



**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*

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**Tuesday, December 6, 2016**

**6:30 PM**

**Council Chambers**

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**1. Call to Order**

**2. Invocation**

**3. Roll Call**

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

**5. Consideration of Consent Agenda**

- A. [16-969](#) Approval of City Council Meeting Minutes of November 1, 2016
- B. [16-972](#) Approval of City Council Meeting Minutes of November 7, 2016
- C. [16-1413](#) Approval of and authorization to execute a renewal agreement with CoreSource, Inc. to continue to provide third party administration for the employee health and dental plan
- D. [16-1385](#) Acceptance of grant award from Firehouse Subs Public Safety Foundation, Inc. for the purchase of automated defibrillators and vented chest seals and approval of and authorization to execute a Memorandum of Understanding between the City of Broken Arrow and Firehouse Subs Public Safety Foundation, Inc.
- E. [16-1436](#) Acknowledgement of Department of Environmental Quality's Closure of Consent Order No. 16-180
- F. [16-1414](#) Ratification of a 2016 Promotional License between Ice Challenge Enterprises, LLC and the City of Broken Arrow for the installation and operation of an outdoor holiday ice rink at The Rose District Pavilion
- G. [16-1424](#) Notification of Architect-Engineer Agreements and Professional Services Contracts and Amendments with a value of less than \$25,000
- H. [16-1383](#) Approval of and authorization to execute a Clinical Rotation Agreement between Rogers State University and the City of Broken Arrow
- I. [16-1392](#) Approval of and authorization to execute an agreement for Professional

Consultant Services with Selser Schaefer Architects for concept design of the Center for Arts, Innovation, & Creativity (Project No. 161715)

- J. [16-1391](#) Review of bids received, award of the lowest responsible bid to Magnum Construction, Inc., and approval of and authorization to execute a construction contract for Broken Arrow Historical Museum, 3rd Floor Canopy (Project No. 156025)
- K. [16-1387](#) Approval of and authorization to surplus Cisco network equipment for trade-in credit towards the purchase of new Cisco network equipment from Chickasaw Telecom, Inc. per State Contract
- L. [16-1411](#) Review of bids received and award of the lowest responsible bid to purchase six (6) Stryker ambulance cots from Stryker Sales Corporation
- M. [16-1353](#) Approval of bids received and award the lowest responsible bid to Avery Dennison for a Trafficjet 1638 digital print system and laminator for the Street Division Sign Shop
- N. [16-1398](#) Approval of bids received and award the lowest responsible bid to Kubota Center for a Skid Steer Loader for the Street Division
- O. [16-1415](#) Notification of Change Orders and Work Orders with a value of less than \$25,000 on public contracts
- P. [16-1433](#) Approval of and authorization to execute Change Order C03 for Construction Contract ST1307, Dallas Street Improvements, Magnum Construction, Inc.
- Q. [16-1407](#) Approval of and authorization to execute Work Order WO-017, Contract for Portland Cement Concrete Street Repairs, Tri-Star Construction, Bid #16.126
- R. [16-1428](#) Acceptance of a General Warranty Deed for Parcel 5, which consists of 0.16 acres of permanent right-of-way for 23rd Street, Houston to Kenosha, in the Northwest Quarter of the Northwest Quarter of Section 18, Township 18 North, Range 15 East, at the Southeast Corner of 23rd Street and Houston Street, from Don C. and Mary H. Couch, for the 23rd Street Widening from Houston to Kenosha Project (Project No. ST0914)
- S. [16-1394](#) Acceptance of a Deed of Dedication from The William K. Warren Medical Research Center, Inc., located on the southwest corner of New Orleans Street and Aspen Avenue, Tulsa County, State of Oklahoma, (Section 28, T18N, R14E)
- T. [16-1435](#) Acceptance of a Utility Easement from The William K. Warren Medical Research Center, Inc., located on the southwest corner of New Orleans Street and Aspen Avenue, Tulsa County, State of Oklahoma, (Section 28, T18N, R14E)
- U. [16-847](#) Approval of the Broken Arrow City Council Claims List for December 06, 2016

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

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

- A. [16-1403](#) A public hearing regarding the annexation of property located on 27.97 acres of land and legally described as a tract of land in the South Half of the Southeast Quarter (S/2 SE/4) of Section One (1), Township Seventeen (17) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma
- B. [16-1397](#) Presentation of street system survey results by IMS Infrastructure Management Services, LLC
- C. [16-1437](#) Presentation regarding the road closure for Fort Worth Street between 1st Street and Main Street in association with Streetscapes Phase IV Public Improvements Project
- D. [16-1427](#) Presentation regarding the Broken Arrow Police Department Pedestrian and Motorists Safety Campaign

## **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. [16-1412](#) Consideration, discussion, and possible approval of and authorization to execute an agreement between Blue Cross and Blue Shield of Oklahoma and the City of Broken Arrow to allow the City to become an in-network provider
- B. [16-1425](#) Consideration, discussion, and possible approval of and authorization to execute an Second Amended Interlocal Agreement by and between the Cities of Bixby, Claremore, Collinsville, Glenpool, Jenks, Owasso, Sand Springs, Sapulpa, Skiatook, Tulsa, Broken Arrow and Rogers County and Indian Nations Council of Governments' (INCOG) regarding a Regional 911 Board for the purpose of shared management of 911 services
- C. [16-1393](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 958 a Resolution approving an amendment to the Fiscal Year 2016-2017 Amended Manual of Fees; establishing fees and costs charged by the City of Broken Arrow; authorizing periodic adjustment by the City Manager; and providing an effective date of December 6, 2016
- D. [16-1426](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 963, a Resolution authorizing the City Attorney to agree to enter into the Final Entry of Judgment without admitting liability in the matter of David and Christina Vranesevich and directing the City Attorney to prepare and file the necessary documents to effectuate settlement including a Journal Entry incorporating the resolution for the Court's approval pursuant to 51 O.S. § 158
- E. [16-1431](#) Consideration, discussion, and possible approval of and authorization to

execute Resolution No. 964, a Resolution authorizing the City Attorney to disclaim any interest in property located near 12631 South Garnett Road, Broken Arrow, Oklahoma, 74011, in a condemnation action entitled City of Tulsa, Oklahoma v. Eversole et al, filed by the City of Tulsa in the District Court in and for Tulsa County, State of Oklahoma, Case No. CJ-2016-4006 to acquire a sanitary sewer easement and temporary construction easement for the construction of the RMUA-ES-2009-10 C3 Force Main Improvements Haikey Creek Lift Station Rehabilitation Project

- F. [16-1439](#) Consideration, discussion, and possible approval of Resolution No. 965, a Resolution authorizing the City Attorney to enter into a Final Journal Entry of Judgment in the matter of the City of Broken Arrow v. The Board of County Commissioners of Tulsa County, the City of Broken Arrow, Public Service Company of Oklahoma, Oklahoma Natural Gas Company, A Division of OneGas, Inc., Southwestern Bell Telephone Company, and Coxcom, L.L.C., in Tulsa County District Court, Case Number: CV-2016-01527, authorizing Foreclosure of a Utility Easement generally located one-quarter mile east of Elm Place and north of Albany Street

## 10. Preview Ordinances

- A. [16-1404](#) Consideration, discussion, and possible preview of an Ordinance for the voluntary annexation of property located at 12830 South 189th East Avenue, Broken Arrow, Oklahoma 74011, containing 27.97 acres and legally described as a tract of land in the South Half of the Southeast Quarter (S/2 SE/4) of Section One (1), Township Seventeen (17) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma
- B. [16-1406](#) Consideration, discussion, and possible preview of an Ordinance opening an alley right-of-way, located on Lots 1 through 24, Block Forty (40), Original Town of Broken Arrow, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded Plat thereof; repealing all ordinances to the contrary including Ordinance No. 2932; and declaring an emergency
- C. [16-1430](#) Consideration, discussion, and possible preview of an Ordinance closing a utility easement on a part of Lot 3, Block 4, Bristol Ponds, an addition to the City of Broken Arrow, being a part of the southeast quarter (SE/4) of Section Fifteen (15), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma; repealing all ordinances to the contrary; and declaring an emergency
- D. [16-1416](#) Consideration, discussion, and possible preview of an Ordinance of the City Council of the City of Broken Arrow amending Chapter 2, Article IX, Section 2-151--Attendance; repealing all ordinances to the contrary; and declaring an emergency
- E. [16-1401](#) Consideration, discussion, and possible preview of an Ordinance amending Chapter 24, Article 1, Section 24-29--Annual water rate increase evaluation required; repealing all ordinances to the contrary; and declaring an

emergency

- F. [16-1402](#) Consideration, discussion, and possible preview of an Ordinance amending Chapter 24, Article 1, Section 24-114-Annual sewer rate increase evaluation required; repealing all ordinances to the contrary; and declaring an emergency
- G. [16-1422](#) Consideration, discussion, and possible preview of an Ordinance amending Section 2.1, Table 3.1-1, Section 3.2.A.2, Section 3.2.B.1, Section 3.2.B.2, Section 3.2.B.5, Section 3.3.C.2.b, Table 4.1-2, Section 4.1.E, and Section 5.9.J.4 of the Zoning Ordinance; along with modifications to Table 4.1, Section 4.1.2, and Section 4.1.3 of the Comprehensive Plan; specifically, adding a new Single-Family Residential Zoning District, RS-4, Single-Family Residential-4; repealing all Ordinances to the contrary and declaring an emergency

## **11. Ordinances**

- A. [16-1429](#) Consideration, discussion, and possible adoption of Ordinance No. 3459, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1937, granting CG and FD zoning classifications be placed upon the tract, generally located on the northeast corner of Dearborn Street and 23rd Street, repealing all ordinances or parts 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**

**Executive Session for the purpose of confidential communications between the City Council, the City Manager, and the City Attorney for the purpose of discussing and possible action in open session involving:**

- 1. The tort claims of David and Christina Vranesevich, including potential resolution, potential settlement, acceptance or denial of the claims and taking appropriate action in open session under 25 O.S. §307(B)(4);**
- 2. The tort claim of Juan Rodriguez, including potential resolution, potential settlement, acceptance or denial of the claim and taking appropriate action in open session under 25 O.S. § 307(B)(4);**
- 3. Discussion of a potential claim and potential litigation relating to a water line running through an Indian Allotment owned by Marcella Giles and Wynema Capps and taking appropriate action in open session under 25 O.S. § 307(B)(4);**
- 4. Discussion relating to negotiations for a collective bargaining agreement between the City and the International Association of Fire Fighters, Local 2551, and pending grievances and taking appropriate action in open session under 25 O.S. § 307(B)(2);**
- 5. Discussion of claims and potential litigation and potential authorization to file suit 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 Street), and taking appropriate action, including authorization to file suit in open session under 25 O.S. § 307(B)(4).**

**In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the potential litigation and pending claims 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