



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 4, 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. [16-960](#) Approval of City Council Meeting Minutes of September 20, 2016
- B. [16-1211](#) Approval of the Special Joint City Council and Convention and Visitors' Bureau Meeting Minutes of September 20, 2016
- C. [16-1189](#) Acceptance of Planning Commission meeting minutes of August 25, 2016
- D. [16-1194](#) Approval of Site Utility Payment Request Number 9 for Davis H. Elliott Construction Company, Inc., through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center
- E. [16-1193](#) Approval of and authorization to execute Pay Request Number 10 for Professional Design Services through the Vision 2025 Sales Tax Program in association with the Stoney Creek Hotel and Conference Center
- F. [16-1133](#) Approval to waive formal competitive bidding, and approval of and authorization to purchase CISCO Smartnet Maintenance Services from Chickasaw Telecom for computer network infrastructure and Voice Over Internet Protocol system functions, pursuant to the State contract
- G. [16-1185](#) Approval to reject bids on a construction contract for Westwind Charleston II Storm Sewer Improvements (Project No. SW1707), and find that rejection of bids is in the best interest of the Citizens of Broken Arrow
- H. [16-1217](#) Approval of bids received and award the most advantageous bid to WhiteStar Machinery for the purchase of a Bobcat E-55, 12,500-15,000 pound Mini Excavator for the Street Division

- I. [16-1182](#) Approval of bids received and award the lowest responsible bid to CPR of Tulsa for roof replacement services at Battle Creek
- J. [16-1186](#) Approval of BAZ-1963, 2.59 acres, A-RE to RE, one-quarter mile west of 23rd Street, one-half mile north of New Orleans Street
- K. [16-1202](#) Acceptance of a General Warranty Deed for a tract of land that is part of Lot One (1), Block Four (4), of Blocks 4 through 7, Arrow Village 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)
- L. [16-1203](#) Acceptance of a General Warranty Deed, Utility Easement, and Temporary Construction Easement conveyed to the City of Broken Arrow a tract of land that is part of Lot Four (4), Block Two (2), Lemon 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)
- M. [16-1201](#) Acceptance of a Utility Easement and Temporary Construction Easement for a tract of land that is part of Lots Six (6) and Seven (7), Block One (1), East Haskell 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)
- N. [16-834](#) Approval of the Broken Arrow City Council Claims List for October 04, 2016

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. [16-1198](#) Consideration, discussion, and possible approval of and authorization to execute a Second Amendment to the 2015 Employment Agreement, as amended between the City of Broken Arrow, Oklahoma and Michael L. Spurgeon
- B. [16-1192](#) Consideration, discussion, and possible approval of and authorization to execute a Memorandum of Understanding related to the intersection improvements at 23rd Street and Dearborn Street associated with the proposed Walmart Neighborhood Market No. 4622 at the northeast corner of 23rd Street and Dearborn Street, Broken Arrow, Tulsa County, State of Oklahoma
- C. [16-1197](#) Consideration, discussion, and possible approval of projects to be included in the next sale of General Obligation Bonds

- D.** [16-1183](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 941, a resolution of the Broken Arrow City Council approving, authorizing and accepting a contract for sale of real estate for real property located at 845 East Elgin Place, in Broken Arrow, Oklahoma and more particularly described as beginning in the Northeast corner of Block Two (2), Mound View Addition to the City of Broken Arrow, Tulsa County, State of Oklahoma, thence west fifty (50) feet; thence south one hundred forty (140) feet; thence east fifty (50) feet; thence north one hundred forty (140) feet to the point of beginning; 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 \$76,900.00 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)
- E.** [16-1196](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 942, a resolution authorizing the City Legal Department to file a nuisance abatement action in District Court to obtain a Decree ordering the abatement of a public nuisance regarding the property located at 17639 East 101st Street, Broken Arrow, Oklahoma 74011
- F.** [16-1176](#) Consideration, discussion, and possible approval of and authorization to execute a Mayor's Monarch Pledge from the National Wildlife Federation

10. Preview Ordinances - - NONE

11. Ordinances

- A.** [16-1191](#) Consideration, discussion, and possible adoption of Ordinance No. 3454, an ordinance amending the Broken Arrow Code of Ordinances Chapter 6, Buildings and Building Regulations, Article III.5 - International Residential Code (IRC), Section 6-36, Adopted; conflict with other regulations; Section 6-37, Amendments, specifically amending to become in compliance with the 2015 ICC International Residential Code, repealing all ordinances to the contrary

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, and possible action in open session on matters pertaining to the following:

- 1. Discussion of property located at 2001 Archdale Street, Broken Arrow, Oklahoma, including review of appraisal and possible authorization for acquisition and purchase of property for the public purpose of the 23rd Street Project, including acquisition of all necessary right-of-way and easements, under 25 O.S. § 307(B)(3).**
- 2. Discussion of property located at 2002 Archdale Street, Broken Arrow, Oklahoma, including review of appraisal and possible authorization for acquisition and purchase of property for the public purpose of the 23rd Street Project, including acquisition of all necessary right-of-way and easements, under 25 O.S. § 307(B)(3).**

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 pending 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