



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

*Mayor Craig Thurmond*  
*Vice Mayor Scott Eudey*  
*Council Member Mike Lester*  
*Council Member Johnnie Parks*  
*Council Member Debra Wimpee*

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**Tuesday, December 19, 2017**

**6:30 PM**

**Council Chambers**  
**220 S. 1st Street**  
**Broken Arrow, OK**

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**AMENDED AGENDA**

**1. Call to Order**

**2. Invocation**

**3. Roll Call**

**4. Pledge of Allegiance to the Flag**

**5. Consideration of Consent Agenda**

- A. [17-1716](#) Approval of City Council Meeting Minutes of December 5, 2017
- B. [17-2804](#) Notification regarding the Broken Arrow City Council, its Boards and Trusts' regularly scheduled public meetings for calendar year 2018 have met statutory posting requirements pursuant to the Open Meeting Act
- C. [17-2984](#) Approval of Request to Appear forms and Guidelines for City Council meetings and all other City Boards and Commissions meetings
- D. [18-2](#) Approval of and authorization to execute Resolution No. 1062-Revised, a Resolution requesting assistance from the Oklahoma Department of Transportation in regard to constructing an industrial road to serve the Alfa Laval facility

- E.**     [17-3010](#)     Ratification of Resolution No. 1066, a Resolution authorizing the City Attorney to enter into a final Journal Entry of Judgment in the matter of City of Broken Arrow v REIP, LLC; Gordon-Williams Development, Inc.; Transok Pipe Line Company; Sunoco Mid-Con (IN) LLC; Sunoco Partners Real Estate Acquisition, LLC; Board of County Commissioners of Tulsa County; and Dennis Semler, County Treasurer, Treasurer of Tulsa County, Oklahoma Tulsa County District Court Case CJ-2017-01169, authorizing damages in the amount of \$155,000.00 and conveyance of approximately 0.67 acres of land generally located to the south and west of the southernmost dam and presently used as a pond; declaring the 0.67 acres of land generally located to the north of Broken Arrow Expressway west of North Juniper Place and West Concord Street adjacent to Battle Creek Golf Course surplus and authorizing conveyance of the land to REIP, LLC pursuant to a Quit Claim Deed and the Court’s order; approving and authorizing the execution of certain documents necessary to accomplish the declaration of surplus and transfer of title; and containing other provisions relating thereto
- F.**     [17-2981](#)     Approval of and authorization to execute Resolution No. 1071, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 4, which consists of 0.10 acres of permanent Right-of-Way for Olive Avenue Waterline, Tucson to New Orleans, in the N/2 of the NE/4 of the SE/4 of Section 32, Township 18 North, Range 14 East, Tulsa County, from Deenie Lucille Hummel, and authorization of payment in the amount of \$5,020.00 to Deenie Lucille Hummel for the Olive Avenue Waterline, Tucson to New Orleans Project (Project No. WL1610)
- G.**     [17-3000](#)     Approval of and authorization to execute a Modification of Encroachment Agreement with Explorer Pipeline Company (Project No. ST1709)
- H.**     [17-3003](#)     Notification of Retaining Structure Inspections Program Policy
- I.**     [17-3002](#)     Approval of and authorization to execute a Professional Consultant Agreement with Land3 Studio, LLC for the Design of Nienhuis Park Sand Volleyball Courts (Project No. 186023)
- J.**     [17-2991](#)     Award the lowest responsible bid to Builders Unlimited, Inc., and approve and authorize execution of a construction contract for Nienhuis Skate Park Parking Lot Lighting (Project No. 186002)
- K.**     [17-3001](#)     Award the lowest responsible bid to Builders Unlimited, Inc., and approve and authorize execution of a construction contract for Veterans Park Granite Memorial Wall and Pedestal (Project No. 186019A)

- L. [17-2988](#) Award of the lowest responsible bid to Cherokee Pride Construction and approval of and authorization to execute a construction contract for Stoneridge and Elm Stormwater Diversion System (Project Number SW1406A)
- M. [17-3009](#) Award the lowest responsible bid to Magnum Construction, Inc., and approve and authorize execution of a construction contract for Battle Creek Golf Club Connect Banquet Facilities & Pro Shop and Patio Extension (Project No. BC1712)
- N. [17-2990](#) Award of the lowest responsible bid to Stronghand, LLC and approval of and authorization to execute a construction contract for Leisure Park Splash Pad & Playground and Country Aire Park Playground (Project Nos. 176044 and 176045)
- O. [17-2997](#) Approval and authorization of Final Acceptance for the public improvement at KCL Commerce Crossing, located at 3925 West Albany Street
- P. [17-2998](#) Approval and authorization of Final Acceptance for the public improvements at The Reserve at Aspen Creek located at 1100 West Tucson Street
- Q. [17-2975](#) Acceptance of a Deed of Dedication from David A. Yonce and Misty M. Yonce, on property located one-quarter to one-half mile south of Jasper Street, east of Olive Avenue, Tulsa County, State of Oklahoma, (Section 09, T17N, R14E)
- R. [17-2996](#) Acceptance of a Utility Easement conveyed to the City of Broken Arrow for a tract of land that is part of Lot 21 Block 7 Stacy Lynn Fifth located in part of Section 15, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma.
- S. [17-2976](#) Acceptance of a Utility Easement Dedication from David A. Yonce and Misty M. Yonce, on property located one-quarter to one-half mile south of Jasper Street, east of Olive Avenue, Tulsa County, State of Oklahoma, (Section 09, T17N, R14E)
- T. [16-1602](#) Approval of the Broken Arrow City Council Claims List for December 19, 2017

**6. Consideration of Items Removed from Consent Agenda**

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

- A. [17-2980](#) Presentation and discussion of the 2017 Citizen Survey Results

**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. [17-2994](#) Presentation by Yeshe and Selemona Reshedo, discussion and possible action regarding the denial of a waiver of the SteepleChase Farms Assessment District
- B. [17-3015](#) Consideration, discussion and possible approval of Budget Amendment Number 2 for the Broken Arrow Convention and Visitors' Bureau Budget (Fund 27) for Fiscal Year 2018
- C. [17-2995](#) Consideration, discussion and possible approval of Resolution No. 1072, a Resolution of Necessity to file a Small Claims action against Deep, LLC dba Luxury Inn & Suites, 1401 N. Elm Place, Broken Arrow, Oklahoma 74012 for failure to report and pay Hotel Occupancy Tax owing for the period of December 2015 through November 2017
- D. [17-3019](#) Consideration, discussion and possible approval of Resolution No. 1076, a Resolution of Necessity to file a Small Claims action against Pride Hospitality, LLC dba LaQuinta Inn & Suites located at 451 W. Albany Street, Broken Arrow, Oklahoma 74012 for failure to report and pay Hotel Occupancy Tax owing for the period of May 2017 and July 2017
- E. [17-3018](#) Consideration, discussion, possible approval of and authorization to execute Resolution No. 1075, a Resolution authorizing an Agreement between the City of Broken Arrow, Casco Industries, Inc. and Mine Safety Appliances Company, LLC; reinstating Purchase Order Number 096106; and authorizing the Fire Department to accept the SCBA's (self-contained breathing apparatus) in accordance with the terms of the Agreement
- F. [17-3013](#) Consideration and possible approval of Resolution Number 1078, a resolution approving action taken by the Broken Arrow Municipal Authority authorizing the issuance of its promissory note in the principal amount of \$2,100,000 to the Oklahoma Water Resources Board; ratifying and confirming a lease agreement and operation and maintenance contract and a security agreement between the City and the Authority and containing other provisions relating thereto
- G. [17-3008](#) Consideration, discussion and possible approval of the selection of Berry Dunn McNeil & Parker, LLC dba BerryDunn and authorization to negotiate and execute a Professional Consultant Agreement with BerryDunn for the Enterprise Resource Planning System Consulting Services (RFP 18.107)
- H. [17-2982](#) Consideration, discussion, and possible approval of the nomination and appointment of Vince Snelling to the Broken Arrow Convention and Visitors' Bureau (CVB) Board with a term expiring September 30, 2019

## 10. Preview Ordinances - NONE

**11. Ordinances**

- A. [17-2992](#) Consideration, discussion, and possible adoption of Ordinance No. 3506, amending Section 3.1.F (Table 3.1-1), Table of Allowed Uses, and Section 5.8.D Downtown Residential Overlay District (DROD), of the City of Broken Arrow Zoning Ordinance; specifically including supplement A which contains the Downtown Residential Overlay District Design Standards; repealing all ordinances or part of ordinances in conflict herewith; 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 - 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