



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

Monday, June 3, 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. [19-649](#) Approval of the Special Joint City Council, Broken Arrow Municipal Authority, and Broken Arrow Economic Development Authority Meeting Minutes of May 9, 2019
- B. [19-11](#) Approval of City Council Meeting Minutes of May 21, 2019
- C. [19-629](#) Approval of and authorization to execute Resolution No. 1225, a Resolution adopting a Financial Policy for the City of Broken Arrow relating to maintaining Reserves in the General Fund
- D. [19-685](#) Approval of and authorization to execute rate confirmation from Minnesota Life Insurance Company to provide group term life, accidental death and dismemberment and supplemental life insurance to City employees
- E. [19-614](#) Ratification of 2018 Community Development Block Grant (CDBG) Resolution Contract/Agreement Renewal with Tulsa County from July 1, 2019 to June 30, 2020 for the East Detroit Street Rehabilitation Project (Project ST1921)
- F. [19-689](#) Approval of and authorization to execute Required Amendment to Tulsa County Community Development Block Grant (CDBG) Urban County Cooperation Agreement for Requalification Period of Fiscal Years 2020 - 2022
- G. [19-647](#) Approval of and authorization to execute a Promotional License on City Property between the City of Broken Arrow and Arts OK of Broken Arrow, Inc. to host the 2019 Tuesdays in the Park event
- H. [19-640](#) Approval of and authorization to execute an Amendment to Service Agreement No. 50006466 with Clean Uniform Company for non-public safety employee uniform rental service
- I. [19-613](#) Approval of and authorization to execute a First Amendment to the Professional Services Agreement between the City of Broken Arrow and Granicus, LLC to include the Broken Arrow Convention and Visitors Bureau website
- J. [19-641](#) Approval of and authorization to execute a Sales Purchase Agreement Contract Extension 4 with Petroleum Traders Corporation for the purchase of gasoline and diesel fuel

- K. [19-642](#) Approval of and authorization to execute a Transaction Confirmation Renewal (fourth contract renewal) with Tiger Inc. for third party natural gas supply
- L. [19-646](#) Approval of and authorization to execute a Parks and Recreation Use Agreement between the City of Broken Arrow and the R.C. Dickenson Family YMCA of Greater Tulsa for use of the Family Aquatic Center to teach swim lessons
- M. [19-588](#) Notification of City Manager's, Assistant City Manager's, and Department Director's execution of Professional Consultant Agreements with a value of less than \$25,000
- N. [19-695](#) Approval of and authorization to execute Change Order CO-3 for Construction Contract ST1711; Old Town Streets - Rehabilitation of Ash Avenue from El Paso Street to Detroit Street as well as El Paso Street and College Street from Ash Avenue to Main Street
- O. [19-697](#) Award the lowest responsible bid to Cherokee Pride Construction, Inc. and approve and authorize execution of a construction contract for Wedgewood 2nd Addition Street Repair
- P. [19-652](#) Award the most advantageous bid to Allstate Termite & Pest Solutions and authorize the execution of the service agreement for pest control services at City facilities
- Q. [19-653](#) Award the most advantageous bid to Alpha Everclean and authorize execution of the service agreement for custodial services at the Public Safety Complex
- R. [19-703](#) Approval of and authorization to execute service agreement quote with Addco Electric for electrician services
- S. [19-702](#) Approval of and authorization to execute service agreement quote with Custom Services for heating, ventilation, and air conditioning service
- T. [19-704](#) Approval of and authorization to execute service agreement quote with Davis H Elliot Company for street light repair services
- U. [19-655](#) Approval of PT17-114, Conditional Final Plat, The Villas at Turnberry, a replat of Lot 1, Block 1, Turnberry Commercial, 9.77 acres, 24 Lots, CG (Commercial General) to CG (Commercial General) and RS-4 (Single Family Residential), southwest corner of 37th Street (209th East Avenue) and Dearborn Street (41st Street)
- V. [19-587](#) Approval of and authorization to execute Resolution No. 1218, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 4, which consists of 0.0309 acres of permanent Right-of-Way for the Broken Arrow Creek Trail located at 4025 South Ash Avenue, Broken Arrow in the Northwest Quarter of Section 26, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Steven and Jill Jackson and authorization of payment in the amount of \$9,700.00 for the Broken Arrow Creek Trail, Phase 1, Parcel 4. (Project No. 146020)
- W. [19-698](#) Approval of and authorization to execute Resolution No. 1226, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 10, which consists of 0.11 acres of permanent Right-of-Way for the Olive Avenue Waterline, Tucson to New Orleans generally located on Olive between Florence and New Orleans in the Northwest Quarter of Section 28, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Darrel and Lizette Wenzel and authorization of payment in the amount of \$12,850.00 for the Olive Waterline, Tucson to New Orleans, Parcel 10. (Project No. WL1610)
- X. [19-701](#) Approval of and authorization to execute Resolution No. 1230, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 3, which consists of 0.1914 acres of permanent Right-of-Way for the Jasper Waterline, Gardenia to Olive, located at 13108 E 131st St, Broken Arrow in the Northwest Quarter of Section 9, Township 17 North, Range

14 East, Tulsa County, State of Oklahoma, from SYW 2007 Trust and authorization of payment in the amount of \$13,500.00 for the Jasper Waterline, Gardenia to Olive, Parcel 3. (Project No. WL1901)

- Y. [19-712](#) Approval of and authorization to execute Resolution No. 1231, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 2, which consists of 0.1210 acres of permanent Right-of-Way for the Jasper Waterline, Gardenia to Olive, located at 13020 E 131st St, Broken Arrow in the Northwest Quarter of Section 9, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma, from the Mary Katherine Perry Trust and authorization of payment in the amount of \$7,750.00 for the Jasper Waterline, Gardenia to Olive, Parcel 2. (Project No. WL1901)
- Z. [19-696](#) Approval of and authorization of the final acceptance of the public improvements on the 4th Street Renovation from Detroit to Midway project (ST1804) using Community Development Block Grant (CDBG) funds
- AA. [18-1438](#) Approval of the Broken Arrow City Council Claims List for June 03, 2019

6. Consideration of Items Removed from Consent Agenda

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

- A. [19-690](#) Conduct a Public Hearing for the Proposed 2019-2020 Fiscal Year Budget

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. [19-634](#) Consideration, discussion, and possible approval of PUD-290 (Planned Unit Development), Riverbrook Apartments, 14.56 acres, RM (Residential Multifamily) to PUD-290/RM, one-half mile south of Jasper Street (131st Street), east of Aspen Avenue (145th East Avenue)
- B. [19-688](#) Consideration, discussion, and possible approval of and authorization to execute the Fiscal Year 2019-2020 Single Audit Engagement Letter with Arledge & Associates, PC
- C. [19-686](#) Consideration, discussion, and possible approval of Resolution No. 1238, 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 \$11,415,000 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
- D. [19-700](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1235, a Resolution of Necessity to Condemn Property generally located at 11100 S 193rd East Avenue, Broken Arrow, in the Northeast Quarter of Section 36, T-18-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma, for the County Line Trunk Sewer Replacement, (Project No. S.1609)
- E. [19-699](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1236, a Resolution of Necessity to Condemn Property generally located at 11000 S 193rd East Avenue, Broken Arrow, in the Southeast Quarter of Section 25, T-18-N, R-14-E of the Indian Meridian, Tulsa County, Oklahoma, for the County Line Trunk Sewer Replacement, (Project No. S.1609)
- F. [19-711](#) Consideration, discussion, and possible approval of and authorization to execute a Professional Consultant Services Agreement with Benham Design, LLC for providing

design services for 23rd Street widening from Albany Street to Omaha Street and Bridge Replacement (Project No. ST1931 and ST1932)

- G. [19-584](#) Consideration, discussion, and possible award of the lowest responsible bid to Builders Unlimited, Inc. and approve and authorize execution of a construction contract for the Events Park Adult Softball Complex (Project No. 176037)

10. Preview Ordinances

- A. [19-648](#) Consideration, discussion, and possible preview of an Ordinance closing a portion of Right-of-Way on property located one-eighth mile south of New Orleans Street (101st Street), one-third mile east of 9th Street (Lynn Lane Road), Tulsa County, State of Oklahoma, (Section 25, T18N, R14E)(Seven Oaks South)

11. Ordinances

- A. [19-691](#) Consideration, discussion, and possible adoption of Ordinance No. 3583, an Ordinance amending the Broken Arrow Code of Ordinances, Chapter 26, Emergency Medical Services; adding section 26-11, Establishment of an outside of the city fire subscription program, Section 26-12, Out of the city fire subscription program and fees, Section 26-13, Nonparticipation Election, Section 26-14, Collection of fire subscription program fees, Section 26-15, Persons not covered by the fire subscription program, Section 26-16, insurance provision, subrogation, and assignment, Section 26-17, limitation of obligation of city, repealing all ordinances to the contrary; and declaring an emergency
- B. [19-657](#) Consideration, discussion, and possible adoption of Ordinance No. 3571, amending the Broken Arrow Code of Ordinances Chapter 2, Administration, Article IX, Employee Rules and Regulations, Section 2-165, Department Director Evaluation, Article XII, Development Services Department, Section 2-200, Established; Appointment Duties; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary
- C. [19-663](#) Consideration, discussion, and possible adoption of Ordinance No. 3572, amending the Broken Arrow Code of Ordinances, Appendix A - Zoning Ordinance, Chapter 5, Development Standards, Section 5.9, Telecommunication Facilities; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary
- D. [19-659](#) Consideration, discussion, and possible adoption of Ordinance No. 3573, amending the Broken Arrow Code of Ordinances, Chapter 5, Animals, Article 1, In General, Section 5-6, Dog/Cat License Fee, Registration And Tag Generally, specifically changing the name of One Stop Center to Community Permitting Division and repealing all ordinances to the contrary
- E. [19-667](#) Consideration, discussion, and possible adoption of Ordinance No. 3574, amending the Broken Arrow Code of Ordinances, Chapter 6, Buildings and Building Regulations, Article I, General, Section 6-2, Building Inspection Division of Department Services Department and Building Inspector Generally, Section 6-6, Street Addresses of Buildings, Section 6-8, Toilet facilities, Article II, Building code, Section 6-22, Local Registration of General Contractors, Article III., International residential code (IRC), 6-36, Adopted, Article IV, Electrical Code, 6-46, Local registration of electrical contractors, journeyman electricians, and electrical apprentices, Section 6-52, Current not to be connected prior to final approval of installation, Article V, Plumbing, 6-96, Registration of plumbers, Section 6-101, Backflow prevention, Article VII, Mechanical Code, 6-130, Registration of mechanical

contractors, journeymen, apprentices, and fee revocation, Article VIII, Moving of Building, Section 6-161- Required, Section 6-162, Application, 6-166, Designation of route Article X, Mobile Homes, Mobile Home Parks and Manufactured Housing used as Dwellings, 6-261, Annual permits for mobile homes within areas requiring security but not zones for mobile home use; application standards and fee, Section 6-270, Application for permit 6-271, Permits issuance, Article XI, Building Permit Fees and Charges Section 6-273, Mobile Homes, Mobile Home Parks and Manufactured Housing used as Dwellings Section 6-303, Force and effect of permit, specifically changing the name of Development Services Department to the Department of Community Development and Inspection Division to Neighborhood Engagement, repealing all ordinances to the contrary

- F. [19-672](#) Consideration, discussion, and possible adoption of Ordinance No. 3575, amending the Broken Arrow Code of Ordinances, Appendix A - Zoning Ordinance, Chapter 6, Review and Approval Procedures, Section 6.3, Amendments, Section 6.4, Planned Units Development, Section 6.6, Site Plan Review, Section 6.11, Building Permits, specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary
- G. [19-675](#) Consideration, discussion, and possible adoption of Ordinance No. 3576, amending the Broken Arrow Code of Ordinances Chapter 7, Business Regulations and Licenses, Article I, In General, Section 7-12, Mobile Food Vendors, Section 7-120, Applications; Article VI- Massage Establishments, Section 7-126, Revocation and Suspension, Article XIII- Moving of Buildings or Oversized Loads, Section 7-301, Oversized load mover's license, Section 7-320, Oversized load authorization to move, specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary
- H. [19-679](#) Consideration, discussion, and possible adoption of Ordinance No. 3577, amending the Broken Arrow Code of Ordinances Chapter 8, Cemeteries, Article II, Park Grove Cemetery, Section 8-22, Charges for Sale of Lots and Spaces and For Services; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary
- I. [19-681](#) Consideration, discussion, and possible adoption of Ordinance No. 3578, amending the Broken Arrow Code of Ordinances Chapter 10, Fire Prevention And Protection, Article Iv, Explosives, Section 10-76, Discharge Of Class 2 Explosives; Blasting Operations, Section 10-78.1, Definitions, Section 10-78.3, Blasting Permits; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary
- J. [19-680](#) Consideration, discussion, and possible adoption of Ordinance No. 3579, amending the Broken Arrow Code of Ordinances Chapter 12, Garbage and other Refuse, Article I, In General, Section 12-3, Right to Engage in Business of Collecting, Hauling, Etc.; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary
- K. [19-682](#) Consideration, discussion, and possible adoption of Ordinance No. 3580, amending the Broken Arrow Code of Ordinances Chapter 15, Nuisances, Article I, In General, Section 15-1, Nuisance Code, Section 15-7, Emergency Abatement, Section 15-45, Amendments, specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary

- L. [19-683](#) Consideration, discussion, and possible adoption of Ordinance No. 3581, amending the Broken Arrow Code of Ordinances, Chapter 24, Water, Sewer and Sewage Disposal, Article VI, Water Service Charges and Rates, Section 24.602, Service Tap Charge; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary
- M. [19-684](#) Consideration, discussion, and possible adoption of Ordinance No. 3582, amending the Broken Arrow Code of Ordinances, Appendix A - Zoning Ordinance Chapter 1, General Provisions, Section 1.4, Applicability and Jurisdiction; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary
- N. [19-692](#) Consideration, discussion, and possible adoption of Ordinance No. 3584, amending the Broken Arrow Code of Ordinances, Appendix A - Zoning Ordinance, Chapter 3, Use Regulations, Section 3.4, Temporary Uses Of Structures; specifically changing the name of Development Services Department to the Department of Community Development, repealing all ordinances to the contrary

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