



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, February 5, 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. [19-3](#) Approval of the City Council Meeting Minutes of January 15, 2019
- B. [19-183](#) Accept Planning Commission meeting minutes of January 10, 2019
- C. [19-211](#) Approval of and authorization to execute a Letter of Intent to enter into a real estate contract to purchase property located in the SW/4 of the SW/4 of Section 17, Township 18 North, Range 14 East from Vicki McBride, Necessary for the completion of the Washington Street Improvements- Garnett Road to Olive Avenue project
- D. [19-179](#) Approval of and authorization to execute an amended lease agreement with Sharon K. Petrik and the City of Broken Arrow for office space lease for the Broken Arrow Convention and Visitors' Bureau located at 111 East Commercial Street
- E. [19-150](#) Approval of and authorization to execute an Agreement between the City of Broken Arrow and the Broken Arrow MVA dba Military History Center for the relocation of Decorative Granite Walls
- F. [19-148](#) Approval of and authorization to execute Professional Consultant Agreement with PDG, LLC dba Planning Design Group for Vandever Park Playground Improvements (Project No. 196025)

- G.** [19-203](#) Approval of and authorization to execute Amendment No.1 to Professional Services Contract with Roberson & Company Realty Advisors, LLC for Professional real estate appraisals and related support services (Contract No. APPR 19-02)
- H.** [19-202](#) Approval of and authorization to execute Amendment No.1 to Professional Services Contract with Valbridge Property Advisors / Walton Property Services, LLC for Professional real estate appraisals and related support services (Contract No. APPR 19-01)
- I.** [19-208](#) Approval of and authorization to execute a License Agreement to allow Fairway Park Homeowners Association to place three benches within the rights-of-way of North 16th Street, Broken Arrow, Oklahoma
- J.** [19-215](#) Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Softball Club, Incorporated (BASCI)
- K.** [19-214](#) Notification of City Manager's and Assistant City Manager's execution of Professional Consultant Agreements with a value of less than \$25,000
- L.** [19-129](#) Award the lowest responsible bid to Cherokee Pride Construction and approve and authorize execution of a construction contract for the Aspen Pond - West Boston Court Drainage improvements (SW1918)
- M.** [19-222](#) Waiver of formal competitive bidding, and approval of and authorization for the sole source purchase of Video Detection Systems from Gades Sales Company, Inc., for the Traffic Signals Maintenance Division of the Streets and Stormwater Department
- N.** [19-213](#) Approval of and authorization to purchase one (1) one-ton regular cab and chassis from Bill Knight Ford, pursuant to the Oklahoma Statewide Vehicle contract, for the Parks Department
- O.** [19-209](#) Approval of and authorization to waive the sidewalk requirement along a portion of East 37th Street associated with a single family home immediately east of 23rd Street (193rd East Avenue and/or County Line) and immediately north of East 37th Street, part of Steeple Chase Subdivision, Broken Arrow, Oklahoma
- P.** [19-151](#) Approval of BAZ-2021, KB Rezoning, 5 acres, 1 lot, A-1 to RS-2, one-quarter mile south of Kenosha Street (71st Street), west of East 51st Street (Evans Road)
- Q.** [19-163](#) Approval of BAZ-2022, Snead - Allen rezoning, 64.27 acres, A-1 to R-2 and FD, one-eighth mile east of 23rd Street (County Line Road/193rd East Avenue), one-half mile north of Florence Street (111th Street)

- R. [19-190](#) Approval of and authorization to execute Resolution No. 1181, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 19, and a Temporary Construction Easement for Parcel 19A for Washington Street Improvements, Olive to Garnett, specifically located in the Northwest Quarter of Section 20, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Nghi Uy Truong and Diem Thuy Khoa Nguyen and authorization of payment in the amount of \$1,320.00 for the Washington Street Improvements: Olive to Garnett, (Project No. ST1616)
- S. [19-189](#) Approval of and authorization to execute Resolution No. 1182, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 20, and a Temporary Construction Easement for Parcel 20A for Washington Street Improvements, Olive to Garnett, specifically located in the Northwest Quarter of Section 20, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Nghi Uy Truong and Diem Thuy Khoa Nguyen and authorization of payment in the amount of \$3,680.00 for the Washington Street Improvements: Olive to Garnett, (Project No. ST1616)
- T. [19-193](#) Acceptance of Temporary Construction Easements consisting of 0.64 acres and 1.20 acres from KAM LLC, an Oklahoma limited liability company, on property located at 12100 South 185th East Avenue 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 \$2,400.00 for the County Line Trunk Sewer Replacement, Parcel 9.1, 9.2 (Project No. S.1609)
- U. [19-188](#) Acceptance of a Utility Easement consisting of 0.17 acres and 0.28 acres of Temporary Construction Easement from the CRS Sanders Investments, LLC, on property located at the 115th and 23rd Street, 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 \$19,830.00 for the County Line Trunk Sewer Replacement, Parcel 14.0, 14.1 (Project No. S.1609)
- V. [19-187](#) Acceptance of a Utility Easement consisting of 0.08 acres and 0.39 acres of Temporary Construction Easement from the W. Paul Sommer Revocable Trust, on property located at the northwest corner of S 23rd and the Creek Turnpike, located in part of the Southeast Quarter of Section 36, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, and authorization for payment in the amount of \$14,600.00 for the County Line Trunk Sewer Replacement, Parcel 13.0, 13.1 (Project No. S.1609)
- W. [18-1414](#) Approval of the Broken Arrow City Council Claims list for February 05, 2019

6. Consideration of Items Removed from Consent Agenda

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

- A. [19-218](#) Presentation of Financial Statements for the 2nd 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
- B. [19-227](#) The public hearing on rezoning BAZ-1986 and Planned Unit Development PUD No. 266 for a proposed 320 unit, multi-family apartment project known as Centennial Crossing has been rescheduled for Thursday, February 7, 2019, at 6:30 p.m.

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. [19-212](#) Consideration, discussion, and possible approval of and authorization to execute a Waiver of Conflict of Interest between Doerner, Saunders, Daniel & Anderson, LLP and the City of Broken Arrow involving a class action lawsuit filed by the City of Broken Arrow against Purdue Pharma, LLP
- B. [19-210](#) Consideration, discussion, and possible approval of and authorization to execute an Amendment to the Capital Improvements Agreement of the Broken Arrow Rose District Street Improvement Project between the Board of County Commissioners of Tulsa County, Oklahoma and the City of Broken Arrow
- C. [19-131](#) Consideration, discussion, and possible approval of and authorization to execute Resolution 1178, a Resolution of the Council of the City of Broken Arrow, Oklahoma, requesting programing of Tulsa Urbanized Area Surface Transportation Program funds for widening Elm Place (161st East Avenue) from four (4) to five (5) lanes (two through lanes in each direction and a continuous center turn lane) from Kenosha Street (71st Street South) to SH-51 (Broken Arrow Expressway), including drainage improvements, and a concrete sidewalk with handicap ramps as needed
- D. [19-185](#) Consideration, discussion and possible approval of and authorization to execute Agreement for Professional Consultant Services with Chase Feters Hewitt - Architects for the design and construction document preparation of the Armed Forces Meeting Hall (Project No. 176050A)
- E. [18-1522](#) Consideration, discussion, and possible approval of and authorization to execute Agreement for Professional Consultant Services with Selser Schaeffer Architects for the design and construction document preparation of The Center for Arts, Innovation and Creativity (Project No. 116715A)

- F. [19-143](#) Consideration, discussion and possible award of the lowest responsible bid to H & G Paving Contractors, Inc. and approve and authorize execution of a construction contract for the Washington Street Improvements from Garnett Rd to Olive Ave (ST1616)
- G. [19-217](#) Consideration, discussion and possible award of the lowest responsible bid to Utility Supply, Inc. and approve and authorize execution of materials contract for the Washington Street Waterline Relocation from Garnett Rd to Olive Ave (ST1616)
- H. [19-180](#) Consideration, discussion, and possible approval of and authorization to reject the previously awarded bid from Rush Truck Center for one (1) dump truck and find that the best interests of the Citizens of Broken Arrow will be served by the rejection

10. Preview Ordinances

- A. [19-184](#) Consideration, discussion, and possible preview of an Ordinance for a Waterline Easement Closure from Broken Arrow Economic Development Authority, on property located west of the southwest corner of Kenosha Street and 9th Street, Tulsa County, State of Oklahoma, (Section 19, T18N, R14E); repealing all ordinances to the contrary; and declaring an emergency

11. Ordinances

- A. [19-149](#) Consideration, discussion, and possible adoption of Ordinance No. 3551, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1640 and BAZ-1921, generally located one-quarter mile west of Evans Road, north of Houston Street, granting a RS-3 zoning classification be placed upon the tract, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- B. [19-152](#) Consideration, discussion, and possible adoption of Ordinance No. 3552, approving BAZ-1868, granting a RM and FD zoning classification be placed upon the tract along with PUD-191B, generally located one-half mile west of Aspen Avenue, one-quarter mile north of Kenosha Street, at the north end of Elder Place, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- C. [19-155](#) Consideration, discussion, and possible adoption of Ordinance No. 3553, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1889, generally located one-third mile east of Aspen Avenue, north of Tucson Street, granting a CH zoning classification be placed upon the tract along with PUD-220, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- D.** [19-156](#) Consideration, discussion, and possible adoption of Ordinance No. 3554, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1960, granting a RS-3 zoning classification be placed upon the tract, generally located one-half mile south of Houston Street, one-quarter mile east of 23rd Street, north of the M.K. & T. Railroad, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- E.** [19-157](#) Consideration, discussion, and possible adoption of Ordinance No. 3556, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1967, granting a RS-4 zoning classification be placed upon the tract, generally located west of the southwest corner of Aspen Avenue and Jasper Street, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- F.** [19-159](#) Consideration, discussion, and possible adoption of Ordinance No. 3557, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1977, generally located one-quarter mile south of Kenosha Street, west of Oak Grove Road, granting a RE zoning classification to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- G.** [19-182](#) Consideration, discussion, and possible adoption of Ordinance No. 3558, 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

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