



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, February 16, 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. [16-143](#) Approval of Amended City Council Minutes for meeting of September 15, 2015
- B. [16-153](#) Approval of City Council Minutes for meeting of February 2, 2016
- C. [16-182](#) Approval of and authorization to execute Earth Change Pay Request Number #7 for Tri-Star Construction, LLC and Davis H. Elliott Construction Company, Inc., through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center
- D. [16-181](#) Approval of and authorization to execute Pay Request Number 8 for Professional Design Services through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center
- E. [16-179](#) Approval of and authorization to purchase Eight (8) Dell Latitude Rugged Extreme computers, Twelve (12) Havis docking stations and Twelve (12) High-gain Antennas from Dell Computers, pursuant to the Oklahoma Statewide Contract
- F. [16-194](#) Award the lowest and best bid to Midstate Traffic Control Inc., and approval of and authorization to execute a construction contract for Traffic Signal Renovation at Elm Place and the Creek Turnpike
- G. [16-160](#) Approval of PT15-119, Conditional Final Plat, Kum & Go 837, a replat of Lot 1, Block 1 of BOL Addition, 1 lot, 1.72 acres, CN to PUD 247/CN, west of Oneta Road, north of State Highway 51
- H. [16-159](#) Approval of Specific Use Permit, SP 275, Broken Arrow Public Schools,

42.00 acres, A-1, one-quarter mile north of Kenosha Street, west of 209th East Avenue

- I. [16-189](#) Approval of the Broken Arrow City Council Claims List for February 16, 2015

6. Consideration of Items Removed from Consent Agenda

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

- A. [16-184](#) Presentation by City Manager Michael Spurgeon of Power Point Presentation on his assessment of the City and its Public Trusts, observations, priorities, proposed revisions to the organizational structure and goals and objectives and related discussion

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. [16-157](#) Consideration, discussion and possible approval of BACP 150, Mockley/Broken Arrow Public Schools, 320.00 acres, Levels 4, 3, and 2, Public Recreation, and Public/Semi Public to Levels 4, 3, and 2 and Public/Semi Public, west of 209th East Avenue between Albany Street and Kenosha Street
- B. [16-152](#) Consideration, discussion and possible approval of a Release And Relinquishment Of Mutual Access Easements for Lot 2, Block 1 and Lots 1 and 2, Block 1 of Hillside Crossings (Plat No. 6505), belonging to Hillside Development LLC, Hillside Development Block 2, Lot 1, LLC and Shops at Lynn Lane, L.L.C., generally located north of the Broken Arrow Expressway, west of 9th Street, Tulsa County, State of Oklahoma (Section 02, T18N, R14E)
- C. [16-188](#) Consideration, discussion, possible approval of and authorization to execute Resolution No. 906, a Resolution authorizing the City Attorney to enter into the Final Entry of Judgment in AG Equipment Company v. The City of Broken Arrow, Oklahoma, et al., Tulsa County District Court Case No. CV-2016-108, authorizing foreclosure and vacation of an easement located at approximately one-half mile south of West Albany Street, east of North Olive Avenue, Broken Arrow, Oklahoma
- D. [16-187](#) Consideration, discussion, possible approval of and authorization to execute Resolution No. 907, Resolution authorizing the City Attorney to agree to Entry of Judgment without admitting liability in the matter of Wilmington Savings Fund Society, FSH, not in its individual capacity but solely as Trustee for the Primestar-H Fund I Trust, Plaintiff v. Brian Edmunds, et al., Defendants, Tulsa County District Court, Case No. CJ-2015-01386; and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including an execution of Journal Entry incorporating the resolution of the court's approval, pursuant to 51 O.S. § 158

- E. [16-180](#) Consideration, discussion and possible approval of bids received and award of the most advantageous bid to Premier Truck for the purchase of a dump truck base unit, 2017 Western Star
- F. [16-173](#) Consideration, discussion and possible approval to repeal the Broken Arrow Convention and Visitors' Bureau Bylaws
- G. [16-191](#) Consideration, discussion and possible approval of the Downtown Overlay District Coordinating Committee
- H. [16-192](#) Consideration, discussion and possible approval to issue a Request for Proposals for hiring a consulting firm for the Downtown Residential Overlay District

10. Preview Ordinances

- A. [16-149](#) Consideration, discussion and possible preview of an ordinance closing a utility easement on property located in Part of Lot One (1), Block One (1), Hillside Crossings, a subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, generally located north of the Broken Arrow Expressway and west of 9th Street; repealing all ordinances to the contrary; and declaring an emergency
- B. [16-174](#) Consideration, discussion and possible preview of an ordinance amending Chapter 2, Administration, Article XIV, Convention and Visitors' Bureau, Sec. 2-211 Created; Sec. 2-212 Appointments; Sec. 2-213. - Removal from office; Sec. 2-214. - Organization; Sec. 2-215. - Duties; Sec. 2-216. - Effective date of article - Repealed; and adding Sec. 2-217 Selection of Officers; Sec. 2-218 Codes of Ethics; and Sec. 2-219 Public Hearings. Specifically, incorporating the repealed Broken Arrow Convention and Visitors' Bureau Bylaws into these ordinances

11. Ordinances

- A. [16-162](#) Consideration, discussion and possible adoption of Ordinance No. 3378, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1945, granting an ON zoning classification be placed upon the tract along with PUD 242, generally located on the northeast corner of First Street and Detroit Street, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- B. [16-163](#) Consideration, discussion and possible adoption of Ordinance No. 3379, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1928, granting an IL zoning classification be placed upon the tracts, generally located east of Aspen Avenue and south of Kenosha Street, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- C. [16-164](#) Consideration, discussion and possible adoption of Ordinance No. 3380, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1933, granting a DM zoning classification be

placed upon the tracts, generally located on the southwest corner of Elgin Street and Main Street in the Original Town of Broken Arrow, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- D.** [16-165](#) Consideration, discussion and possible adoption of Ordinance No. 3381, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1938, granting a DM zoning classification be placed upon the tracts, generally located on the southwest corner of Ash Avenue and Commercial Street in the Original Town of Broken Arrow, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- E.** [16-166](#) Consideration, discussion and possible adoption of Ordinance No. 3382, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1769, granting A-1 and RD zoning classifications to be placed upon the tract along with PUD 176, generally located one-half mile east of 9th Street, south of College Street repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- F.** [16-167](#) Consideration, discussion and possible adoption of Ordinance No. 3383, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1929, granting an IL zoning classification be placed upon the tracts, generally located one-half mile north of Dearborn Street, east of 209th East Avenue, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- G.** [16-168](#) Consideration, discussion and possible adoption of Ordinance No. 3384, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1936, granting a DM zoning classification to be placed upon the tracts, generally located on the northwest corner of Main Street and Knoxville Street, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- H.** [16-074](#) Consideration, discussion and possible adoption of Ordinance No. 3395, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1898, granting a CH zoning classification be placed upon the tract along with PUD 226, generally located one-third mile south of Omaha Street, west of Aspen, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- I.** [16-170](#) Consideration, discussion and possible adoption of Ordinance No. 3396, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1925, granting a CN zoning classification be placed upon the tract along with PUD 232, generally located on the south side of Kenosha Street between Ash Avenue and Main Street, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- J.** [16-171](#) Consideration, discussion and possible adoption of Ordinance No. 3397, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving PUD 237, generally located east of the southeast corner of New Orleans Street and Aspen Avenue, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- K.** [16-172](#) Consideration, discussion and possible adoption of Ordinance No. 3398, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1887, granting an RS-3 zoning classification be placed upon the tracts, generally located south and west of the southwest corner of Tucson Street and Olive Avenue, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- L.** [16-176](#) Consideration, discussion and possible adoption of Ordinance No. 3409, an ordinance amending the Broken Arrow Code of Ordinances by amending Chapter 8, Cemeteries, Article II Park Grove Cemetery; Division 2. Babyland; Sec. 8-51., Created, to reflect the actual area used, Blocks 33 through 36, as designated for Babyland use, Sec. 8-55., Monuments and Markers, updated to include upright markers; and adding Division 3, Sec. 8-56., Created; Sec. 8-57. Niche, Sec. 8-58., Use of Property, Sec. 8-59., Identification of remains, Sec. 8-60., Cremains location, Sec. 8-61., Decorations, Sec. 8-62., Urn requirement, Sec. 8-63., Niche repair or destruction, Sec. 8-64., Errors, all providing for associated niche servicing and designating the remaining vacant blocks, Blocks 28 through 32 and Block 37 as an area for cremation niches; repealing all ordinances to the contrary; and declaring an emergency
- M.** [16-177](#) Consideration, discussion and possible adoption of Ordinance No. 3410, an ordinance temporarily establishing an alternative process for the review and issuance of building permits for buildings or structures designed for residential uses and proposed for location in downtown Broken Arrow, more specifically described as the one-half square mile area south of Kenosha Street, north of Houston Street, east of Elm Place and west of First Street; providing for an appeal process; providing effective and repeal dates; providing severability; and declaring an emergency
- N.** [16-175](#) Consideration, discussion and possible adoption of Ordinance No. 3411, an ordinance amending the Broken Arrow Code of Ordinances by amending Chapter 23, Traffic, Division 2, Parking Meters; Section 23-154. - Meter zones; installation of meters; marking of metered spaces; and parking zones, specifically deleting Section 23-154(C)(1) and (2) which defines the boundaries of the central business district, deleting reference to the central business district to be replaced by the Rose District; and to allow defendants who receive parking citations in the area to request to be placed on a Municipal Court docket to be heard before a Municipal Court Judge; 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 - 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