



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, January 15, 2019

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. [19-2](#) Approval of the City Council Meeting Minutes of January 2, 2019
- B. [19-101](#) Accept minutes of Planning Commission meetings held in 2018
- C. [19-121](#) Approval of and authorization to purchase one (1) 3/4-ton crew cab pickup from Carter Chevrolet, pursuant to the Oklahoma Statewide Vehicle Contract, for the Information Technology Department
- D. [19-135](#) Approval of and authorization to purchase one (1) Reel Mower from Professional Turf pursuant to the Oklahoma Statewide Mower and Hand Held Equipment contract, for the Battle Creek Golf Course
- E. [19-108](#) Approval of and authorization to purchase one (1) Road Widener from G. W. Van Keppel pursuant to the Oklahoma Statewide Vehicle Contract, for the Streets and Stormwater Department
- F. [19-136](#) Award the most advantageous bid to Kelly-Creswell for the purchase of one (1) truck mounted road striping machine for the Street and Storm Water Department
- G. [19-83](#) Award the lowest responsible bid to Midstate Traffic Control, Inc. and approve and authorize execution of a construction contract for the Hillside Drive and 23rd Street Traffic Signal (TS1901)
- H. [19-128](#) Award the lowest responsible bid to Cherokee Pride Construction and approve and authorize execution of a construction contract for the Florence Street Bridge Repair over Creek Turnpike (ST1938)
- I. [19-125](#) Acceptance of Temporary Construction Easements consisting of 0.08 acres and 0.15 acres from the Johnny Lee and Betty Jo Henry Trust, on property located at 12426 S 185th E Ave located in part of the Northwest Quarter of Section 1, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma, and authorization for payment in the amount of \$300.00 for the County Line Trunk Sewer Replacement, Parcel 6.1, 6.2 (Project No. S.1609)

- J. [19-124](#) Acceptance of a Utility Easement consisting of 0.15 acres and 0.05 acres of Temporary Construction Easement from the Gary Dean Jr & Ann Marie Heimbach, on property located at 11228 S 193rd E Avenue, located in part of the Northeast Quarter of Section 36, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, and authorization for payment in the amount of \$9,800.00 for the County Line Trunk Sewer Replacement, Parcel 17.0, 17.1 (Project No. S.1609)
- K. [19-104](#) Approval of BAZ-2018, Indian Springs Elementary School site, 10.66 acres, R-2 to ON, one-half mile south of Jasper Street (131st Street), one-quarter mile east of Aspen Avenue (145th East Avenue)
- L. [19-106](#) Approval of PT18-110, Conditional Final Plat, Casey's General Store 2, Lot 1, Block 1, 1.31 acres, 1 Lot, CG, northeast corner of Aspen Avenue and Florence Street
- M. [19-109](#) Approval of PUD-248 (Planned Unit Development) and BAZ-2020 (Rezoning), Attic Storage, B.A., 10.15 acres, R-2/CH to PUD-284/CH and IL, located one-quarter mile east of Aspen Avenue (145th East Avenue), north of Tucson Street (121st Street)
- N. [19-123](#) Approval of Planned Unit Development (PUD) 285, Indian Springs Elementary School site, 10.66 acres, R-2 to ON, one-half mile south of Jasper Street (131st Street), one-quarter mile east of Aspen Avenue (145th East Avenue)
- O. [18-1411](#) Approval of the Broken Arrow City Council Claims for January 15, 2019

6. Consideration of Items Removed from Consent Agenda

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

- A. [19-84](#) Presentation of Gold Ball by Broken Arrow Tigers State Championship Football Team and possible acceptance of a replica Gold Ball Trophy by Broken Arrow City Council
- B. [19-140](#) Presentation regarding the road closure of 9th Street in association with the 9th Street Public Improvements Project
- C. [19-154](#) Presentation regarding the Broken Arrow Police Department partnership with Neighbors App by Ring

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. [19-138](#) Consideration, discussion, and possible approval of Resolution 1180, a Resolution approving action taken by the Broken Arrow Municipal Authority authorizing the issuance of its promissory note in principal amount not in excess of \$4,255,000 to the Oklahoma Water Resources Board; ratifying and confirming a lease agreement and operation and maintenance contract and a security agreement between the City and the Authority and containing other provisions relating thereto
- B. [19-103](#) Consideration, discussion, and possible approval of BAZ-2019, McGraw Expansion, 0.45 acres, R-3/DROD Area 1 to DM/DROD Area 6, one-eighth mile north of Houston Street (81st Street), one-half mile east of Elm Place (161st E. Avenue) on the northeast corner of Ash Avenue and Galveston Street
- C. [19-105](#) Consideration, discussion, and possible approval of BAZ-2017, International Christian Assembly of Tulsa, 5.12 acres, R-1 to ON and the abrogation of a portion of SP 74 and SP 74A, north of Houston Street (81st Street), one-half mile east of Garnett Road (113th East Avenue)

10. Preview Ordinances

- A. [19-112](#) Consideration, discussion, and possible preview of an ordinance amending the Broken Arrow Code of Ordinances, Appendix A, Zoning Ordinance, Chapter 5, Development Standards, Section 5.8, District-specific standards, Subsection D, Downtown residential overlay district (DROD), specifically sub-paragraph 1, Purpose; adopting Design Standards-Downtown Residential Overlay District- 2019, repealing all ordinances to the contrary and declaring an emergency

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. Litigation, including potential resolution, of a matter involving of City of Broken Arrow v Contech Inc. et al, Tulsa County District Court Case Number CJ-2017-00295, and taking appropriate action in open session, including possible authorization to settle this tort claim, under 25 O.S. §307(B)(4).**
- 2. Litigation, including potential resolution, of a matter involving the litigation case of City of Broken Arrow vs. Nikel Investment, LLC et al., Tulsa County District Court Case Number CJ-2017-1470, 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.

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

City Clerk