



City of Broken Arrow

Minutes City Council

City Hall
220 S 1st Street
Broken Arrow OK
74012

*Mayor Craig Thurmond
Vice Mayor Scott Eudey
Council Member Mike Lester
Council Member Johnnie Parks
Council Member Debra Wimpee*

Tuesday, April 2, 2019

Time 5:30 p.m.

Council Chambers

1. Call to Order

Mayor Craig Thurmond called the meeting to order at approximately 5:30 p.m.

2. Invocation

Invocation was performed by Pastor Ray Mills.

3. Roll Call

Present: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

4. Pledge of Allegiance to the Flag

Council Member Debra Wimpee led the Pledge of Allegiance to the Flag.

5. Consideration of Consent Agenda

Mayor Thurmond asked if there were any items to be removed from the Consent Agenda. There were none.

MOTION: A motion was made by Mike Lester, seconded by Johnnie Parks.

Move to approve the Consent Agenda

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

- A. 19-7** **Approval of the City Council Meeting Minutes of March 19, 2019**
- B. 19-266** **Approval of and authorization to execute a Proclamation declaring the week of April 14 - 20, 2019, as National Telecommunicators Week**
- C. 19-393** **Approval of and authorization to execute the FY-18 Single Audit Engagement Letter with Arledge & Associates, P.C. to conduct the Fiscal Year 2018 Audit and State Auditor and Inspector's Report**
- D. 19-240** **Approval of and authorization to execute a Master Consulting Agreement between the City of Broken Arrow and Industrial/Organizational Solutions to provide Promotional Examinations for the Fire Department**
- E. 19-399** **Approval of and authorization to execute a Memorandum of Understanding between the City of Broken Arrow and Broken Arrow Public Schools, for the donation of permanent right of way parcels located along the Broken Arrow Creek Trail, Project No. 146020**
- F. 19-386** **Award the most advantageous bid to Kelly-Cresswell for the purchase of one (1) truck mounted, airless road striping machine for the Streets and Stormwater Department**
- G. 19-374** **Award the most advantageous bid to Premier Truck Group # 2 for the purchase of one (1) 2020 Western Star 4700 SF with Firehouse D2 Standard dump truck for the Streets and Stormwater Department**
- H. 19-365** **Approval of and authorization to purchase one (1) Ford Explorer from Bill Knight Ford, pursuant to the Oklahoma Statewide Contract, for the Conventions and Visitors' Bureau and Business Retention and Expansion Departments**
- I. 19-377** **Approval of and authorization to purchase one (1) 1-ton crew cab & chassis truck from Bill Knight Ford, pursuant to the Oklahoma Statewide Vehicle Contract, for the Streets and Stormwater Department**
- J. 19-385** **Acceptance of a Temporary Construction Easement consisting of 1.2980 acres from Glenda and Thomas Bogle, the owners, on property located at 13545 South 177th East Avenue located in part of the Northwest Quarter of Section 12, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma, and authorization for payment in the amount of \$4,080.00 for the County Line Trunk Sewer Replacement, Parcel 3.A (Project No. S.1609A)**
- K. 18-1426** **Approval of the Broken Arrow City Council Claims List for April 02, 2019**

6. Consideration of Items Removed from Consent Agenda

There were no Items removed from the Consent Agenda. No action was required or taken.

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

A. 19-402 **Presentation of Recognition Certificate to Broken Arrow High School Student Chloe Dean for C-Span StudentCam Award**

Mayor Thurmond stated Ms. Chloe Dean had created an incredible video about what it meant to be an American. He commended Ms. Dean for her accomplishment and for winning a StudentCam Award which he believed was well deserved. He read the Recognition Certificate from the City of Broken Arrow recognizing her achievements and presented Ms. Dean with her Award.

B. 19-398 **A public hearing regarding the annexation of property located on approximately 1,240 acres located south of Dearborn Street (41st), east of 51st Street (Evans Road / 225th East Avenue) within all of Section 28, Township 19 North, Range 15 East, and parts of Section 27, Township 19 North, Range 15 East, and Section 33, Township 19 North, Range 15 East, and Section 4, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma and thereby amending the city's northern fence line in Wagoner County**

Director of Development Services, Michael Skates, reported this Public Hearing regarding possible land annexation into the City of Broken Arrow had been properly advertised through the proper channels. He stated the applicant was present.

Mayor Thurmond opened the Public Hearing and asked if any present wished to speak regarding Item 7B.

Citizen Larry Wilkinson stated his address was 6501 S. 241st East Avenue, Broken Arrow. He stated he was in favor of this annexation. He explained he lived across the street from this land and he looked forward to seeing this land developed. He stated 241st East Avenue was an extremely narrow busy road and he hoped the city would make it a priority to improve the road prior to land development.

Council Member Parks stated historically he had voted for many annexations and he appreciated that this property would come in under Broken Arrow jurisdiction for the Inspection Department and Zoning Department and, therefore, would become a quality component of Broken Arrow. Vice Mayor Eudey concurred.

Mayor Thurmond asked if any others wished to speak regarding Item 7B. Hearing none, he closed the Public Hearing.

C. 19-395 **Consideration, discussion, and possible approval of and authorization to execute a Proclamation in support of the 2020 Decennial Census**

Special Project Manager Farhad Daroga reported on April 1, 2020 the Decennial Census would be completed. He stated the Decennial Census was completed every 10 years and had a lasting impact on the city. He explained this proclamation reaffirmed the support for the Census and the activities which would be taking place from now until April 2020 regarding the Census. He stated Staff recommended approval of the proclamation.

MOTION: A motion was made by Mike Lester, seconded by Scott Eudey.

Move to approve and authorize execution of the Proclamation

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

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)

There were no Citizens who wished to address City Council on general topics related to City Business or Services.

9. General Council Business

A. 19-401 **Consideration, discussion, and possible approval of Resolution No. 1201, a Resolution of the City of Broken Arrow accepting a General Warranty Deed from the Broken Arrow Municipal Authority (BAMA) conveying all right, title, and interest in approximately 80 acres of land situated at 21500 East 96th Street, within the City of Broken Arrow, Wagoner County, State of Oklahoma; and containing other provisions relating thereto**

Mayor Thurmond stated this item and item 9B should be tabled until after the BAMA Meeting.

MOTION: A motion was made by Scott Eudey, seconded by Debra Wimpee.

Move to table Item 9A and Item 9B until after the BAMA Meeting

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

At approximately 5:51 p.m., following the Broken Arrow Municipal Authority and Broken Arrow Economic Development Authority Meetings, discussion resumed regarding Item 9A and Item 9B. City Attorney Trevor Dennis stated BAMA passed Resolution No. 1191 which declared the approximately 80 acres surplus and transferred the acreage over to the City. He stated Resolution No. 1201 was the City's formal acceptance of the transfer of property. He

stated the recommendation was to pass Resolution No. 1201.

MOTION: A motion was made by Mike Lester, seconded by Debra Wimpee.

Move to approve Resolution No. 1201 and authorize its execution

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

B. 19-391 Consideration, discussion, and possible approval of Resolution No. 1203, a Resolution of the Broken Arrow City Council, approving and authorizing execution of a certain Contract for Sale and Exchange of Real Estate by and among the City of Broken Arrow and the Independent School District No. 3 of Tulsa County, Oklahoma, a/k/a Broken Arrow Public Schools (the “District”), designating representatives of the City Council for purposes of granting certain approvals and executing certain instruments as required under and in connection with said contract; authorizing the acceptance of a General Warranty Deed from the District conveying all right, title and interest in the approximate 54.403 acres of identified as a tract of land that is part of Lot One (1), Block One (1), BAPS Elementary + ECDC - West Florence Street, and addition to the City of Broken Arrow, Tulsa County, State of Oklahoma; authorizing the conveyance of a General Warranty Deed to the District conveying all right, title and interest in the approximate 38.734 acres of city-owned property identified as a tract of land that is part of the Northwest Quarter (NW/4) and part of the Southwest Quarter (SW4) in Section Twenty (20), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma and containing other provisions relating thereto

This item was tabled until after the Broken Arrow Municipal Authority Meeting.

At approximately 5:51 p.m., following the BAEDA and BAMA Meetings, discussion resumed regarding Item 9A and Item 9B.

Mayor Thurmond stated this Resolution was to approve a “land swap” which enabled the Schools to build a much needed elementary school.

City Attorney Trevor Dennis concurred. Resolution No. 1203 authorized a land swap with the Schools, giving land to the City to develop a park and land to the Schools for construction of an elementary school. He stated the recommendation was for approval of Resolution No. 1203.

MOTION: A motion was made by Johnnie Parks, seconded by Scott Eudey.

Move to approve Resolution No. 1203 and authorize its execution

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

C. 19-345 Consideration, discussion, and possible approval of and authorization to execute a Professional Consultant Agreement with Guy Engineering Services, Inc., for design of Houston Street Widening from 9th Street to Old Hwy 51 (Project No. ST 1926)

Director of Engineering and Construction, Alex Mills, reported this item was for potential approval of a Professional Services Agreement with Guy Engineering Services, Inc. for the design of Houston Street from approximately 9th Street to approximately Highway 51. He stated this was a 2018 GO Bond transportation project which would widen the road from its existing two lane asphalt roadway to five lanes with berm and gutter, underground storm sewer, utility relocations and sidewalks. He recommended approval.

Council Member Lester asked if the design would take into account the larger industrial type trucks which would be utilizing this road. Mr. Mills responded in the affirmative.

City Manager Michael Spurgeon stated the residents to the south were concerned about access to the neighborhood during the construction. He asked if there would be sidewalks and curbs installed the entire length of the road and if the residents would be properly notified regarding the construction. Mr. Mills responded in the affirmative. He indicated a pre-design meeting with all the residents and business owners in the area, as well as stake holders, would be held to hear any concerns regarding the project.

Vice Mayor Eudey stated this was a very important project. He noted for three years he had been hearing about the need to widen this road. He stated he was excited to see this project beginning and that meetings were being held with the stake holders and residents who would be affected by the construction. Mr. Mills invited City Council to attend the meetings.

MOTION: A motion was made by Scott Eudey, seconded by Debra Wimpee.

Move to approval and authorize the execution of a Professional Consultant Agreement with Guy Engineering Services, Inc., for design of Houston Street Widening from 9th Street to Old Hwy 51 (Project No. ST 1926)

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

D. 19-368 Consideration, discussion, and possible approval of the reappointment of Mark Jones to the City of Broken Arrow Planning Commission for a three-year term to expire May 1, 2022

Development Services Director, Michael Skates, reported this item was to reappoint Mr. Mark Jones to serve an additional three year term on the Planning Commission to expire May 1, 2022. He stated Mr. Jones had served on the Planning Commission since March 1, 2016 and expressed a

willingness to continue.

MOTION: A motion was made by Mike Lester, seconded by Johnnie Parks.

Move to approve the reappointment of Mark Jones to the City of Broken Arrow Planning Commission for a three-year term to expire May 1, 2022

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

10. Preview Ordinances

A. 19-389 Consideration, discussion, and possible preview of an Ordinance for voluntary annexation of approximately 1,240 acres located south of Dearborn Street (41st), east of 51st Street (Evans Road / 225th East Avenue) within all of Section 28, Township 19 North, Range 15 East, and parts of Section 27, Township 19 North, Range 15 East, and Section 33, Township 19 North, Range 15 East, and Section 4, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma and thereby amending the city's northern fence line in Wagoner County, repealing all ordinances to the contrary; and declaring an emergency

Mr. Michael Skates reported this item was the companion to Item 7B, the Public Hearing for annexation of 1200 acres in the northeast part of Broken Arrow. He asked City Council to preview the Ordinance and set it for adoption.

MOTION: A motion was made by Johnnie Parks, seconded by Mike Lester.

Move to preview the Ordinance and set it for adoption

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

11. Ordinances

There were no Ordinances.

12. Remarks and Inquiries by Governing Body Members

Mayor Thurmond stated there was an election being held and he wished all the incumbents good luck.

13. Remarks and Updates by City Manager, including Recognition of Recent Accomplishments by Employees and Elected Officials

There were no remarks or updates by the City Manager.

14. Executive Session

There was no Executive Session.

Mayor Thurmond stated he would entertain a motion for a brief recess to enter into Broken Arrow Municipal Authority and Broken Arrow Economic Development Authority meeting.

MOTION: A motion was made by Debra Wimpee, seconded by Mike Lester.

Move for a brief recess to enter into BAMA and BAEDA

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

City Council reconvened at approximately 5:51 to discuss Item 9A and Item 9B (see above).

15. Adjournment

The meeting adjourned at approximately 5:53 p.m.

MOTION: A motion was made by Johnnie Parks, seconded by Mike Lester.

Move to adjourn

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

Attest:

Mayor

City Clerk