



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

Tuesday, August 21, 2018

6:30 PM

Council Chambers
220 S. 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. [18-967](#) Approval of the Broken Arrow City Council Minutes for August 07, 2018
- B. [18-919](#) Ratification of a Representation and Fee Agreement with McAfee & Taft, P.C., Attorneys at Law, for providing representation to the City in a Class Action lawsuit against the manufacturers and distributors of opioid prescription drugs such as OxyContin, Actiq and Fentora
- C. [18-810](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Latham, Stall, Wagner, Steele, & Lehman, Attorneys at Law for providing counsel and legal advice regarding workers compensation
- D. [18-979](#) Approval of and authorization to execute a Youth Counseling Agreement between the City of Broken Arrow and Youth Services of Tulsa County, Inc.
- E. [18-990](#) Approval of and authorization to execute Contract for Public Improvement for 2018 Community Development Block Grant Program
- F. [18-968](#) Award the most advantageous bid to Rush Truck Center for the purchase of one (1) articulating aerial device and truck chassis with utility body
- G. [18-981](#) Approval of and authorization of purchase a Three-Quarter (3/4) Ton Crew Cab Pickup (2019 Ford F-250) for the Information Technology Department from Bill Knight Ford, Pursuant to the Oklahoma Statewide Contract

- H. [18-950](#) Approval of and authorization to purchase one (1) mid-size utility vehicle from Bill Knight Ford pursuant to the Oklahoma Statewide Vehicle Contract, for the Communications/City Manager's office
- I. [18-992](#) Approval of and authorization to purchase one (1) ½ ton crew cab truck from John Vance Motors, pursuant to the Oklahoma Statewide Vehicle Contract, for the Streets and Stormwater Department
- J. [18-958](#) Approval of and authorization to purchase two (2) stainless steel sand spreaders from Southwest Trailer, pursuant to the Oklahoma Statewide Vehicle Contract, for the Streets and Stormwater Department
- K. [18-959](#) Approval of and authorization to purchase two (2) snow plows and hitches from Southwest Trailer, pursuant to the Oklahoma Statewide Vehicle Contract, for the Streets and Stormwater Department
- L. [18-989](#) Approval of and authorization to execute a Change Order CO4 for Construction Contract Bid No. 16.162A; Portland Cement Concrete Street Repair
- M. [18-978](#) Notification of City Manager's, Assistant City Manager's and Department Director's execution of Professional Consultant Agreements with a value of less than \$25,000
- N. [18-962](#) Acceptance of a Deed of Dedication from Dunhill Properties Rental, LLC by Abdul Salam Alhlou, on property located one-quarter mile east of Elm Place, north of Kenosha Street, Tulsa County, State of Oklahoma (Section 02, T18N, R14E)
- O. [18-963](#) Acceptance of a Utility Easement from Dunhill Properties Rental, LLC by Abdul Salam Alhlou, on property located one-quarter mile east of Elm Place, north of Kenosha Street, Tulsa County, State of Oklahoma (Section 02, T18N, R14E)
- P. [18-964](#) Acceptance of a Deed of Dedication from Johnnie D. Parks and Randal F. Parks, on property located one-half mile north of New Orleans Street, east of 1st Place, Tulsa County, State of Oklahoma (Section 23, T18N, R14E)
- Q. [18-965](#) Acceptance of a Utility Easement from Johnnie D. Parks and Randal F. Parks, on property located one-half mile north of New Orleans Street, east of 1st Place, Tulsa County, State of Oklahoma (Section 23, T18N, R14E)
- R. [18-970](#) Approval of and authorization to execute Resolution No. 1126, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 15, which consists of 0.0756 acres of permanent Right-of-Way for Washington Street Improvements, Garnett to Olive, in the Northeast Quarter of Section 20, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Aaron D. Meek, authorizing payment in the amount of \$3,295.00 for the Washington Street Improvements: Garnett to Olive, Parcel 15 (Project No. ST1616)

S. [18-971](#) Approval of and authorization to execute Resolution No. 1127, a Resolution authorizing acceptance of a Temporary Construction Easement for Parcel 15A, which consists of 0.0273 acres of permanent Right-of-Way for Washington Street Improvements, Garnett to Olive, in the Northeast Quarter of Section 20, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Aaron D. Meek, authorizing payment in the amount of \$298.00 for the Washington Street Improvements: Garnett to Olive, Parcel 15A (Project No. ST1616)

T. [18-972](#) Approval of and authorization to execute Resolution No. 1128, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 16, which consists of 0.0756 acres of permanent Right-of-Way for Washington Street Improvements, Garnett to Olive, in the Northeast Quarter of Section 20, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Aaron D. Meek, authorizing payment in the amount of \$3,295.00 for the Washington Street Improvements: Garnett to Olive, Parcel 16 (Project No. ST1616)

U. [18-973](#) Approval of and authorization to execute Resolution No. 1129, a Resolution authorizing acceptance of a Temporary Construction Easement for Parcel 16A, which consists of 0.0378 acres of permanent Right-of-Way for Washington Street Improvements, Garnett to Olive, in the Northeast Quarter of Section 20, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Aaron D. Meek, authorizing payment in the amount of \$412.00 for the Washington Street Improvements: Garnett to Olive, Parcel 16A (Project No. ST1616)

V. [18-49](#) Approval of the Broken Arrow City Council List for August 21, 2018

6. Consideration of Items Removed from Consent Agenda

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

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. [18-980](#) Consideration, discussion, and possible award of the lowest responsible bid to Cherokee Pride Construction, and approve and authorize execution of a construction contract for Albany Street (61st Street South) Southside Drainage Improvements (Project No. ST1411A)

10. Preview Ordinances

A. [18-994](#) Consideration, discussion and possible preview of an Ordinance of the City of Broken Arrow amending the City of Broken code of ordinances chapter 7, adding Article XV Medical Marijuana, Business Regulations and Licensing, Establishing Regulations for Retail Medical Marijuana Establishments, Commercial Marijuana growing facilities, Wholesale

Marijuana Facilities, Marijuana Storage Facilities; and repealing all ordinances to the contrary and declaring an emergency

11. Ordinances

A. [18-966](#) Consideration, discussion, and possible adoption of Ordinance No. 3535-Corrected, amending Chapter 10, Fire Prevention and Protection, Article I, In General, Section 10-3, Manufacture, Sale, Use, Etc., of firework, created, of the Broken Arrow Code of Ordinances; specifically referencing the Manual of Fees, repealing all ordinances to the contrary; and declaring an emergency

B. [18-961](#) Consideration, discussion, and possible adoption of Ordinance No. 3536, an Ordinance closing an alleyway on property located one-third mile south of Kenosha Street, one-half mile east of Elm Place, Tulsa County, State of Oklahoma, (Section 11, T18N, R14E); repealing all ordinances to the contrary; and declaring an emergency (Milestone)

C. [18-974](#) Consideration, discussion, and possible adoption of Ordinance No. 3537, an Ordinance repealing Chapter 4 of the Broken Arrow Code, Article V, Low-Point Beverages, Section 4-85, Definitions; Section 4-86 Transporting low point beer in open containers; possession in public places; Section 4-87. - Retail dealer's license; Section 4-88, Sale on Sunday and during certain hours; Section 4-89, Gambling, disorderly conduct, etc., on sales premises; Section 4-90, General regulations with respect to minors; Section 4-91, Sale or delivery to minors; Section 4-92, Minors not to misrepresent age for purpose of buying; Section 4-93, Possession by minors; Section 4-94, Sale or delivery to intoxicated, insane or mentally deficient persons; Section 4-95 Permitting intoxicated persons on sales premises; Section 4-96, Suspension or revocation of license; repealing all ordinances to the contract; and declaring an effective date of October 1, 2018

D. [18-975](#) Consideration, discussion, and possible adoption of Ordinance No. 3538, an Ordinance amending Chapter 4, Alcoholic Beverages, Article I, General Provisions, Section 4-1, Definitions; Section 4-13, Transporting alcoholic beverages in opened containers; possession in public places; Section 4-22, Employment of minors selling or handling; and Section 4-25, Operation of retailers prohibited during certain hours and on certain days; Section 4-33, Occupation tax-Levied; amount; of the Broken Arrow Code; repealing all ordinances to the contrary; and declaring an effective date of October 1, 2018

E. [18-976](#) Consideration, discussion, and possible adoption of Ordinance No. 3539, an Ordinance amending Chapter 16 Offenses-Miscellaneous, Article I, In General, Section 28, Possession of Marijuana and Controlled Dangerous Substances; Section 28.1, Prohibiting Possession, Delivery or Manufacture of Drug Paraphernalia; Exception; Penalty; of the Broken Arrow Code; 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