



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, October 18, 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. [16-1212](#) Approval of the Special Joint City Council and Broken Arrow Municipal Authority Meeting Minutes of September 27, 2016
- B. [16-963](#) Approval of City Council Meeting Minutes of October 4, 2016
- C. [16-1248](#) Acceptance of Planning Commission meeting minutes of September 8, 2016
- D. [16-1180](#) Approval of and authorization to allow two Fire Department employees to apply to and participate on the Oklahoma Taskforce 1 - Urban Search and Rescue Team
- E. [16-1253](#) Approval of and authorization to execute a Legal Services Agreement with Kiser Law Firm, PLLC for services related to the approval and issuance of General Obligation Bonds in one or more series
- F. [16-1254](#) Approval of and authorization to execute a Financial Services Agreement with Municipal Finance Services, Inc. for services related to the approval and issuance of General Obligation Bonds
- G. [16-1280](#) Approval of and authorization to execute Amendment No. 1 to Professional Services Contract with Nicholls Consulting, PLLC for project management assistance, EC160001
- H. [16-1230](#) Approval of bids received, award of the lowest responsible bid to A&A Asphalt, Inc., and approval of and authorization to execute a construction contract for Fairfax Concrete Repair, Mill and Overlay (Project No. ST1615)
- I. [16-1235](#) Approval of bids received and award the lowest responsible bid to Bob

Hurley Ford for the purchase of one (1) replacement refuse truck for the Parks Department

- J. [16-1231](#) Approval of bids received, award of the lowest responsible bid to H&G Paving Contractors, and approval of and authorization to execute a construction contract for Leisure Park I Mill and Overlay (Project No. ST1509A)
- K. [16-1266](#) Approval of bids received, award of the lowest responsible bid to 911 Custom, and approval of and authorization to purchase police vehicle equipment
- L. [16-1242](#) Waiver of formal competitive bidding, and approval of and authorization to purchase 27 Taser Conducted Electrical Weapons (CEW's), model X2, with accessories from Taser International, a sole source vendor
- M. [16-1223](#) Notification of Change Orders with a value of less than \$25,000 on Public contracts
- N. [16-1270](#) Notification of Architect-Engineer Agreements and Professional Services Contracts and Amendments with a value of less than \$25,000
- O. [16-1257](#) Final Acceptance of the public improvements (Water, Sanitary Sewer, Storm Sewer and Paving) for Rib Crib located at 121 West Kenosha Street
- P. [16-1247](#) Approval of Planned Unit Development (PUD)-161G, Bricktown West Extended, request for a major amendment to PUD-161, 0.87 acres, PUD-161/CG, one-quarter mile east of Olive Avenue, north of Kenosha Street
- Q. [16-1215](#) Acceptance of a Utility Easement and Temporary Construction Easement conveyed to the City of Broken Arrow a tract of land that is part of Lots Four (4) and Five (5), 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)
- R. [16-1258](#) Approval of public easement encroachment release of liability agreement for Robyn L. Green, one-half mile south of Washington Street, one-half mile east of Aspen Avenue at 1503 W. Canton Place
- S. [16-837](#) Approval of the Broken Arrow City Council Claims List for October 18, 2016

6. Consideration of Items Removed from Consent Agenda

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

- A. [16-1267](#) Presentation, appointment of, and swearing in of the Youth City Council members for the school year 2016 - 2017
- B. [16-1269](#) Presentation, discussion, and review of a proposed development for Red

Creek Dance Hall and Restaurant located between the Creek Turnpike and Tucson Street, West of Olive Street (Sect. 32, T18N, R14E) in the City limits of Broken Arrow, Oklahoma

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. [16-1274](#) Consideration, discussion, and possible approval of and authorization to execute a First Amendment to Ground Lease between the City of Broken Arrow, the Broken Arrow Economic Development Authority and Stoney Creek Investors of Broken Arrow, L.L.C., successor in interest to Stoney Creek Hospitality Corporation, an Iowa Corporation, for the purpose of correcting the legal description of the Conference/Convention Center
- B. [16-1275](#) Consideration, discussion, and possible approval of and authorization to execute an Acknowledgment and Waiver and a Ground Lessor Estoppel Certificate for property leased to Stoney Creek Investors of Broken Arrow, LLC, successor in interest to Stoney Creek Hospitality Corporation, for the Stoney Creek Hotel Conference Center located along West Albany Street between North Elm Place and Lynn Lane across from Bass Pro Outdoor World
- C. [16-1246](#) Consideration, discussion, and possible approval of Comprehensive Plan Change request, BACP-155, Indian Springs Elementary Site, 10.66 acres, Public/Semi-Public to Level 3, one-half mile south of Jasper Street, one-quarter mile east of Aspen Avenue
- D. [16-1241](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 943, a resolution regarding the adoption of the "GO Plan" as a part of the City of Broken Arrow Comprehensive Plan
- E. [16-1251](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 945, a resolution fixing the amount of Series 2016D bonds to mature each year, Fixing the time and place the bonds are to be sold and authorizing the Clerk to give notice of said sale as required by law; Approving the Preliminary Official Statement pertaining to said bonds; and approving a Legal Services agreement and a Financial Advisor Services agreement and containing other provisions with respect to the issuance of General Obligation Bonds
- F. [16-1261](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 947, a resolution of the Broken Arrow City Council approving, authorizing and accepting a contract for sale of real estate for real property located at 221 North 9th Street, Broken Arrow, Oklahoma 74012; approving and authorizing purchase of real estate pursuant to the contract for sale of real estate; and authorizing the City of Broken Arrow's expenditure of the sum of \$110,000.00 to effect such purchase, as well as reasonable and necessary costs; designating representatives of the City of Broken Arrow,

Oklahoma, for purposes of granting certain approvals and executing certain instruments as required under and in connection with said contract for sale of real estate; and containing other provisions relating thereto (9th Street widening project-Elgin to El Paso)

- G. [16-1238](#) Consideration, discussion, and possible approval to reschedule the November 15, 2016, Broken Arrow City Council meeting from Tuesday, November 15, 2016, to Monday, November 7, 2016, due to Council members attending the National League of Cities Annual Conference in Pittsburgh, Pennsylvania
- H. [16-1243](#) Consideration, discussion, and possible approval of the 2017 Calendar Year Schedule of Regular Meetings for the City Council

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

Executive Session for the purpose of confidential communications between the City Council, the City Manager, and the City Attorney, on matters pertaining to potential litigation and claims regarding public improvements and infrastructure, specifically the retaining wall on real property located on the North side of Tiger Hill (on the Southwest corner of Lynn Lane and Kenosha), and taking appropriate action in open session including direction to initiate claims or suit and settlement authority all under 25 O.S. § 307(B)(4).

In the opinion of the City Attorney, the Council is advised that the Executive Session is necessary to process the pending claims and/or potential litigation in the public interest. 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