



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

Monday, November 5, 2018

6:30 PM

Council Chambers
220 South 1st Street
Broken Arrow, OK

AGENDA OF RESCHEDULED MEETING

1. Call to Order

2. Invocation

3. Roll Call

4. Pledge of Allegiance to the Flag

5. Consideration of Consent Agenda

- A. [18-1131](#) Approval of City Council Meeting Minutes of October 16, 2018
- B. [18-1286](#) Approval of and authorization to execute Budget Amendment Number 1 for Public Safety Sales Tax Fund-Police for Fiscal Year 2019
- C. [18-1265](#) Approval of travel expenses for Mayor Craig Thurmond to attend the White House Roundtable on Housing Affordability in Washington, D.C. on November 16, 2018
- D. [18-1173](#) Approval of and authorization to publish the yearly notification of regularly scheduled meetings of the Broken Arrow City Council, and its Boards and Trusts
- E. [18-1298](#) Approval of and authorization to execute an Administrative Services Agreement with Delta Dental Plan of Oklahoma to provide network and administrative services for dental claims
- F. [18-1222](#) Approval of and authorization to execute a Court Agreement and Addendum with American Municipal Services Corporation to collect outstanding fines and warrants

- G.** [18-1206](#) Approval of and authorization to execute agreement with Oklahoma Natural Gas Company (ONG) for the relocation of ONG facilities on the Washington Street Improvements from Garnett to Olive (Project No. ST1616)
- H.** [18-1272](#) Approval of and authorization to execute Gas Facilities Relocation Agreement between Oklahoma Natural Gas Company (ONG) and the City of Broken Arrow for 23rd Street Houston to Kenosha Street Widening and Drainage Improvements (Project ST0914)
- I.** [18-1278](#) Approval of and authorization to execute Amendment Number 1 to agreement with Oklahoma Department of Transportation (ODOT) for the construction of Industrial Access Project, Project Number J3-3585(004), Job Piece Number 33585(04) pertaining to the City of Broken Arrow project - Nashville Street Industrial Collector Road and Waterline (Project Number ED1701)
- J.** [18-1273](#) Approval of and authorization to execute agreement with Oklahoma Department of Transportation (ODOT) for the improvements of the SH-51 (Broken Arrow Expressway) eastbound off-ramp to Lynn Lane (177th East Avenue/9th Street) as it relates to Traffic Signal Modification 9th Street & SH 51 Ramps (Project No. TS1801)
- K.** [18-1285](#) Approval of and authorization to execute an annual Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Amateur Basketball Association
- L.** [18-1279](#) Approval of and authorization to execute a Promotional License between Ice Challenge Enterprises, LLC and the City of Broken Arrow for the installation and operation of an outdoor holiday ice rink at the Rose District Pavilion
- M.** [18-1267](#) Approval of and authorization to withdraw the purchase of one (1) 3/4-ton crew cab truck from Bob Howard Dodge and delay the purchase until after the statewide vehicle contract is updated
- N.** [18-1174](#) Approval of and authorization to purchase one (1) ¾ ton cargo van from Bob Howard Dodge, pursuant to the Oklahoma Statewide Vehicle Contract, for the Fire Department
- O.** [18-1295](#) Approval of and authorization to purchase annual software maintenance services from Granicus
- P.** [18-1282](#) Notification of Professional Services Contracts with value of less than \$25,000 (Contract No. SURV 19-02)

- Q.** [18-1297](#) Approval of and authorization to execute Resolution No. 1142-Corrected, a Resolution of Necessity to Condemn Property located in the SW/4 of Section 17, T-18-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma, for the Washington Street Improvements, Garnett to Olive (Project No. ST1616)
- R.** [18-1262](#) Approval of and authorization to execute Resolution No. 1155, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 4.0, which consists of 0.0169 acres of permanent Right-of-Way and a Temporary Construction Easement for Parcel 4.1, which consists of 0.0011 acres for Kenosha Street Improvements, Date to Main, located in the Southwest Quarter of Section 2, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from JTD III Investments, LLC and authorization of payment in the amount of \$11,500.00 for the Kenosha Street Improvements: Date to Main, (Project No. ST1409)
- S.** [18-1244](#) Approval of and authorization to execute Resolution No. 1156, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 3, which consists of 0.12 acres of permanent Right-of-Way for Florence Street Improvements, Olive to Aspen, located in the Southwest Quarter of Section 28, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Brooklyn Michelle and Micah David Clopton-Green and authorization of payment in the amount of \$5,040.00 for the Florence Street Improvements: Olive to Aspen, (Project No. ST1410)
- T.** [18-1246](#) Approval of and authorization to execute Resolution No. 1157, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 11a, which consists of 0.18 acres of permanent Right-of-Way and a Temporary Construction Easement for Parcel 11b, which consists of 0.010 acres for 37th Street Improvements, Albany to Houston, located in the Southeast Quarter of Section 7, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma, from Roger Poffen and authorization of payment in the amount of \$66,500.00 for the 37th Street Improvements: Albany to Houston, (Project No. ST1413)
- U.** [18-1242](#) Approval of and authorization to execute Resolution No. 1158, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 16, which consists of 0.13 acres of permanent Right-of-Way for Florence Street Improvements, Olive to Aspen, located in the Northeast Quarter of Section 33, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Aimee Marie Gudis and Lyndsey Lanae Dee and authorization of payment in the amount of \$9,150.00 for the Florence Street Improvements: Olive to Aspen, (Project No. ST1410)

- V. [18-1263](#) Approval of and authorization to execute Resolution No. 1160, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 18, which consists of 0.08 acres of permanent Right-of-Way for Washington Street Improvements, Garnett to Olive, located at 11610 E 91st Street in the Northwest Quarter of Section 20, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from 91st Land, LLC, the owner, authorization of payment in the amount of \$7,060.00 for the Washington Street Improvements: Garnett to Olive, Parcel 18 (Project No. ST1616)

- W. [18-1264](#) Approval of and authorization to execute Resolution No. 1163, a Resolution of Necessity to Condemn Property located in the Northwest Quarter of Section 7, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma for the 23rd Street: Houston to Kenosha, widening project. Parcel 9 (Project No. ST0914)

- X. [18-1230](#) Approval of BAZ-2013, EuroTexan, 1.05 acres, 1 lot, A-1 to CG, west of the southwest corner of Kenosha Street and Evans Road

- Y. [18-1226](#) Approval of SP-291, Waters Edge Winery, 0.08 acres, request for a Specific Use Permit for micro food and beverage production in Area 6 of the Downtown Residential Overlay District, one-half mile north of Houston Street, west of Main Street at 116 South Main Street

- Z. [18-1274](#) Acceptance of a Temporary Construction Easement from Gwendolyn L. McCullough Trust on property located at 4501 W Washington Street in the Northwest Quarter of Section 20, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the Washington Street Improvements, Garnett to Olive, Parcel 17A (Project No. ST1616)

- AA. [18-1281](#) Acceptance of a two (2) Temporary Construction Easements from Independent School District No. 3 of Tulsa County, Oklahoma, a.k.a. Broken Arrow Public Schools, on property located at 1301 East Albany Street, a tract of land in part of the Northwest Quarter of Section 1, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the Southside Drainage Improvements, Parcels 3 and 4 (Project No. ST1411A)

- AB. [18-64](#) Approval of the Broken Arrow City Council Claims List for November 05, 2018

6. Consideration of Items Removed from Consent Agenda

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

- A. [18-1284](#) Certificate of Recognition for citizens and employees for life-saving and heroic efforts presented by Mayor Thurmond

- B. [18-1287](#) Presentation of Financial Statements for the first quarter of Fiscal Year 2019 for the General Fund, Police Sales Tax Fund, Fire Sales Tax Fund, Sales Tax Capital Improvements Fund and the Broken Arrow Municipal Authority

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. [18-1250](#) Consideration, discussion, and possible approval to proceed with development of construction documents for Phase 1 of the Creative Arts Center project
- B. [18-1223](#) Consideration, discussion, and possible approval of PUD-189C (Planned Unit Development), Highland 55 at Mission Hills, 19.62 acres, PUD-189/RM to PUD-189C/RM, located north of Albany Street, one-third mile west of 9th Street
- C. [18-1289](#) Consideration, discussion, and possible approval of and authorization to execute the Fiscal Year 2018-19 Collective Bargaining Agreement with the International Association of Firefighters Local #2551
- D. [18-1268](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1164, a Resolution supporting the U.S. Census Bureau's efforts to conduct a Complete and Accurate Count for the decennial 2020 Census

10. Preview Ordinances -- NONE

11. Ordinances -- NONE

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 and conferring on matters pertaining to:

1. Potential litigation, including potential resolution of Joey Brashears v. City of Broken Arrow, a pending tort claim, including possible authorization to settle this tort claim, under 25 O.S. §307 (B)(4)
2. Potential litigation, including potential resolution of Amanda Ellsworth v. City of Broken Arrow, a pending tort claim, including possible authorization to settle this tort claim, 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 possible litigation and that 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.

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

City Clerk