



City of Broken Arrow
Meeting Agenda
Broken Arrow City Council

Mayor Debra Wimpee
Vice Mayor Christi Gillespie
Council Member Johnnie Parks
Council Member Lisa Ford
Council Member Justin Green

Monday, June 17, 2024

6:30 PM

Council Chambers
220 South 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. [24-80](#) Approval of the City Council Meeting Minutes of June 3, 2024
- B. [24-759](#) Approval of the Payroll and Benefit Calendar for Fiscal Year 25
- C. [24-739](#) Approval of premium changes for the Employee Health Care Plan for Employees of the City of Broken Arrow, effective July 1, 2024
- D. [24-836](#) Approval of and authorization to execute 2022 and 2023 Community Development Block Grant (CDBG) Contract/Agreement Renewals with Tulsa County from July 1, 2024 to June 30, 2025 for the PY2023 Iola Street Rehab and City-Wide Emergency Housing Repairs and the PY2022 Old Town Waterline Replacement and Elm Avenue Storm Drainage Replacement
- E. [24-792](#) Approval of and authorization to execute a Risk Management Services Agreement with the Arrow Group to provide brokerage services for Risk Management and Insurance Services administration to be effective July 1, 2024
- F. [24-758](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and John Barnhart, P.C., Attorneys and Counselors at Law for providing outside counsel and legal advice regarding Workers' Compensation matters

- G. [24-770](#) Approval of and authorization to execute a Professional Services Agreement with Bradley Law, LLC, for providing counsel and legal advice regarding Franchise law
- H. [24-729](#) Approval of and authorization to execute an Emergency Medical Service Contract Agreement between Central Tech and the City of Broken Arrow
- I. [24-738](#) Approval of and authorization to execute an agreement between the City of Broken Arrow and Claims Recovery Specialists LLC for providing City Recovery and Adjustment Services for property damages to City-owned assets
- J. [24-832](#) Approval of and authorization to execute a service agreement quote with Donohue Commercial as primary, with Polar Bear Jack's, Jackson Mechanical, and Airco Service as secondary vendors based on response time for heating, ventilation, and air conditioning services
- K. [24-730](#) Approval of and authorization to ratify a Business Associate Agreement between the City of Broken Arrow and Hillcrest Hospital South
- L. [24-817](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Hovey Williams, LLP, Attorneys and Counselors at Law for providing counsel and legal advice regarding Patent law
- M. [24-754](#) Approval of and authorization to execute an Inter-local Agreement with Independent School District No. 3 (Broken Arrow Public Schools) for school crossing guards
- N. [24-837](#) Award the most advantageous bid to Hutchinson Salt Co. as primary, with Central Salt as secondary based on availability for the purchase of Medium Road Salt with YPS (Yellow Prussiate of Soda) for the Streets and Stormwater Department
- O. [24-755](#) Approval of and authorization to execute an Inter-local Agreement with Independent School District No. 9 (Union Public School District) for school crossing guards
- P. [24-768](#) Approval of and authorization to execute a Professional Services Agreement with Kivell, Rayment & Francis, P.C. for providing counsel and legal advice regarding right-of-way acquisitions, title opinions and property law
- Q. [24-747](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Latham, Keele, Lehman, Ratcliff, Carter & Clarke, Attorneys at Law for providing outside counsel and legal advice regarding Workers' Compensation matters

- R. [24-769](#) Approval of and authorization to execute a Professional Services Agreement with Metcalf & Spitler, LLP, for providing counsel and legal advice regarding the Tiger Hill Retaining Wall Design and Construction Defect Dispute with Contech, Inc., O.J.C., and Heartstone
- S. [24-820](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and McAfee & Taft, P.C. for providing counsel and legal advice regarding sovereignty law, employment law and labor law
- T. [24-776](#) Approval of and authorization to execute a Global Financial Professional Services Agreement with Municipal Finance Services
- U. [24-402](#) Ratification of a Letter of Agreement with Saint Francis Hospital South, for the Broken Arrow Fire Department uniformed employee's biennial physical examinations
- V. [24-772](#) Approval of and authorization to execute a Client Services Agreement between the City of Broken Arrow and TEAM Professional Services, Inc., to providing occupational services for pre-employment and employment requirements
- W. [24-726](#) Approval of and authorization to ratify a Clinical Rotation Agreement between Tulsa Technology Center and the City of Broken Arrow
- X. [24-791](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Two Oaks Investments, LLC, dba Consolidated Business Resources (CBR) to provide services for Workers' Compensation claims administration
- Y. [24-788](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Wood, Puhl & Wood , PLLC Attorneys and Counselors at Law for providing counsel and legal advice regarding civil rights and use of force cases
- Z. [24-828](#) Notification of City Manager's and Assistant City Manager's execution of Professional Consultant Agreements and Amendments to an Agreement, as well as public Construction Contracts not subject to the Competitive Bid Act, with a Contract value of \$50,000 or less
- AA. [24-744](#) Notification of Acting City Manager's execution of a Routeware integration project to interface with Munis
- AB. [24-771](#) Notification of the City Manager's execution of 60-day agreement with Arctic Wolf and termination of our services

- AC. [24-780](#) Approval of and authorization to execute the purchase of Oklahoma Municipal Assurance Group (OMAG) Insurance Policies for Bass Pro property, General Municipal Properties including Battle Creek Property, and Auto/Mobile Equipment effective July 1, 2024
- AD. [24-746](#) Approval of and authorization to purchase Whelen NWS Software Server and RapidWarn system via a sole source contract
- AE. [24-821](#) Award the most advantageous bid to Apac-Central, Inc., as primary with Anchor Stone Company as back-up, for purchase of Aggregate as needed
- AF. [24-825](#) Award the most advantageous bid to Apac-Central, Inc as primary, with Tulsa Asphalt as back-up vendor for asphalt as needed
- AG. [24-535](#) Approval of and authorization to execute the award of the lowest responsible bid to Envision Civil Contractors, LLC and approve the execution of a construction contract for the Preserve Park Pond North Path and Slope Repair project (SW24060)
- AH. [24-762](#) Approval of and authorization to execute the award of the lowest responsible bid to Envision Civil Contractors, LLC and approve the execution of a construction contract for the Dallas and 4th Stormwater Improvements project (SW23060)
- AI. [24-806](#) Approval of and authorization to execute the award of the lowest responsible bid to Stronghand, LLC and approve the execution of a construction contract for the Cedar Ridge Estates Drainage Improvements project (SW22050)
- AJ. [24-827](#) Award the most advantageous bid to Twin Cities Ready Mix, Inc. for Concrete as needed
- AK. [24-823](#) Award the most advantageous bid to Unicare Building Maintenance, Inc and authorize execution of a service agreement for Janitorial Services for City Hall, City Hall Annex, and Operations Office Building
- AL. [24-830](#) Award the most advantageous bid to Watkins Sand Co. Inc. for the purchase of Backfill Sand and Masonry Sand as needed and Award the most advantageous bid to Tulsa Topsoil Inc. for the purchase of Topsoil as needed
- AM. [24-834](#) Approval of and authorization to execute service agreement quote with Addco Electric, Inc. for electrician services
- AN. [24-838](#) Approval of and authorization to execute a service agreement with TLS Group Inc. for street light repair services along the Broken Arrow Expressway (Highway 51)

- AO. [24-839](#) Approval of and authorization to execute a service agreement with TLS Group Inc. for traffic signal repair services
- AP. [24-510](#) Approval of and authorization to execute Resolution No. 1589, a Resolution of Necessity to Condemn Property located at southwest corner of Elm Place and Albany Street, Broken Arrow, Oklahoma, located in Section 3, Township 18 North, Range 14 East of the Indian Meridian, Tulsa County, Oklahoma, for the Stone Ridge Stormwater Detention, Parcel 1.0 (Project No. SW1910)
- AQ. [24-509](#) Approval of and authorization to execute Resolution No. 1590, a Resolution of Necessity to Condemn Property located at 18574 East 101st Street, Broken Arrow, Oklahoma, located in Section 25, Township 18 North, Range 14 East of the Indian Meridian, Tulsa County, Oklahoma, for the County Line Trunk Sewer, Phase II, Parcel 21.0, 21.1 (Project No. 2154250)
- AR. [24-764](#) Approval of and authorization to execute Resolution No. 1585, a Resolution confirming the supplementation and publication of the City of Broken Arrow's Code of Ordinances
- AS. [24-766](#) Approval of and authorization to execute Resolution No. 1586, a Resolution confirming the supplementation and publication of the City of Broken Arrow's Code of Ordinances
- AT. [24-765](#) Approval of and authorization to execute Resolution No. 1587, a Resolution confirming the supplementation and publication of the City of Broken Arrow's Code of Ordinances
- AU. [24-785](#) Ratification of the Claims List Check Register Dated June 07, 2024

6. Consideration of Items Removed from Consent Agenda

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

- A. [24-816](#) Presentation of Certificate of Recognition to Judge Steven E. Edgar for 24 years of dedicated service as Judge for the City of Broken Arrow and approve and authorize its execution
- B. [24-756](#) Presentation of Metronet regarding installation of fiber-optic telecommunication services in Broken Arrow

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. [24-693](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No.1584, a Resolution of the Broken Arrow City Council adopting the Fiscal Year 2024-2025 Annual Budget for the City in accordance with the provision of the Municipal Budget Act
- B. [24-800](#) Consideration, discussion, and possible approval of and authorization to execute memorandums of understanding with Family and Children Services and Grand Mental Health to provide crisis prevention and mitigation services to the Police and Fire Department
- C. [24-701](#) Consideration, discussion, and possible approval of BAZ-001472-2024 (Rezoning), Oak Crossing, 39.36 acres, R-2 (Single-Family Residential) to RS-4 (Single-Family Residential), located approximately one quarter mile south of Houston Street (81st Street), and east of 23rd Street (193rd Avenue/County Line Road)
- D. [24-757](#) Consideration, discussion, and possible action regarding BAZ-001334-2024 (Rezoning) and SP-001335-2024 (Specific Use Permit), Floral Haven Expansion, 27 acres, A-1 (Agriculture) and R-1 (Single Family Residential) to A-1 (Agriculture)/SP-001335-2024, north of West Kenosha Street (East 71st Street South), and one quarter mile west of South Olive Avenue (South 129th East Avenue)
- E. [24-814](#) Consideration, discussion and possible appointment by the Mayor of a Presiding Judge for the Municipal Court for the City of Broken Arrow, Oklahoma effective 7-1-24 for a two-year term and approval and authorization to execute a Professional Services Contract
- F. [24-815](#) Consideration, discussion and possible appointment by the Mayor of an Alternate Judge for the Municipal Court for the City of Broken Arrow, Oklahoma, effective 7-1-24 for a two-year term and approval and authorization to execute a Professional Services Contract

10. Preview Ordinances-NONE

11. Ordinances

- A. [24-773](#) Consideration, discussion and possible Adoption of Ordinance No. 3832 amending Chapter 10, Fire Prevention and Protection, Article I, In General, Section 10.3, Manufacture, Sale, Use, Etc., of fireworks, of The Broken Arrow Code of Ordinances; Deleting the Permit Requirement and Fee; repealing all ordinances to the contrary; and declaring an emergency
- B. [24-774](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3832

- C. [24-808](#) Consideration, discussion, and possible adoption of Ordinance No. 3827-CORRECTED, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1643, generally located north of the northwest corner of County Line (South 193rd East Avenue), and East Albany Street (East 61st Street), granting CG (Commercial General) zoning classification upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- D. [24-809](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3827-CORRECTED

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, the City Attorney and any other pertinent staff members discussing, conferring on matters and possible action in open session pertaining to:

1. Litigation, including potential resolution and settlement, of a matter involving the worker's compensation claims of Kristopher Bowman, WCC #CM202-014818J and ##CM2121-02808J, including possible authorization to settle these claims, 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 litigation and disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding 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.

21 O.S. Section 280 provides the following:

A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business or the business of any political subdivision, which includes publicly posted meetings, or any agency operations or any employee, agent, official or representative of the state or political subdivision.

B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials or any political subdivision or its employees, agents or representatives or used in any manner to conduct state business or any political subdivision’s business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel.

C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

D. For purposes of this section, “disturb, interfere or disrupt” means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

A paper copy of this agenda is available upon request.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk