



**City of Broken Arrow**  
**Meeting Agenda**  
**Broken Arrow City Council**

*Vice Mayor Scott Eudey*  
*Council Member Johnnie Parks*  
*Council Member Debra Wimpee*  
*Council Member Christi Gillespie*  
*Council Member Lisa Ford*

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**Tuesday, April 20, 2021**

**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. Administration of Oaths of Office**
- 6. Election of Mayor**
- 7. Election of Vice Mayor**
- 8. Consideration of Consent Agenda**
  - A. [21-22](#) Approval of the City Council Special Meeting Minutes of April 6, 2021
  - B. [21-477](#) Approval of the City Council Special Joint Meeting Minutes of March 12, 2021
  - C. [21-503](#) Approval of Drainage Advisory Committee amended meeting minutes of September 28, 2020
  - D. [21-502](#) Approval of Drainage Advisory Committee meeting minutes of February 22, 2021
  - E. [21-499](#) Acceptance of the Planning Commission meeting minutes of March 25, 2021
  - F. [21-509](#) Approval of and authorization to execute a Proclamation declaring the week of May 2 - 8, 2021, as Drinking Water Week in Broken Arrow

- G. [21-495](#) Approval of and authorization to execute the Second Renewal to City of Broken Arrow Rose Maintenance Services Agreement with Gerald Jimenez/DBA ARW Care for Rose Maintenance in the Rose District
- H. [21-485](#) Approval of and authorization to execute Agreement for Professional Consultant Services with Native Strategies, PLLC for providing design services on the 37th Street Sidewalk Improvements from Albany Street to Omaha Street project (Project Number ST21410)
- I. [21-494](#) Notification of City Manager's execution of Professional Consultant Agreements authorized by Resolution No. 1378, a Resolution of the Broken Arrow City Council declaring an emergency as a result of damage to the Elm Place and Aspen Avenue bridge approaches over the Creek Turnpike and Ratification of a professional consultant agreement with Poe & Associates for emergency bridge repairs
- J. [21-496](#) Approval of and authorization for the purchase of an Exacom Interface with CentralSquare ProSuite for the Police Department
- K. [21-481](#) Award the lowest responsible bid to Contech Engineered Solutions LLC, and approve and authorize execution of the procurement contract for Pre-Engineered Aluminum Corrugated Structural Plate Single Radius Arch Bridge Structure with Headwalls and Wingwalls (ST2035)
- L. [21-493](#) Award the most advantageous bid to Jim Norton Chevrolet for the purchase of (1) one Chevrolet Camaro for the Police Department School Resource Officer Unit
- M. [21-484](#) Award the lowest responsible bid to Tri-Star Construction, LLC, and approve and authorize execution of a construction contract for Albany Street Widening from 23rd Street to 37th Street Phase 1 (ST2035)
- N. [21-492](#) Approval of and authorization to execute Resolution No. 1374, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 1.0 for the 23rd Street Sidewalk Improvements from Liberty Trail to 115th Street. The parcel is located in the 11500 block of South 193rd East Avenue, Broken Arrow, Oklahoma in the Northwest Quarter of Section 31, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma, from William B. and Marisa Ann Rogers and authorization of payment in the amount of \$14,000.00 for the 23rd Street Sidewalk Improvements from Liberty Trail to 115th Street, Parcel 1.0. (Project No. ST1943)

- O. [21-488](#) Acceptance of Utility Easement 12.0 and Temporary Construction Easements 12.A and 12.B, from John and Trinity Harn, on property located at 7813 South Juniper Place, Broken Arrow, Oklahoma, located in the Southeast Quarter of Section 3, Township 17 North, Range 14 East, Tulsa County, State of Oklahoma for the Elm Creek Trunk Line Replacement, Parcel 12.0, 12.A, 12.B (Project No. S.1606)
- P. [21-449](#) Acceptance of an amendment to a Water Line Easement from McGuire Bell Lago, LLC, on property located at the northwest corner of Houston Street (81st Street) and Evans Road (225th East Avenue), Wagoner County, State of Oklahoma, (Section 8, T18N, R15E)
- Q. [21-506](#) Ratification of the Claims List Check Register dated April 13, 2021

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

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

- A. [21-500](#) A public hearing regarding the annexation of property located on approximately 13.40 acres located one-quarter mile north of Washington Street (91st Street), one-half mile west of Midway Road (257th East Avenue), Section 15, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma
- B. [21-490](#) Presentation of 2021 Rose District Cinco De Mayo Celebration
- C. [21-482](#) Presentation regarding update on the Washington Street Widening Project From Garnett Road to Olive Avenue

### **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. [21-478](#) Consideration, discussion and possible vote on the repeal of Resolution No. 1383, a Resolution regarding the use of masks and other protective measures to reduce community transmission of the COVID-19

- B.**     [21-512](#)     Consideration, discussion, and possible modification to Request to Appear Forms and Guidelines for City Council meetings and all other City Boards and Commissions meetings adopted by City Council on February 6, 2018, including but not limited to permanently changing or waiving the requirement for speakers to list and state their address before addressing City Council, City Boards or Commissions and regulating the manner of presentation by a member of the public by prohibiting the presentation of electronic or printed materials during the public comment period; prohibiting the live/active linking of any presentation and connection with the City's electronic computer system and/or audio/visual equipment by the public during the public comment period; and providing for the submission of printed electronic materials by the public to Council, Boards and Commissions; and any other changes to the Request to Appear Forms and Guidelines for City Council meetings and all other City Boards and Commissions as directed by Council
- C.**     [21-489](#)     Consideration, discussion and possible approval of the Drainage Advisory Committee's recommendation to reject additional expenditures of 2018 General Obligation Bond, Proposition 6 funds for construction of erosion control improvements on a private pond in the Pembroke Park subdivision
- D.**     [21-497](#)     Consideration, discussion, and possible action to discuss nominations for an open position on the City of Broken Arrow Planning Commission for the remainder of Mark Jones' unexpired term that ends on May 1, 2022 and authorization to place this item on the May 4, 2021 City Council Meeting for the Mayor to make a formal nomination to fill the unexpired term of Mark Jones' and for the city council to vote regarding the nominee
- E.**     [21-513](#)     Consideration, discussion and possible approval of Resolution No. 1393, a Resolution authorizing the City Attorney to defend Robert Motley in the matter of Richard Eugene Hubbard v. COBA, et al. Case No. 21-CV-159-GKF-JFJ, in the U.S. District Court for the Northern District of Oklahoma
- F.**     [21-514](#)     Consideration, discussion and possible approval of Resolution No. 1394, a Resolution authorizing the City Attorney to defend Shane Gibson in the matter of Richard Eugene Hubbard v. COBA, et al. Case No. 21-CV-159-GKF-JFJ, in the U.S. District Court for the Northern District of Oklahoma
- G.**     [21-476](#)     Consideration, discussion, and possible approval of BACP-174 (Comprehensive Plan change), Cottages at Battle Creek, 8.79 acres, Level 6 to Level 3, one-half mile north of Albany Street (61st Street), one-quarter mile east of Aspen Avenue (145th E. Avenue)

### **13. Preview Ordinances**

- A. [21-501](#) Consideration, discussion, and possible preview of an Ordinance for the voluntary annexation of property on approximately 13.40 acres located one-quarter mile north of Washington Street (91st Street), one-half mile west of Midway Road (257th East Avenue), Section 15, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma

**14. Ordinances - NONE**

**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 any other pertinent staff members discussing, conferring on matters and possible action in open session pertaining to:**

- 1. Workers' Compensation Court Case, Leroy Manns v. City of Broken Arrow; to include updating the City Council, potential resolution of the pending Workers' Compensation claim, and taking appropriate action in open session, including possible authorization to settle this litigation under 25 O.S. § 307(B)(4);**
- 2. A pending claim, and litigation asserted by Richard Eugene Hubbard against City of Broken Arrow, et. al., in case no. 21-CV-159-GKF-JFJ in the Northern Federal District Court of Tulsa, Oklahoma, alleging various civil rights violations and investigation thereof, and taking appropriate action in open session including possible authorization to settle, approve or deny the litigation 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 litigation 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.**

**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