



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, January 5, 2021

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. [21-1](#) Approval of the City Council Meeting Minutes of December 15, 2020
- B. [21-90](#) Approval of the City Council Special Meeting Minutes of December 15, 2020
- C. [21-95](#) Acceptance of the Planning Commission meeting minutes of October 8, 2020
- D. [21-96](#) Acceptance of the Planning Commission meeting minutes of October 22, 2020
- E. [21-89](#) Acceptance of a Corrected Deed of Dedication from Metro Tulsa Properties, LLC on property located approximately one-half mile south of Kenosha Street (71st Street), west of Elm Place (161st East Avenue), Tulsa County, State of Oklahoma, (Section 10, T18N, R14E)

- F.** [21-110](#) Acceptance of a Temporary Construction Easement consisting of 0.0259 acres from the Lakeland Real Estate, LLC, a Oklahoma limited liability company, the owner, on property located at 119 East Canton Street, Broken Arrow, Oklahoma, a tract of land that is part of Lot 4, Block 2, Swanda Acres Duplexes, an addition to the City of Broken Arrow, located in the Northwest Quarter of Section 23, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the Broken Arrow Creek Trail, Phase II, Parcel 14.A (Project No. 196032)
- G.** [21-111](#) Acceptance of a Temporary Construction Easement consisting of 0.0260 acres from the Lakeland Real Estate, LLC, a Oklahoma limited liability company, the owner, on property located at 122 East Canton Street, Broken Arrow, Oklahoma, a tract of land that is part of Lot 4, Block 1, Swanda Acres Duplexes, an addition to the City of Broken Arrow, located in the Northwest Quarter of Section 23, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the Broken Arrow Creek Trail, Phase II, Parcel 15.A (Project No. 196032)
- H.** [20-1571](#) Acceptance of Utility Easements 6.0 and 6.1 and Temporary Construction Easements 6.A and 6.B from Paul Mark and Kara J. Wilson, on property located at 8103 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 6.0, 6.1, 6.A, 6.B (Project No. S.1606)
- I.** [20-1467](#) Approval of and authorization to execute Agreement for Professional Consultant Services with McClelland Consulting Engineers, Inc. for providing design services on the 37th Street Roadway Widening from Omaha Street to Dearborn Street project (Project Number ST21390)
- J.** [20-1588](#) Approval of and authorization to execute the renewal of CyberRisk insurance coverage with Travelers Casualty and Surety Company of America
- K.** [21-75](#) Approval of and authorization to execute a professional services contract with First Responder Support Services, PLLC to provide behavioral health services (counseling, training and consultation) to all employees of the Broken Arrow Police Department, for the police department
- L.** [21-86](#) Approval of and authorization to execute Budget Amendment Number 19 for Fiscal Year 2021
- M.** [21-102](#) Approval of and authorization to execute Budget Amendment Number 20 for Fiscal Year 2021
- N.** [21-106](#) Approval of and authorization to execute Budget Amendment Number 22 for Fiscal Year 2021

- O. [21-109](#) Approval of and authorization to execute Resolution No. 1367, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 12.0 and accept a Temporary Construction Easement for the Olive Avenue: Kenosha to Albany Roadway Improvements generally located at Tacoma and Olive Avenue, Broken Arrow, Oklahoma in the Northwest Quarter of Section 4, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from Paragon Films, Inc. Parcel 12.0, 12.A (Project No. ST1710)
- P. [21-108](#) Approval of and authorization to execute Resolution No. 1368, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 2.0, which consists of 0.19 acres of permanent Right-of-Way for the Albany Street Improvements: 23rd - 37th, generally located at 19700 East 61st Street, Broken Arrow, Oklahoma, in the Northwest Quarter of Section 6, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma, from John and Cynda Spoon Trust and authorization of payment in the amount of \$5,100.00 for the Albany Street Improvements: 23rd to 37th, Parcel 2.0 (Project No. ST2035)
- Q. [21-107](#) Approval of and authorization to execute Resolution No. 1369, a Resolution authorizing acceptance of a General Warranty Deed for Parcel 4.0, which consists of 0.33 acres of permanent Right-of-Way for the Albany Street Improvements: 23rd - 37th, located at 20060 East 61st Street, Broken Arrow, Oklahoma, in the Northwest Quarter of Section 6, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma, from Richard Harriger and authorization of payment in the amount of \$13,900.00 for the Albany Street Improvements: 23rd to 37th, Parcel 4.0 (Project No. ST2035)
- R. [21-84](#) Approval of and authorization to purchase Phoenix G2 fire station alerting system components for the dispatch center from US Digital Designs, Inc.
- S. [21-73](#) Approval of a modification to Section 4.1(n) of the Land Subdivision Code for James Wickham, 1 lot, approximately 3.5 acres, RE (Residential Estate), west of Oak Grove Road (273rd East Avenue), one-quarter mile south of Kenosha Street (71st Street) at 27040 East 75th Street
- T. [20-1566](#) Award the most advantageous bid to John Vance Motors for the purchase of twelve (12) Dodge Durango Police Pursuit Vehicles, pursuant to the Oklahoma Statewide Vehicle Contract for the Police Department and approve and authorize their purchase
- U. [20-1567](#) Award the most advantageous bid to John Vance Motors for the purchase of three (3) Dodge Charger Police Pursuit Vehicles pursuant to the Oklahoma statewide Vehicle Contract for the Police Department and approve and authorize their purchase

- V. [20-1559](#) Award the most advantageous bid to Professional Turf Products, L.P. and approve and authorize execution of procurement contract for Battle Creek Golf Course Irrigation Pumping System Procurement (Project No. 195427A1)
- W. [20-1420](#) Notification of City Manager's and Assistant City Manager's execution of Professional Consultant Agreements and Amendments to an Agreement, as well as public Construction Contracts not subject to the Competitive Bid Act, with a Contract value of less than \$25,000
- X. [21-82](#) Ratification of the Claims List Check Register dated December 23, 2020

6. Consideration of Items Removed from Consent Agenda

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

- A. [21-104](#) Presentation and discussion regarding the COVID-19 Infection rate for Broken Arrow

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. [21-79](#) Consideration, discussion, and possible appointment of two city council members and one external representative, Jeff Hewitt, to the Broken Arrow Finance Audit Committee
- B. [21-87](#) Consideration, discussion, and possible acceptance of ST20-141, site plan for The Nest at Centennial, 14.54 acres, 158 units, A-1 to PUD-266A/RM, east of N. Elm Avenue, one-quarter mile south of Omaha Street (51st Street)
- C. [21-105](#) Consideration, discussion, and possible action regarding SP-298, Living Rivers USA, Inc., 5.75 acres, request for a Specific Use Permit for a Place of Assembly, one-eighth mile south of New Orleans Street (101st Street), east of Elm Place (161st E. Avenue)

10. Preview Ordinances

- A. [21-74](#) Consideration, discussion, and possible preview of an Ordinance closing a portion of a utility easement from Caleb and Lindsey Hurd, married, on property located approximately one-half mile east of Aspen Avenue (145th East Avenue), one-quarter mile south of Omaha Street (51st Street), at 3507 North Narcissus Court, Tulsa County, State of Oklahoma, (Section 34, T19N, R14E); repealing all ordinances to the contrary; and declaring an emergency

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, conferring on matters and possible action in open session pertaining to:

- 1. The City's claim, investigation and potential litigation or action related to Stronghand, LLC's potential breach of contract regarding the Tiger Hill Soldier Pile Retaining Wall, CJ-2020-1738; Tulsa County District Court; Contract No. 171703, and taking appropriate action in open session, under 25 O.S. § 307(B)(4);**
- 2. Litigation involving the case of Joshua Andre Garza vs. City of Broken Arrow, 19-CV-423-TCK-JFJ, Northern District of Oklahoma Federal Court case, and taking appropriate action in open session, 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 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 _____, 2020, at _____ a.m./p.m.

City Clerk