



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, May 15, 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. [18-495](#) Approval of City Council Meeting Minutes of May 1, 2018
- B. [18-531](#) Acceptance of Planning Commission Meeting Minutes of December 7, 2017, December 21, 2017
- C. [18-535](#) Acceptance of Planning Commission Meeting Minutes of January 11, 2018, and January 25, 2018
- D. [18-536](#) Acceptance of Planning Commission Meeting Minutes of February 8, 2018
- E. [18-571](#) 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
- F. [18-573](#) Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the R.C. Dickenson Family YMCA of Greater Tulsa for use of the Family Aquatic Center to teach swim lessons
- G. [18-567](#) Approval of and authorization to execute a Professional Consultant Agreement with AM:PM Consulting, LLC for the design, development, and implementation of Project Management Software (Project No. 185204)
- H. [18-546](#) Approval of and authorization to execute an Encroachment Agreement and Release of Liability from Big Star Real Estate, LLC for a portion of a structure built into a utility easement located on Lot 2, Block 8, Stacey Lynn Fifth, approximately one-half mile north of Washington Street and east of Aspen Avenue on (S15 T18N R14E)
- I. [18-569](#) Approval of and authorization to execute a Professional Consultant Agreement Amendment No. 1 with GH2 Architects, LLC for Detailed Design and Construction Bid Documents for Road Extension of East 115th Street South at the Fire Station No. 3 Replacement
- J. [18-564](#) Approval of and authorization to execute a Professional Consultant Agreement Amendment No. 1 with R.L. Shears Company, P.C., for Detailed Design and Construction Bid Documents of Downtown Main Street Streetscapes, Phase V - Waterline

- K. [18-568](#) Award the lowest responsible bid to Davis H. Elliott Construction Company, and approve and authorize execution of a construction contract for Turnberry and Eagle Creek Drainage Improvements (Projects No. SW1603/SW1604)
- L. [18-566](#) Acceptance of a General Warranty Deed and Mutual Access Easement conveyed to the City of Broken Arrow, Oklahoma, a municipal corporation, a tract of land located in part of the NW ¼ of Section 8, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma for the 209th Street Lift Station Improvements. (Project No. S.1608)
- M. [18-529](#) Approval of SP-199B (Specific Use Permit) Amendment to Abiding Harvest Church Signage, 16.76 acres, A-1/SP-199, one-third mile north of Florence Street (111th Street), east of Olive Avenue
- N. [18-543](#) Approval of PT13-104A, Conditional Final Plat, CSD Enterprises Amended, a replat of Block 1 and Reserve A of CSD Addition, and a replat of part of Lot 1 of Block 1 of Battle Creek Mini-Storage, 3 lots, 4.09 acres, PUD-226/CH and A-CH to PUD 226A/CH & IL, located one-quarter mile south of Omaha Street, west of Aspen Avenue
- O. [18-541](#) Approval of PT16-113A, Conditional Final Plat, Oak Creek South Phase III, 17.31 acres, R-1 to RS-3, one-half mile south of Houston Street, one-quarter mile east of 23rd Street, north of the M.K.&T. Railroad
- P. [18-31](#) Approval of the Broken Arrow City Council Claims List for May 15, 2018

6. Consideration of Items Removed from Consent Agenda

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

- A. [18-587](#) Presentation by the Tulsa City-County Library Staff regarding the Summer Reading Program, and possible action encouraging participation in the program and acceptance of the Tulsa Mayor's challenge to area communities

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. [18-479](#) Consideration, discussion, and possible approval of the proposed name change of the Chisholm Trail South Park (Events Park)
- B. [18-492](#) Consideration, discussion, and possible termination of Contract Number 166028 with Hoey Construction on the Indian Springs Baseball and Soccer Improvements Project
- C. [18-582](#) Consideration, discussion and possible approval of and authorization to execute a First Amendment to Economic Development Agreement by and among the City of Broken Arrow and B.A. Vespers, L.L.C.
- D. [18-580](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1101 authorizing the City Legal Department to file an action in District Court to obtain a Decree ordering the abatement of a public nuisance regarding the property located at 1124 West Florence Court, Broken Arrow, Oklahoma, 74011
- E. [18-579](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1102 authorizing the City Legal Department to file an action in District Court to obtain a Decree ordering the abatement of a public nuisance regarding the property located at 21460 East 45th Street South, Broken Arrow, Oklahoma 74014

- F. [18-578](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1103 authorizing the City Legal Department to file an action in District Court to obtain a Decree ordering the abatement of a public nuisance regarding the property located at 502 North 1st Street, Broken Arrow, Oklahoma 74012
- G. [18-586](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1105, a Resolution of the Broken Arrow City Council requesting that the Oklahoma Turnpike Authority (OTA) allow the City of Broken Arrow to place two Purple Heart signs on The Creek Turnpike in recognition of the service and sacrifice of the men and women of Broken Arrow who have served our country
- H. [18-576](#) Consideration, discussion, and possible reappointment of Steven E. Edgar as Presiding Judge and Dennis A. Sagely as Alternate Judge for the City of Broken Arrow Municipal Court
- I. [18-585](#) Consideration, discussion, and possible reappointment of Ted Cundiff to the Broken Arrow Economic Development Corporation (BAEDC) Board of Directors for a three year term beginning June 1, 2019 and expiring May 31, 2021
- J. [18-583](#) Consideration, discussion, and possible reappointment of Dr. Steve Tiger to the Broken Arrow Economic Development Corporation (BAEDC) Board of Directors for a three year term beginning June 1, 2019 and expiring May 31, 2021

10. Preview Ordinances

- A. [18-577](#) Consideration, discussion, and possible preview of an ordinance amending Chapter 16, Offenses-MISCELLANEOUS, Article I, IN GENERAL, Section 16-19, Begging, of the Broken Arrow Code; specifically to come in compliance with the United States Supreme Court ruling in Reed v. Town of Gilbert, Ariz., 135 S.Ct. 2218 (2015), repealing all ordinances to the contrary; and declaring an emergency
- B. [18-514](#) Consideration, discussion, and possible preview of an ordinance amending Chapter 26, Emergency Medical Services, of the City of Broken Arrow code of Ordinances, Section 26-8 Insurance Provision, Subrogation and Assignment; specifically providing the percentage of an emergency medical services bill to be paid by the subscriber to the City's Medical Service Program who is uninsured; repealing all ordinances to the contrary; and declaring an emergency

11. Ordinances

- A. [18-594](#) Consideration, discussion and possible adoption of Ordinance No. 3527, an Ordinance amending Chapter 24 - Water, Sewer and Sewage Disposal, Article III - Requirements for Sewer Service, Section 24 -303 - Back water Devices Required, more specifically adding regulations requiring backwater devices on all new buildings that contain sewer service; 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