



City of Broken Arrow

Meeting Agenda Broken Arrow City Council

Mayor Craig Thurmond

Vice Mayor Scott Eudey

Council Member Johnnie Parks

Council Member Debra Wimpee

Council Member Christi Gillespie

Tuesday, April 16, 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. Administration of Oaths of Office**
- 6. Election of Mayor**
- 7. Election of Vice-Mayor**
- 8. Consideration of Consent Agenda**
 - A. [19-8](#) Approval of the City Council Meeting Minutes of April 2, 2019
 - B. [19-407](#) Accept Planning Commission meeting minutes of February 28, 2019
 - C. [19-408](#) Accept Planning Commission meeting minutes of March 14, 2019
 - D. [19-464](#) Approval of and authorization to allow the discharge of a cannon for civil war re-enactment at Centennial Middle School located at 225 East Omaha, Broken Arrow, OK, on April 26, 2019 at approximately 1:00 p.m., pursuant to Broken Arrow Code of Ordinances, Chapter 16, Section 16-12
 - E. [19-426](#) Approval of and authorization to accept Traders Insurance Company's offer to settle a claim for vehicle loss
 - F. [19-462](#) Approval of and authorization to accept Mercury Insurance's offer to settle a claim for vehicle loss, declare the vehicle surplus, authorize execution of the bill of sale and release vehicle to Mercury Insurance
 - G. [19-419](#) Approval of and authorization to execute the Tulsa County Urban County Community Development Block Grant (CDBG) Application for FY2019 Funds
 - H. [19-425](#) Approval of and authorization to execute an engagement letter with Crawford & Associates for fiscal year 2019-2020
 - I. [19-376](#) Approval of and authorization to execute a Professional Services Agreement with Granicus to improve the citizen website, BrokenArrowOK.gov
 - J. [19-427](#) Approval of and authorization to execute a Professional Consultant Agreement with Sisemore Weisz & Associates, Inc. for providing an ALTA survey and lot split documents for the Aspen Creek Park project (Project No. 196031)
 - K. [19-344](#) Approval of and authorization to execute Amendment No. 1 to the Professional Consultant Agreement with The Schemmer Associates, Inc. for providing CADD (Computer Aided

- Drafting Design) and Related Technical Support Services (Contract No. CADD 19-01)
- L. [19-429](#) Approval of and authorization to execute Amendment No. 2 to Professional Consultant Agreement with Geodeca, LLC for Professional Surveying and related support services contract (Contract No. SURV-19-01)
 - M. [19-463](#) Approval of and authorization to execute a contract with Gerald Jimenez/DBA ARW Care for rose maintenance in the Rose District for Parks and Recreation Department
 - N. [19-438](#) Approval of and authorization to execute a Promotional License on City Property allowing the Broken Arrow Chamber of Commerce to host the 2019 Rooster Days Festival
 - O. [19-434](#) Notification of Change Orders or Work Orders with a value of less than \$25,000 on Public Contracts
 - P. [19-377](#) Approval of and authorization to purchase one (1) 1-ton crew cab & chassis truck from Bill Knight Ford, pursuant to the Oklahoma Statewide Vehicle Contract, for the Streets and Stormwater Department
 - Q. [19-432](#) Award the lowest responsible bid to Scissor-Tail Construction, LLC, and approve and authorize execution of a construction contract for the Broken Arrow City Hall Corridor Remodel (Project No. 191722)
 - R. [19-442](#) Approval of and authorization to award Summit Truck Group as the most advantageous bid to replace the diesel engine in the fire department ambulance unit #1402
 - S. [19-456](#) Approval of and authorization to execute Resolution No. 1206, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 1, which consists of 0.389 acres of permanent Right-of-Way located at 101 West Twin Oaks in the Northwest Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from The Board of Education of Independent School District No. 3, the owner, for the Broken Arrow Creek Trail, Phase 1, Parcel 1 (Project No. 146020)
 - T. [19-452](#) Approval of and authorization to execute Resolution No. 1207, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 2, which consists of 0.388 acres of permanent Right-of-Way generally located east of 101 West Twin Oaks in the Northeast Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from The Board of Education of Independent School District No. 3, the owner, for the Broken Arrow Creek Trail, Phase 1, Parcel 2 (Project No. 146020)
 - U. [19-455](#) Approval of and authorization to execute Resolution No. 1208, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 6, which consists of 0.667 acres of Permanent Right-of-Way located east of 301 West New Orleans Street in the Northeast Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from The Board of Education of Independent School District No. 3, The owner, for the Broken Arrow Creek Trail, Phase 1, Parcel 6 (Project No. 146020)
 - V. [19-451](#) Approval of and authorization to execute Resolution No. 1209, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 7, which consists of 0.120 acres of permanent Right-of-Way located at 301 West New Orleans Street in the Northwest Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from The Board of Education of Independent School District No. 3, the owner, for the Broken Arrow Creek Trail, Phase 1, Parcel 7 (Project No. 146020)
 - W. [19-450](#) Approval of and authorization to execute Resolution No. 1210, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 8, which consists of 0.107 acres of

permanent Right-of-Way located at 301 West New Orleans Street in the Northwest Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from The Board of Education of Independent School District No. 3, the owner, for the Broken Arrow Creek Trail, Phase 1, Parcel 8 (Project No. 146020)

- X. [19-413](#) Acceptance of an Overland Drainage Easement from BA Corner, LLC, on property located one-quarter mile east of Aspen Avenue (145th East Avenue), north of Tucson Street (121st Street), Tulsa County, State of Oklahoma, (Section 34, T18N, R14E)(BA Corner)
- Y. [19-405](#) Approval of PUD-287 (Planned Unit Development), RDS Business Park, 19.70 acres, A-1 to CN/PUD-287, located one-quarter mile north of Kenosha Street (71st Street), east of 23rd Street (County Line Road)
- Z. [19-411](#) Approval of PT19-102, Preliminary/Conditional Final Plat, Attic Storage of Broken Arrow, 10.15 acres, 3 Lots, CH to CH and IL/PUD-284 via BAZ-2020, located one-quarter mile east of Aspen Avenue (145th E Avenue), north of Tucson Street (121st Street)
- AA. [19-453](#) Acceptance of a Temporary Construction Easement from Vicki McBride for Parcel 3A, which consists of 0.0152 acres of Temporary Construction Easement for Washington Street Improvements, Garnett to Olive, located east of Garnett Road and north of Washington Street in Broken Arrow in the Southwest Quarter Section 17, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Vicki McBride (Project No. ST1616)
- AB. [19-459](#) Acceptance of a Temporary Construction Easement consisting of 1.27 acres from Gene Woodward and Gwen Ester Gray, on property located at the southeast corner of South 9th and Jasper, located in part of the Northwest Quarter of Section 12, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma, and authorization for payment in the amount of \$3,830.00 for the County Line Trunk Sewer Replacement, Parcel 7.A (Project No. S.1609A)
- AC. [19-460](#) Acceptance of a Temporary Construction Easement from The Ruth Elizabeth Woods Revocable Trust on property located at 300 North Main Street, a tract of land in part of the W/2 of Section 11, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the Main Street Streetscapes, Phase V, Parcel 4a (Project No. ST1820)
- AD. [19-458](#) Acceptance of a Utility Easement consisting of 0.24 acres and 0.17 acres of Temporary Construction Easement from Gene Woodward and Gwen Ester Gray, on property located at the southeast corner of South 9th and Jasper, located in part of the Northwest Quarter of Section 12, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma, and authorization for payment in the amount of \$3,190.00 for the County Line Trunk Sewer Replacement, Parcel 32.0, 32.1 (Project No. S.1609)
- AE. [18-1429](#) Approval of the Broken Arrow City Council Claims List for April 16, 2019

9. Consideration of Items Removed from Consent Agenda

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

- A. [19-461](#) Recognition of Broken Arrow citizen Jackson Mears for his volunteer work for the City of Broken Arrow

11. 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)

12. General Council Business

- A. [19-285](#) Consideration, discussion, and possible approval of and authorization to execute an agreement by and between EMS MC and City of Broken Arrow for participation in the

Oklahoma Emergency Medical Services Certified Public Expenditure Program

- B. [19-430](#) Consideration, discussion, and possible award of the lowest responsible bid for the Base Bid and Additive Alternate #1 to Cherokee Pride Construction, Inc., and approve and authorize execution of a construction contract for the Nienhuis Park Sand Volleyball Courts (Project No. 186023)
- C. [19-433](#) Consideration, discussion, and possible award of the lowest responsible bid for the Base Bid, Additive Alternate #1 and Additive Alternate #2 to Grade Line Construction, LLC and approve and authorize execution of a construction contract for the Old Town Streets - 1st Street from Dallas Street to College Street (Project No. ST1712)
- D. [19-431](#) Consideration, discussion and possible approval of and authorization to execute Resolution No. 1205, a Resolution authorizing the City Attorney to enter into a final Journal Entry of Judgment in the case of Matthew B. Brooks and Kristin K. Mills, et al., Tulsa County District Court Case Number CV-2019-273, authorizing the foreclosure of a closed easement located at 2304 East Queens Street, Broken Arrow, Oklahoma
- E. [19-439](#) Consideration, discussion and possible approval of and authorization to execute a Waiver of Conflict of Interest between Hall Estill, Attorneys at Law and the City of Broken Arrow involving a lawsuit filed by the City of Broken Arrow against Mallinckrodt, LLC and Mallinckrodt, PLC
- F. [19-441](#) Consideration, discussion, and possible approval of the appointment of Richard Carter to the City of Broken Arrow Board of Adjustment for a three-year term to expire May 1, 2022
- G. [19-440](#) Consideration, discussion, and possible approval of the appointment of Rob Whitlock to the City of Broken Arrow Board of Adjustment for a two-year term to expire May 1, 2021

13. Preview Ordinances - NONE

14. Ordinances

- A. [19-443](#) Consideration, discussion, and possible adoption of Ordinance No. 3562, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1968, generally located on the northeast corner of Kenosha Street and 23rd Street, granting a CN zoning classification be placed upon part of the tract along with PUD-254, and the partial abrogation of SP-257, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- B. [19-444](#) Consideration, discussion, and possible adoption of Ordinance No. 3563, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1971, granting an IL zoning classification be placed upon the tract along with PUD-268, generally located east of 9th Street, one-half mile south of Houston Street, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- C. [19-445](#) Consideration, discussion, and possible adoption of Ordinance No. 3564, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2002, generally located one-quarter mile west of Elm Place, one-third mile north of Jasper Street, granting a RS-1 zoning classification to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency
- D. [19-446](#) Consideration, discussion, and possible adoption of Ordinance No. 3565, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1983, generally located one-half mile south of Omaha Street (51st Street), one-quarter mile east of Aspen Avenue (145th East Avenue), granting a CH zoning

classification be placed upon the tract along with PUD-94S-1, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

- E. [19-447](#) Consideration, discussion, and possible adoption of Ordinance No. 3566, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1990, generally located south of Houston Street (81st Street), one-quarter mile east of Elm Place (161st East Avenue), granting a DM zoning classification to be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

15. Remarks and Inquiries by Governing Body Members

16. Remarks and updates by City Manager, including Recognition of Recent Accomplishments by Employees and Elected Officials

17. Executive Session

Executive Session for the purpose of confidential communications between the City Council, the City Manager, the City Attorney, and the Human Resources Director for the purpose of discussing negotiations concerning FOP Lodge 170 and fiscal year 2020 negotiations, authorized under 25 O.S. §307(B)(2), and possibly taking appropriate action in open session. 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.

18. 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