



**City of Broken Arrow
Meeting Agenda
Broken Arrow City Council**

Mayor Debra Wimpee

Vice Mayor Christi Gillespie

Council Member Johnnie Parks

Council Member Lisa Ford

Council Member Justin Green

Tuesday, May 7, 2024

6:30 PM

**Council Chambers
220 South 1st Street
Broken Arrow, OK**

1. Call to Order

2. Invocation

3. Roll Call

4. Pledge of Allegiance to the Flag

5. Consideration of Consent Agenda

- A. [24-74](#) Approval of the City Council Meeting Minutes of April 16, 2024
- B. [24-568](#) Approval of the Special City Council Meeting Minutes of April 16, 2024
- C. [24-612](#) Approval of Drainage Advisory Committee meeting minutes of January 29, 2024
- D. [24-608](#) Approval of and authorization to execute Budget Amendment Number 28 for Fiscal Year 2024
- E. [24-621](#) Acknowledgement of submittal of the Financial Statements for General Fund, Police and Fire Funds and Visit BA for March 2024
- F. [24-542](#) Approval of and authorization to execute a Proclamation declaring the month of May 2024, Flood Awareness Month
- G. [24-420](#) Approval of and authorization to execute a Proclamation declaring the week of May 19-25, 2024, as National Public Works Week
- H. [24-610](#) Ratification of a Proclamation declaring the week of May 1-7, 2024, as Youth Week

- I. [24-517](#) Approval of and authorization to execute Contract Amendment No. 2 with A&A Asphalt, Incorporated, for the cold milling of asphalt streets at various locations throughout the City
- J. [24-573](#) Approval of and authorization to execute Amendment No. 1 to Professional Consultant Agreement with BKL, Inc. for the design of the Operations Field Office Renovation Project (Project No. 2217090)
- K. [24-571](#) Approval and authorization to execute a Service Agreement with Cintas for Automatic External Defibrillator (AED) Machines
- L. [24-472](#) Approval of and authorization to execute Amendment Number 1 to Agreement for Professional Consulting Services with Garver, LLC for the Ninth Street Widening from Washington Street to Houston Street project (ST2027)
- M. [24-501](#) Approval of and authorization to execute the Honey Springs Mitigation Bank - Mitigation Credit Sales Agreement for Events Park Road Extension (Project No. 2152330)
- N. [24-540](#) Approval of and authorization to execute Amendment No. 4 to Professional Consultant Agreement with Kimley Horn for the design of Events Park Infrastructure Improvements (Project No. 2417210)
- O. [24-572](#) Approval of and authorization to renew the annual maintenance for the City's Fortinet firewalls and switches through Presidio, pursuant to the Oklahoma State Purchasing Contract
- P. [24-587](#) Ratification of extension of closing date contained in the Purchase and Sale Contract for the sale of 15.01 Acres of Real Estate to Sunset at Broken Arrow, LLC and extend closing date to on or before May 17, 2024
- Q. [24-585](#) Approval of and authorization to execute an Amendment to the Master Service Agreement and Statement of Work with Virta Medical P.C. effective June 1, 2024
- R. [24-609](#) Notification of City Manager's execution of 2024 Promotional License on City Property allowing the Broken Arrow Chamber of Commerce to host the 2024 Rooster Days Festival
- S. [24-596](#) Notification of City Manager's execution of 2024 Promotional License on City Property allowing the Broken Arrow Chamber of Commerce to host the 2024 Taste of Summer
- T. [24-586](#) Approval of and authorization for the purchase of a Maintenance Agreement for the City's Uninterruptible Power Supplies (UPS) from Tubbensing Solutions for term of 1-year

U. [24-624](#) Approval of and authorization to purchase one (1) Lone Star Promaster 3500 ADA Custom Van from Creative Bus Sales pursuant to the Oklahoma State purchasing contract SW 0797C and approve and authorize execution of Fiscal Year 2024 Budget Amendment Number 30

V. [24-500](#) Award of the lowest responsible bid to Cherokee Pride Construction, Inc. and approve and authorize execution of a construction contract for Portland Cement Concrete Street Repair

W. [24-361](#) Award of the lowest responsible bid to Ground Level, LLC and approve the execution of a construction contract for the Adams Creek Wetlands Improvements (SW1913)

X. [24-611](#) Acceptance of the Drainage Advisory Committee's recommendation to expend 2018 Go Bond, Proposition 6 funds for constructing a new storm sewer system along Dallas St between 2nd St and Haskell Park (Case No. 24-010)

Y. [24-613](#) Acceptance of the Drainage Advisory Committee's recommendation to reject expenditure of 2018 GO Bond, Proposition 6 funds for the repair and replace of a wood retaining wall (Case No 24-003)

Z. [24-614](#) Acceptance of the Drainage Advisory Committee's recommendation to expend 2018 Go Bond, Proposition 6 funds to construct an interceptor ditch and a storm sewer system to mitigate erosion along the north side of the Preserve Park Detention Pond (Case No. 24-008)

AA. [24-615](#) Acceptance of the Drainage Advisory Committee's recommendation to expend 2018 Go Bond, Proposition 6 funds to clean and repair an overgrown channel (Case No. 24-004)

AB. [24-618](#) Acceptance of the Drainage Advisory Committee's recommendation to expend 2018 Go Bond, Proposition 6 funds for retaining an engineering consultant to design erosion control measures along the bank of Hailey Creek at the Diocese of south Tulsa (Case No. 24-007)

AC. [24-617](#) Acceptance of the Drainage Advisory Committee's recommendation to expend 2018 Go Bond, Proposition 6 funds for retaining an engineering consultant to design a set of construction plans for an updated outlet structure at 215 S Laurel Ave (Case No. 24-005)

AD. [24-567](#) Approval of PT-001341-2024|PR-000415-2023, Conditional Final Plat for Aspen Ridge Business Park North, 8.99 acres, O N (Office Neighborhood) and CN (Commercial Neighborhood)/SP-000408-2022 to PUD-001405-2024/CG (Commercial General) and CN (Commercial Neighborhood)/SP-000408-2022, one-third mile south of Florence Street (111th Street), east of Aspen Avenue (145th East Avenue)

AE. [24-569](#) Approval of PUD-001405-2024, Planned Unit Development (PUD) for Aspen Ridge Business Park North, 8.99 acres, O N (Office Neighborhood) and CN (Commercial Neighborhood)/SP-000408-2022 to PUD-001405-2024/CG (Commercial General) and CN (Commercial Neighborhood)/SP-000408-2022, one-third mile south of Florence Street (111th Street), east of Aspen Avenue (145th East Avenue)

AF. [24-622](#) Approval of and authorization to execute Resolution No. 1573, a resolution authorizing acceptance of a General Warranty Deed for Parcel 12.0, which consists of 0.27 acres of Permanent Right-of-Way for the Aspen/Tucson Improvements, located at the Southeast corner of Aspen Avenue and Tucson Street, Broken Arrow, Oklahoma in the Northwest Quarter of Section 3, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma, from the Vrooman Living Trust and Frances M Day Trust for the Aspen/Tucson Improvements, Parcel 12.0. (Project No. ST2031)

AG. [24-511](#) Acceptance of a Utility Easement consisting of 0.1744 acres from Ignacia and Robert Tompkins on property located at 10138 S 137th E Avenue, Broken Arrow, Oklahoma, located in part of the Northeast Quarter of Section 28, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the 137th East Avenue Waterline Loop, Parcel 3 (Project No. WL21010)

AH. [24-588](#) Acceptance of a Utility Easement from Tulsa L. Dev, LLC, on property located approximately one-half mile north of Kenosha Street (71st Street), east of 257th East Avenue (Midway Road), Wagoner County, State of Oklahoma, (Section 02, T18N, R15E) (EASE-001384-2024)

AI. [24-590](#) Acceptance of a Utility Easement from Tulsa L. Dev, LLC, on property located approximately one-half mile north of Kenosha Street (71st Street), east of 257th East Avenue (Midway Road), Wagoner County, State of Oklahoma, (Section 02, T18N, R15E) (EASE-001386-2024)

AJ. [24-589](#) Acceptance of a Utility Easement from Tulsa L. Dev, LLC, on property located approximately one-half mile north of Kenosha Street (71st Street), east of 257th East Avenue (Midway Road), Wagoner County, State of Oklahoma, (Section 02, T18N, R15E) (EASE-001385-2024)

AK. [24-536](#) Approval of and authorization of Final Acceptance for the public improvements at Kensington Ridge Fire Access located at 81st and 273rd East Avenue

AL. [24-537](#) Approval of and authorization of Final Acceptance for the public improvements at The Learning Experience located at 3501 North 9th Street, Broken Arrow, OK 74012

AM. [24-315](#) Approval of and authorization of Final Acceptance for the public improvements at the North Rose Business Park located at 1050 North Birch Avenue

AN. [24-574](#) Ratification of the Claims List Check Register Dated April 29, 2024

6. Consideration of Items Removed from Consent Agenda

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

A. [24-534](#) Recognition of Broken Arrow Citizen Nancy Charlick for her quick thinking and selflessness during a lost child situation

B. [24-515](#) Presentation, discussion, and possible acceptance of the 2023-2024 Broken Arrow Youth City Council's Big Idea

C. [24-170](#) Presentation and annual programming update by the Broken Arrow Veteran's Center

D. [24-557](#) Approval of and authorization to execute a Proclamation declaring the week of May 5-11th, 2024, as Professional Municipal Clerks Week

E. [24-597](#) Approval of and authorization to execute a Proclamation declaring the week of May 19 - 25th, 2024, as National Travel and Tourism Week

F. [24-594](#) Notification of approval for the street closure of a portion of 23rd Street (County Line Road) from just north of Quail Hollow Apartments drive to the south side of 61st Street (Albany Street) for May 14, 2024 from 4:00 p.m. to 10:00 p.m. for Broken Arrow Public Schools, high school graduation

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. [24-533](#) Consideration, discussion, and possible appointment of two (2) Trustees to the Oklahoma Municipal Assurance Group Board and approval of and authorization for the Mayor to execute the official ballot casting votes for the two (2) Trustee appointments with three year terms commencing July 1, 2024

B. [24-464](#) Consideration, discussion, and possible approval of award of the lowest responsible bid to Cherokee Pride Construction, Inc. and authorize execution of a construction contract for 37th Street Pavement Reconstruction from Kenosha Street to Albany Street (ST1413)

C. [24-591](#) Consideration, discussion, and possible approval of First Amendment of an Economic Development Agreement by and among the Authority, the City, and PDG-Broken Arrow, LLC

D. [24-570](#) Consideration, discussion, and possible action regarding BAZ-001334-2024 (Rezoning) and SP-001335-2024 (Specific Use Permit), Floral Haven Expansion, 27 acres, A-1 (Agriculture) and R-1 (Single Family Residential) to A-1 (Agriculture)/SP-001335-2024, north of West Kenosha Street (East 71st Street South), and one quarter mile west of South Olive Avenue (South 129th East Avenue)

E. [24-607](#) Consideration, and possible action regarding COMP-001296-2024, Aspen Creek Village (Comprehensive Plan Change), approximately 90.33 acres from Level 6 (Regional Employment/Commercial) to Level 2 (Urban Residential), north of Tucson Street (121st Street), one-half west of Aspen Avenue (145th East Avenue), south of the Creek Turnpike

F. [24-604](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1578, a Resolution to purchase 0.2250 acres of real property located at 202 West Commercial, Broken Arrow, OK from 222 Investments, LLC for the sum of \$232,000.00 with the sum of \$5,000.00 in earnest money and designating representatives for signing documents and closing the transaction; Approval and authorization to execute the purchase and sale agreement

G. [24-581](#) Consideration, discussion, and possible approval of and authorization to execute Fourth Amendment to the Economic Development Agreement by and among OakTrust Development LLC, Steve Easley, the Broken Arrow Economic Development Authority, and the City of Broken Arrow

10. Preview Ordinances-NONE

11. Ordinances-NONE

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.

21 O.S. Section 280 provides the following:

- A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business or the business of any political subdivision, which includes publicly posted meetings, or any agency operations or any employee, agent, official or representative of the state or political subdivision.
- B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials or any political subdivision or its employees, agents or representatives or used in any manner to conduct state business or any political subdivision's business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel.
- C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.
- D. For purposes of this section, "disturb, interfere or disrupt" means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

A paper copy of this agenda is available upon request.

POSTED this ____ day of _____, ____, at _____ a.m./p.m.

City Clerk