



City of Broken Arrow
Meeting Agenda
Broken Arrow City Council

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

Monday, June 6, 2022

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. [22-31](#) Approval of the City Council Meeting Minutes of May 17, 2022
- B. [22-712](#) Acceptance Planning Commission meeting minutes of May 12, 2022
- C. [22-728](#) Acceptance of the Drainage Advisory Committee meeting minutes of February 28, 2022
- D. [22-745](#) Approval of and authorization to execute Budget Amendment Number 36 for Fiscal Year 2022
- E. [22-746](#) Approval of and authorization to execute Budget Amendment Number 37 for Fiscal Year 2022
- F. [22-747](#) Approval of and authorization to execute Budget Amendment Number 38 for Fiscal Year 2022
- G. [22-627](#) Approval of and authorization to receive funding from Oklahoma Farm Bureau Foundation for Agriculture Farmers Market Grant for the purpose of promotion of the Rose District Farmers Market
- H. [22-735](#) Approval of and authorization to execute a purchase of Central Insurance Policies for the Bass Pro umbrella policy, and Bass Pro general liability policy, effective July 1, 2022

- I. [22-738](#) Approval of and authorization to execute a purchase of Oklahoma Municipal Assurance Group (OMAG) Insurance Policies for the Bass Pro property, mobile equipment and general municipal property, effective July 1, 2022
- J. [22-736](#) Approval of and authorization to execute a purchase of Chubb Group of Insurance Companies Policy for Electronic Data Processing Property, effective July 1, 2022
- K. [22-673](#) Approval of and authorization to execute an amended Group Term Life Policy and Rate confirmation with Minnesota Life Insurance Company to provide group term life, accidental death and dismemberment and supplemental life insurance to City employees, accepting the enhanced benefits and incorporating required changes as provided by the enhancement document for the Group Term Life Policy for the City of Broken Arrow to be effective July 1, 2022
- L. [22-739](#) Approval of and authorization to execute the purchase of Philadelphia Insurance Companies Insurance Policies for Battle Creek Commercial Liability and Battle Creek Property, effective July 1, 2022
- M. [22-727](#) Approval of and authorization to execute Resolution No. 1460, a Resolution declaring Rooster Days, on June 9-12, 2022, a holiday
- N. [22-737](#) Approval of and authorization to execute Resolution No. 1461, a Resolution of the City Council of the City of Broken Arrow adopting the City of Broken Arrow Investment Policy
- O. [22-724](#) Approval of and authorization to execute a Pest Control Service Agreement (third renewal, year three) with Allstate Termite and Pest Solutions for monthly pest control at all City facilities
- P. [22-704](#) Approval of and authorization to execute a Renewal Agreement No. 3 with Admiral Express to provide office supplies on a City-Wide basis
- Q. [22-700](#) Approval of and authorization to execute an engagement letter with Arledge & Associates, PC for fiscal year ending June 2022
- R. [22-702](#) Approval of and authorization to execute an engagement letter with Crawford & Associates for fiscal year 2022-2023
- S. [22-694](#) Approval of and authorization to execute a Medical Director Services Agreement between David Gearhart, D.O. and the City of Broken Arrow for services as the Physician Medical Director for the Fire Department
- T. [22-683](#) Approval of and authorization to execute a professional services contract with First Responder Support Services, LLC to provide behavioral health services (counseling, training and consultation) to all employees of the Broken Arrow Police Department

- U. [22-647](#) Approval of and authorization to execute a First Amended Memorandum of Understanding between the Indian Nation Council of Government (INCOG) and Broken Arrow, Oklahoma
- V. [22-696](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and John Barnhart, P.C., Attorneys and Counselors at Law for providing outside counsel and legal advice regarding Workers' Compensation matters
- W. [22-697](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Latham, Steele, Lehman, Keele, Ratcliff, Freije & Carter, Attorneys at Law for providing outside counsel and legal advice regarding Workers' Compensation matters
- X. [22-695](#) Approval of and authorization to execute a Clinical Affiliation Agreement between SouthWest EMS Academy and the City of Broken Arrow
- Y. [22-752](#) Approval of and authorization to execute a Contract with Tulsa County for Provision of Public Services for the Federal Program Year 2021 Community Development Block Grant (CDBG) Program
- Z. [22-645](#) Approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and Two Oaks Investments, LLC, dba Consolidated Benefits Resources (CBR) to provide services for Workers' Compensation claims administration
- AA. [22-730](#) 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
- AB. [22-729](#) Acceptance of the Drainage Advisory Committee's recommendations to reject the International Christian Assembly of Tulsa's request for expenditure of 2018 GO Bond, Proposition 6 funds for erosion control on the unplatted private channel and private pond
- AC. [22-731](#) Acceptance of the Drainage Advisory Committee's recommendation to expend 2018 General Obligation Bonds, Proposition 6 funds for removal and replacement of an existing 36 inch pipe to reduce localized flooding and roadway overtopping in the Homestead Addition Subdivision contingent upon an easement being provided to the City and the fencing being the responsibility of the property owners
- AD. [22-714](#) Approval of color scheme selection to be used for decorative pavers and colored concrete included in the West New Orleans Street and Elm Place Intersection and Streetscapes Improvements (ST1928) project

- AE.** [22-749](#) Approval of and authorization for 24-hour per day availability for concrete placement by Diversified Civil Contractors, LLC, on the construction contract for West New Orleans Street and Elm Place Intersection and Streetscapes Improvements (ST1928) and waiver of the disorderly conduct provisions pursuant to Broken Arrow Code of Ordinances, Chapter 16, Section 16-12
- AF.** [22-663](#) Approval of and authorization to execute a bid contract with Magnum Construction, Inc for the renovation of the Broken Arrow Municipal Court Room, and lobby
- AG.** [22-734](#) Approval of and authorization to execute a Sales Quote to add Tyler Payments ERP payment solution to the Tyler Technologies agreement
- AH.** [22-688](#) Approval of BAZ-2108 (Rezoning), Gorrell Property, 2.56 acres, A-RE (Annexed Residential Estate) to RS-1 (Single-Family Residential), one-half mile north of New Orleans Street (101st Street), one-eighth mile west of 23rd Street (193rd E. Avenue/County Line Road)
- AI.** [22-689](#) Approval of SP-308, 330 S 5th Pl, 0.20 acres, request for a Specific Use Permit for a Type 2 Short Term Rental, located one-eighth mile north of Houston Street (81st Street), one-quarter mile west of 9th Street (177th E. Avenue/Lynn Lane Road)
- AJ.** [22-687](#) Acceptance of a Utility Easement from Bonnie Gorrell, on property located one-half mile north of New Orleans Street (101st Street), one-eighth mile west of 23rd Street (193rd E. Avenue/County Line Road) at 19140 East 96th Street South (Section 28, T18N, R14E) (Utility Easement 2 Unplatted Lots)
- AK.** [22-698](#) Acceptance of a Detention Easement from Independent School District No. 3 of Tulsa County Oklahoma on property located approximately one-quarter mile south of Albany Street (61st Street), one-half mile east of 9th Street (Lynn Lane) (Section 01, T18N, R14E) (BAPS Event Center)
- AL.** [22-699](#) Acceptance of a Waterline Easement from Independent School District No. 3 of Tulsa County Oklahoma on property located approximately one-quarter mile south of Albany Street (61st Street), one-half mile east of 9th Street (Lynn Lane) (Section 01, T18N, R14E) (BAPS Event Center)
- AM.** [22-656](#) Approval of and authorization of Final Acceptance and donation for the public improvements located at 2300 East Kenosha
- AN.** [22-707](#) Approval of and authorization of Final Acceptance and donation of the public improvements at Lakes at Rabbit Run located at New Orleans Street and Olive Street

- AO. [22-710](#) Approval of and authorization of Final Acceptance and donation of the public improvements at Stewart Martin Kubota located at 1149 North Elm Place
- AP. [22-721](#) Approval of and authorization of Final Acceptance and donation of the public improvements at The Rose Quarter located at 1st & Elgin Street
- AQ. [22-657](#) Approval of and authorization of Final Acceptance and donation for the public improvements at Timber Ridge Cottages located at Kenosha and Creek Turnpike
- AR. [22-660](#) Approval of and authorization of Final Acceptance and donation of the public improvements at Tucson Village II located at East Tucson Street and 23rd Street
- AS. [22-667](#) Approval of and authorization of Final Acceptance and donation of the public improvements at Villas at Bricktown East located at 1501 North Elder
- AT. [22-716](#) Ratification of the Claims List Check Register Dated May 31, 2022

6. Consideration of Items Removed from Consent Agenda

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

- A. [22-723](#) Conduct a Public Hearing for the Proposed 2022-2023 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. [22-648](#) Consideration, discussion, and possible direction to the Administration relative to approaching the Museum Broken Arrow regarding the possibility of adding members of City Council or an appointed designee to their Board
- B. [22-684](#) Consideration, discussion, and possible approval of Broken Arrow City Council Ward Boundaries, based on 2020 U.S. Census and authorize the drafting of a Resolution and Ordinance accepting the same

10. Preview Ordinances

- A. [22-725](#) Consideration, discussion, and possible preview of an Ordinance amending the Broken Arrow Code of Ordinances, Chapter 7 - Business Regulations and Licenses / Article XI, -Wrecker Services, more specifically changing vehicle impoundment procedures

- B.** [22-705](#) Consideration, discussion, and possible preview of an Ordinance amending the Broken Arrow Code of Ordinances, Chapter 24 - Water, Sewers and Sewage Disposal, Article I - Overview and Definitions, Section 24-19; Repealing all ordinances to the contrary
- C.** [22-706](#) Consideration, discussion, and possible preview of an Ordinance amending the Broken Arrow Code of Ordinances, Chapter 24 - Water, Sewers and Sewage Disposal, Requirements for Water Service; Section 24-202 - Fee for Service Connection; Repealing all ordinances to the contrary
- D.** [22-751](#) Consideration, discussion and possible preview of an Ordinance amending Chapter 7 Business Regulations and Licenses, Article XV Medical Marijuana Sec. 7-386 Definitions; Sec. 7-387 Permit required, general provisions; Sec. 7-388 Medical Marijuana dispensary requirements; Sec. 7-389 Commercial grower requirements; Sec. 7-390 Marijuana Processor requirements; Sec. 7-391 Approval, issuance, denial and appeal; Sec. 7-392 Operational and Business plan requirements for medical marijuana dispensary, commercial grower and marijuana permit holders; Sec. 7-393 Medical marijuana growing facilities for personal use; Sec. 7-394 Additional regulations; Sec. 7-395 Enforcement; Sec. 7-396 Penalties

11. Ordinances

- A.** [22-653](#) Consideration, discussion, and possible adoption of Ordinance No. 3728 amending Chapter 2, Administration, Article I, In General, Sec. 2-13 -Members of boards and commissions, specifically changing the name of the Broken Arrow Convention and Visitors' Bureau (CVB) to Visit Broken Arrow, repealing all ordinances to the contrary and declaring an emergency
- B.** [22-732](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3728

- C. [22-652](#) Consideration, discussion, and possible adoption of Ordinance No. 3729 amending Chapter 2, Administration, Article XIV, Convention and Visitors' Bureau (CVB); Sec. 2-211 Created, specifically changing the name of the Convention and Visitors' Bureau (CVB) to Visit Broken Arrow; Sec. 2-212. Appointments, specifically changing the name of the Convention and Visitors' Bureau (CVB) to Visit Broken Arrow; Sec. 2-213. - Removal from office, specifically changing the name of the Convention and Visitors' Bureau (CVB) to Visit Broken Arrow; Sec. 2-214. - Organization, specifically changing the name of the Convention and Visitors' Bureau (CVB) to Visit Broken Arrow; Sec. 2-215 - Duties, specifically changing the name of the Broken Arrow Convention and Visitors' Bureau (CVB) to Visit Broken Arrow; Sec. 2-217 - Selection of Officers, specifically changing the name of the Broken Arrow Convention and Visitors' Bureau (CVB) to Visit Broken Arrow; Sec. 2-218 Codes of Ethics, specifically changing the name of the Broken Arrow Convention and Visitors' Bureau (CVB) to Visit Broken Arrow; and Sec. 2-219 Public Hearings, specifically changing the name of the Broken Arrow Convention and Visitors' Bureau (CVB) to Visit Broken Arrow; repealing all ordinances to the contrary and declaring an emergency
- D. [22-733](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3729
- E. [22-743](#) Consideration, discussion and possible adoption of Ordinance No. 3732 amending Section 3.2.C.7 (Specific Use Permit Standards: Commercial Uses); Section 10.3.D.9 (Definitions: Commercial Uses) Definitions of General Use Categories and Specific Use Types of the Broken Arrow Zoning Ordinance; and repealing all ordinances or parts of ordinances in conflict herewith and declaring an emergency
- F. [22-744](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3732
- G. [22-722](#) Consideration, discussion and possible adoption of Ordinance No. 3733 amending the Broken Arrow Code of Ordinances, Chapter 10 Fire Prevention and Protection, Article I - In General; Section 10-3 - Manufacture, sale, use, etc. of fireworks; Repealing all ordinances to the contrary; and declaring an emergency
- H. [22-748](#) Consideration, discussion and possible approval of an emergency clause for Ordinance No. 3733

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.

21 O.S. Section 280 provides the following:

- A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business or the business of any political subdivision, which includes publicly posted meetings, or any agency operations or any employee, agent, official or representative of the state or political subdivision.
- B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials or any political subdivision or its employees, agents or representatives or used in any manner to conduct state business or any political subdivision's business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel.
- C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.
- D. For purposes of this section, "disturb, interfere or disrupt" means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

A paper copy of this agenda is available upon request.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk