068](#) Acceptance of a Utility Easement, and Temporary Construction Easement for a tract of land that is part of Lots Eight (8) and Nine (9), Block One (1), East Haskell Addition to the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the US Government Survey for the 9th Street widening from Elgin to El Paso (Project No. ST1210)
- DD. [16-1065](#) Acceptance of a Utility Easement and Temporary Construction Easement for a tract of land that is part of Lot Seven (7) and Eight (8), Block One (1), East Haskell 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)
- EE. [16-1064](#) Acceptance of a Temporary Construction Easement for a tract of land that is part of Lot Seventeen (17), Block One (1), Lynn Lane Plaza, 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)

- FF. [16-1052](#) Approval of rezoning request, BAZ-1961, Crossings at Lynn Lane, 26.95 acres, A-1 to RS-3, one-quarter mile East of 9th Street, North of Washington Street, City of Broken Arrow, Oklahoma
- GG. [16-1093](#) Approval of PT15-118, Conditional Final Plat, 51 Aspen Mini Storage, 1 lot, 5.82 acres, A-1 to PUD 248/IH, one-third mile west of Evans Road, South of State Highway 51
- HH. [16-1056](#) Approval of PT15-119A, Conditional Final Plat, Kum & Go #837, a replat of Lot 1, Block 1 of BOL Addition & Lot 9, Block 2 of Prairie Dale Addition, 3.33 acres, A-RS1 and CN to PUD 247A/CN, west of Oneta Road, north of State Highway 51
- II. [16-1053](#) Approval of complete abrogation of Planned Unit Development (PUD)-190 and rezoning, BAZ-1805, Tarp Cottages, 5.71 acres, R-1, R-3, RM, and SP-86B, south of Washington Street, one-half mile west of Elm Place
- AJ. [16-1029](#) Approval and acceptance of Amended Deed of Dedication and Restrictive Covenants for PT 12-107, Park at Albany, 15.3 acres, PUD 217, about one-quarter mile north of Albany Street, on the east side of 23rd Street (County Line Road), Broken Arrow, OK
- KK. [16-1099](#) Approval of and authorization to execute a Promotional License Agreement on City Property allowing Cox Communications to host the 2016 Cox Community Concert Event
- LL. [16-828](#) Approval of the Broken Arrow City Council Claims List for September 06, 2016

6. Consideration of Items Removed from Consent Agenda

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

- A. [16-1063](#) Presentation and discussion on City of Broken Arrow University, also known as COBA-U
- B. [16-1116](#) Presentation of “Chief’s Award” by Police Chief David Boggs to Mr. Michael Lewis from the Information Technology Department for exemplary service above and beyond his required duties

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. [16-1098](#) Consideration, discussion, and possible approval of and authorization to execute a Professional Services Agreement by and between the City of Broken Arrow and ADG, Inc. related to the Downtown Residential Overlay District project

- B. [16-1118](#) Consideration, discussion, and possible approval of and authority to execute an Assignment of the Contract between the City of Broken Arrow and 81st and Memorial, LLC to the Broken Arrow Municipal Authority (BAMA) to pay for excess water service to serve 140-acre tract and provide water service from 1/4 - mile west of Aspen Avenue (145th) approximately 2,690 feet west along Tucson Street (121st) to serve the Shadow Trails Subdivision and other undeveloped areas for the City Water System
- C. [16-1094](#) Consideration, discussion, and possible approval of and authorization to execute a Professional Services Contract with Geographic Technologies Group for a Geodatabase of City Parks and Facilities (Project No. 176003)
- D. [16-1087](#) Consideration, discussion, and possible approval to reject bids and re-advertise bids on a construction contract for Leisure Park I Mill and Overlay (Project No. ST1509), and find that both the rejection of bids and re-advertising is in the best interest of the citizens of Broken Arrow and the State of Oklahoma
- E. [16-1049](#) Consideration, discussion, and possible approval of rezoning request, BAZ-1960, Margaret Couch Scrapper Family Trust, 40 acres, A-1 to RS-3, one-half mile south of Houston Street, one-quarter mile east of 23rd Street, north of the M.K.&T. Railroad
- F. [16-1051](#) Consideration, discussion, and possible approval of Planned Unit Development (PUD)- 247A and rezoning request, BAZ-1962, Kum and Go 837, 2.87 acres for PUD 247A, A- 1 to CN 1.15 acres for BAZ 1962, West of Oneta Road, North of State Highway 51
- G. [16-1071](#) Consideration, discussion, and possible appointment of a member of City Council to the Broken Arrow Downtown Advisory Board
- H. [16-1074](#) Consideration, discussion, and possible approval of appointment of Greg Graham to the Broken Arrow Downtown Advisory Board
- I. [16-1073](#) Consideration, discussion, and possible approval of appointment of Lee Whelpley to the Broken Arrow Downtown Advisory Board

10. Preview Ordinances

- A. [16-1032](#) Consideration, discussion, and possible preview of an ordinance amending the Broken Arrow Code, Chapter 2, Administration, Article XIV, Convention and Visitors' Bureau, Sec. 2-212 Appointments, specifically amending to include the staggering of terms for the Convention and Visitors' Bureau; repealing all ordinances to the contrary; and declaring an emergency
- B. [16-889](#) Consideration, discussion, and possible preview of an amendment to the City of Broken Arrow Zoning Code amending Chapter 3, Use Regulations, Section 3.4 Temporary Uses and Structures and specifically providing for the use of temporary storage containers (POD-type containers) repealing all ordinances to the contrary; and declaring an emergency
- C. [16-882](#) Consideration, discussion, and possible preview of an ordinance amending

Chapter 7, Business Regulations and Licenses, Article V. Pawnbrokers, Section 7-89. - Pawnbroker defined; Section 7.90. - State license required; Section 7-91. - Regulatory fee; Section 7-92. - Reserved; Section 7-95. - Required information; material; Section 7-89. - Place of business; Reserving Section 7-103. - Records required; amending Sec. 7-105. - Reports to police; Section 7-106. - Inspections; Section 7-112. - Penalties; adding regulations for Precious Metals and Gems, Section 7-152. - Definitions; Section 7-153. - State license; Section 7-154. - Records to be maintained; Section 7-155. - Certain goods to be kept by Dealer: Time and Procedure; Section 7-156. - Reports of Theft of Precious Metal; and Section 7-157. - Penalty; repealing all ordinances to the contrary and declaring an emergency

D. [16-1089](#) Consideration, discussion, and possible preview of an ordinance amending the Broken Arrow Code, Chapter 23, Traffic, Article II, Operation of vehicles, generally; Section 23-57. - Use of signals - Turning; specifically requiring other traffic be affected as part of the probable cause for a traffic stop for improper use of signals, and bringing this section into compliance with state law; repealing all ordinances to the contrary; and declaring an emergency

E. [16-1072](#) Consideration, discussion, and possible preview of an ordinance amending Section 25, Stormwater Management, Article IV, Floodplain Development Requirements, Section 25-304, Basis for establishing the Regulatory Flood Area, and specifically adopting Tulsa County, Oklahoma and Incorporated Areas and Wagoner County, Oklahoma and Incorporated Areas Flood Insurance Study (FIS) and Digital Flood Insurance Rate Map (DFIRM)

F. [16-1062](#) Consideration, discussion, and possible preview of an ordinance closing a utility easement on property located in Bixby Northeast Campus, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of 131st Street, one-half mile east of Garnett Road; repealing all ordinances to the contrary; and declaring an emergency

G. [16-1021](#) Consideration, discussion, and possible preview of an ordinance closing a mutual access and utility easement on property located in Indian Springs Manor, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located east and southeast of Block 8, Lot 1 across Indian Springs Golf Course; repealing all ordinances to the contrary; and declaring an emergency

11. Ordinances

A. [16-1044](#) Consideration, discussion, and possible adoption of Ordinance No. 3444, an Ordinance amending the Broken Arrow Code, Chapter 2, Administration, Article II, Purchases, Section 2-25. - When prior approval of Council is required; Granting the City Manager the authority to waive City fees if in the best interest of the City; repealing all Ordinances to the contrary; and declaring an emergency

B. [16-1054](#) Consideration, discussion, and possible adoption of Ordinance No. 3445, an

Ordinance amending the Broken Arrow Code, Chapter 2, Administration, Article VIII, Planning Commission, Section 2-115. - Created; Composition; Specifically changing the language to reflect members of the Planning Commission shall be nominated by the Mayor to comply with Title 11, Section 45-102 of the Oklahoma State Statutes; repealing all Ordinances to the contrary; and declaring an emergency

- C. [16-1055](#) Consideration, discussion, and possible adoption of Ordinance No. 3446, an Ordinance amending the Broken Arrow Code Section 22-64(b) by increasing the Residential Development Fee in the City of Broken Arrow, Oklahoma; repealing all Ordinances to the contrary; leaving Section 22-64 (a), (c) and (d) unchanged; 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 City Council, the City Manager, and the City Attorney, and possible action in open session regarding

1. Economic development and specifically discussing an economic development proposal involving real property located between East Detroit Street and East Elgin Street and North Main Street and North First Street, in Broken Arrow, Oklahoma to include the transfer of property, financing, appraisal 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).

In the opinion of the City Attorney, the Executive Session is necessary to protect the confidentiality of the proposed businesses.

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