



**City of Broken Arrow**  
**Minutes**  
**City Council Emergency Meeting**

City Hall  
220 S 1st Street  
Broken Arrow OK  
74012

*Mayor Craig Thurmond*  
*Vice Mayor Scott Eudey*  
*Council Member Mike Lester*  
*Council Member Debra Wimpee*  
*Council Member Christi Gillespie*

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**Friday, June 7, 2019**

**Time 1:00 p.m.**

**Council Chambers**

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**1. Call to Order**

Mayor Craig Thurmond called the meeting to order at approximately 1:00 p.m.

**2. Roll Call**

**Present: 5 -** Christi Gillespie, Debra Wimpee, Johnnie Parks, Scott Eudey, Craig Thurmond

**3. General Council Business**

- A. 19-746 CONSIDERATION, DISCUSSION, AND POSSIBLE APPROVAL OF RESOLUTION NO. 1244, A RESOLUTION OF THE BROKEN ARROW CITY COUNCIL DECLARING AN EMERGENCY AS A RESULT OF A SANITARY SEWER TRUNK LINE BREAK RESULTING IN SEWER BYPASS FLOWS NEAR THE CORNER OF EAST 115TH STREET AND COUNTY LINE ROAD (193RD EAST AVENUE); ACTIVATION OF THE CITY'S EMERGENCY OPERATION PROTOCOLS, INCLUDING WAIVING STATE AND LOCAL PROVISIONS PERTAINING TO COMPETITIVE BIDDING AS ALLOWED BY LAW; AUTHORIZING AN INFORMAL BIDDING PROCESS; AUTHORIZING THE CITMANAGER TO EXECUTE EMERGENCY CONTRACTS AS NECESSARY FOR REPAIRS AND ANY SUBSEQUENT CRITICAL EVENTS; RATIFYING ALL PRIOR ACTIONS OF THE CITY MANAGER, INCLUDING THE CLOSURE OF THE WEST SOUTH BOUND LANE OF COUNTY LINE ROAD ( 193RD EAST AVENUE); PROVIDING FOR THE TERMINATION AND EXTENSION OF THE PROVISIONS OF THIS RESOLUTION; AND DIRECTING THE CITY MANAGER TO CARRY OUT ALL APPLICABLE PROVISIONS**

City Attorney Trevor Dennis reported today's Meeting was an Emergency Meeting which was specifically allowed by the Open Meetings Act under Section 13 of the Act which indicated if there was an emergency the Public Body was permitted to hold a Meeting without Public Notice. He stated emergency meetings required as much notice as possible and in this case Notice of the Meeting was posted this morning at 9:30 a.m. He indicated specifically this meeting was called due to collapse of a sewer trunk line on County Line Road and 115<sup>th</sup> East Street. He explained this initially was a sink hole of which the Utilities Department was advised and upon investigation it was discovered the sewer line's roof had collapsed along a 40 foot portion of the structure. He reported City Crews remediated the situation as best as possible with the materials and equipment on hand. He indicated ultimately City Crews were not able to divert the sewage in the line in order to expose it to effectuate a repair due to a lack of specific equipment, such as excavators, which were needed to expose the line to effectuate repair, and as a result the City needed outside assistance. He explained this situation qualified as an emergency as there was an open sewage ditch in the City of Broken Arrow which would negatively affect the health, safety and welfare of Broken Arrow Citizens. He noted the City could not wait the 21 days it would take under the Competitive Bidding Act to bid this project out. He reviewed the normal contract award process. He reported the Competitive Bidding Act contained a provision which allowed the City to move forward without following the notice and bidding process if two-thirds majority of the members of the governing body found an emergency existed.

Assistant City Manager Kenny Schwab further explained the situation. He noted the County Line Trunk Sewer, located at 115<sup>th</sup> East Street, was approximately a 23 foot deep, 24 inch diameter line. He noted the City was made aware of the situation on May 28, 2019 and investigated immediately. He reported the affected area was approximately 50 feet long, 40 feet wide and 23 feet deep. He explained the City had plenty of equipment and fixed many breaks along this County Line Trunk Sewer, but this damaged area was past the limit of City equipment. He reviewed the attempted repairs made by City Crews. He noted the longer this area remained exposed, the more rain, dirt and sediment fell into the sewer, the more damaged the pipe would become in this location, and potentially other locations as well. He explained this was an open excavation pit currently and as such constituted a very dangerous situation. He stated on Monday June 3, 2019, City Council passed an Agenda Item to award replacement of the County Line Trunk Sewer from the Plant to approximately 111<sup>th</sup> Street to Belt Construction out of Texarkana, Arkansas. He stated a fee of \$136,731.53 dollars was

negotiated with Belt Construction for a temporary fix in the emergency location which included bypass pumping and repair. He noted it was impossible to complete the permanent fix in this location due to logistics and pipe requirements.

Council Member Parks asked if there were good pieces of the County Line Trunk Sewer on either side of the damaged portion. Mr. Schwab responded he was unsure; the extent of damage could not be known until repair began. He explained the County Line Trunk Sewer was a concrete sewer line which was being eroded from the inside out due to accumulation of sewer gases. He reported a 30 inch PVC pipe would be installed in place of the concrete sewer line. He noted the City would supply the rock, the back fill, and the PVC pipe, which helped keep costs lower.

MOTION: A motion was made by Scott Eudey, seconded by Debra Wimpee.

**Move to approve Resolution No. 1244**

The motion carried by the following vote:

**Aye: 5 -** Christi Gillespie, Debra Wimpee, Johnnie Parks, Scott Eudey, Craig Thurmond

Council Member Parks noted the TIF Committee letters were required to be submitted to Russell Gale by Monday June 10, 2019.

**4. Adjournment**

The meeting adjourned at approximately 1:09 p.m.

MOTION: A motion was made by Johnnie Parks, seconded by Christi Gillespie.

**Move to adjourn**

The motion carried by the following vote:

**Aye: 5 -** Christi Gillespie, Debra Wimpee, Johnnie Parks, Scott Eudey, Craig Thurmond

Attest:

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Mayor

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City Clerk