



**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*

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**Tuesday, March 5, 2019**

**6:30 PM**

**Council Chambers**  
**220 South 1st Street**  
**Broken Arrow, OK**

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**1. Call to Order**

**2. Invocation**

**3. Roll Call**

**4. Pledge of Allegiance to the Flag**

**5. Consideration of Consent Agenda**

- A.     [19-5](#)             Approval of the City Council Meeting Minutes of February 19, 2019
- B.     [19-313](#)       Approval of the Special City Council Meeting Minutes of February 7, 2019
- C.     [19-276](#)       Accept Planning Commission meeting minutes of January 24, 2019
- D.     [19-311](#)       Approval of and authorization to execute Resolution No. 1190, a  
Resolution confirming the supplementation and publication of the City of  
Broken Arrow's Code of Ordinances
- E.     [19-314](#)       Approval of and authorization to execute Resolution No. 1193, a  
Resolution approving participation in the Interlocal Agreement between the  
City of Harrah and the City of Mustang establishing Oklahoma Municipal  
Management Services
- F.     [19-310](#)       Approval to declare certain City owned vehicles and equipment as surplus  
and authorize the sale of those items by public auction
- G.     [19-288](#)       Approval of and authorization to execute Professional Consultant  
Agreement with Great River Associates, Inc. dba Great River Engineering  
for Highland Park Masterplan with Rugby Field (Project No. 196014)

- H. [19-283](#) Approval of and authorization to execute the Amendment No. 2 to Agreement for Professional Consulting Services for providing services during construction on the Tiger Hill Soldier Pile Retaining Wall (Project No. 171703)
- I. [19-292](#) Approval of and authorization to execute Change Order CO2 for Construction Contract with Crossland Heavy Contractors for the East Nashville Street Project (ED1701)
- J. [19-317](#) Award the lowest responsible bid to Builder's Unlimited, Inc. and approve and authorize execution of a construction contract for the Public Safety Complex Renovation and Forensic Lab (Project No. 181707)
- K. [19-277](#) Approval of (Planned Unit Development) PUD-286, Fire Station No. 3, 3.03 acres, 1 lot, A-1 to CG, one-half mile south of Florence Street, west of 23rd Street, north of the Creek Turnpike
- L. [19-290](#) Approval of and authorization to execute Resolution No. 1184, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 11.0, which consists of 0.0124 acres of permanent Right-of-Way for Kenosha Street Improvements, Date to Main, located in the Northwest Quarter of Section 11, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from K&S Investments, LLC and authorization of payment in the amount of \$18,500.00 for the Kenosha Street Improvements: Date to Main, (Project No. ST1409)
- M. [19-327](#) Approval of and authorization to execute Resolution No. 1185, a Resolution authorizing the acceptance of a General Warranty Deed for Parcel 10 for Washington Street Improvements, Olive to Garnett, specifically located at 3400 West Washington Street, Broken Arrow, in the Southwest Quarter of Section 16, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Wylie and Linda Neal and authorization of payment in the amount of \$2,000.00 for the Washington Street Improvements: Olive to Garnett, (Project No. ST1616)
- N. [19-309](#) Acceptance of a Temporary Construction Easement from the K&S Investments, LLC., on property located at 417 West Kenosha Street, a tract of land that is part of Lot 1, Block 3, North Side Addition in Section 11, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the Kenosha Street Improvements, Date to Main, Parcel 12.1. (Project No. ST1409)
- O. [18-1420](#) Approval of the Broken Arrow City Council Claims List for March 05, 2019

## **6. Consideration of Items Removed from Consent Agenda**

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

- A. [19-242](#) Presentation on the Nashville Street Economic Development Road project
- B. [19-328](#) Presentation of the Safe Room Rebate Program
- C. [19-284](#) Presentation of the new memorial park located at 709 Magnolia Court and recognition of contributions by members of the Broken Arrow community

**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. [19-241](#) Consideration, discussion, and possible approval of park name for the new memorial park located at 709 Magnolia Court
- B. [19-302](#) Consideration, discussion, and possible approval and direction to publish a Legal Notice of Annexation for the voluntary annexation of approximately 1,240 acres located South of Dearborn Street (41st), East of 51st Street (Evans Road / 225th East Avenue) within all of Section 28, Township 19 North, Range 15 East and parts of Section 27, Township 19 North, Range 15 East and Section 33, Township 19 North, Range 15 East and Section 4, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma
- C. [19-299](#) Consideration, discussion, and possible approval and authorization to execute a Professional Services Contract with the Broken Arrow Chamber of Commerce for the Rooster Days Festival, in an amount not to exceed \$20,000.00 per year, for festival years 2019, 2020, and 2021, subject to annual appropriations
- D. [19-295](#) Consideration, discussion, and possible approval to reject all bids for construction of the Nienhuis Park Sand Volleyball Courts (Project No. 186023) and find that the best interests of the City of Broken Arrow will be served by the rejection
- E. [19-298](#) Consideration, discussion, and possible approval of the reappointment of Randy Cherry to the City of Broken Arrow Board of Adjustment for a three-year term to expire March 5, 2022
- F. [19-300](#) Consideration, discussion, and possible approval of the reappointment of Stanley Evetts to the City of Broken Arrow Board of Adjustment for a three-year term to expire March 5, 2022
- G. [19-245](#) Consideration, discussion and possible approval of Resolution No. 1194, a Resolution of the Broken Arrow City Council finding that the design-build and construction management project delivery method is necessary for the Center for Arts, Innovation and Creativity

**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. Litigation, including potential resolution, of a matter involving the litigation case of City of Broken Arrow v. CWP, Inc., et al., Wagoner County District Court Case Number CV-2018-114, under 25 O.S. §307(B)(4).**
- 2. Litigation, including potential resolution, of a matter involving the litigation case of City of Broken Arrow v. B-Z Properties, LLC, et al., Wagoner County District Court Case Number CV-2018-21, 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 pending claim, litigation and 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.

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City Clerk