



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, October 6, 2020

6:30 PM

Council Chambers
220 South 1st Street
Broken Arrow, OK

AMENDED AGENDA

1. Call to Order

2. Invocation

3. Roll Call

4. Pledge of Allegiance to the Flag

5. Consideration of Consent Agenda

- A. [20-1155](#) Approval of the Special City Council Meeting Minutes of September 9, 2020
- B. [20-18](#) Approval of the City Council Meeting Minutes of September 15, 2020
- C. [20-1146](#) Acceptance of the Planning Commission meeting minutes of August 27, 2020
- D. [20-1147](#) Acceptance of the Special Planning Commission meeting minutes of September 1, 2020
- E. [20-1189](#) Acceptance of the Planning Commission meeting minutes of September 10, 2020
- F. [20-1195](#) Ratification of Workers' Compensation Court Order for Gary Snyder, current Fire Department employee
- G. [20-1194](#) Ratification of Workers' Compensation Settlement for Michael Jackson, current Police Department employee

- H. [20-1244](#) Approval of and authorization to execute Resolution No. 1345, a Resolution of the Broken Arrow City Council approving and authorizing the formation of a Citizen Advisory Committee, for New Orleans Square, and approving and authorizing the appointment of at least five (5) individuals to assist the City Council and the City Manager towards guidance for future projects to benefit the rejuvenation of New Orleans Square and authorizing this committee to meet with City staff's assistance through 2021 at which time the City Council may continue this Resolution and its intent
- I. [20-1197](#) Approval of and authorization to accept a donation in the amount of \$4,000 from Saint Francis Hospital South for the purpose of renewing the PulsePoint mobile application service
- J. [20-1242](#) Ratification of acceptance of Grant Award #1060.021 from Oklahoma Homeland Security for replacement of rescue equipment and approval of and authorization to execute Budget Amendment #10
- K. [20-1214](#) Approval of and authorization to execute a Professional Services Agreement for Bond Counsel Services with The Public Finance Law Group, PLLC
- L. [20-934](#) Approval of and authorization to execute a Professional Consultant Agreement with LandPlan Consultants, LLC for the City Hall Landscape/Lighting Parking Improvements (Project No. 201707)
- M. [20-1203](#) Approval of and authorization to purchase two (2) 3/4-ton crew cab pickups from Bill Knight Ford, pursuant to the Oklahoma Statewide Vehicle contract, for the Parks Department
- N. [20-1159](#) Approval of and authorization to purchase heavy rescue equipment for the Fire Department, from Conrad Fire Equipment, pursuant to the Houston-Galveston Area Council (HGACBuy) contract
- O. [20-1164](#) Approval of and authorization to purchase Cisco Smartnet Maintenance Services from Chickasaw Telecom, Inc. pursuant to the Oklahoma Statewide Contract
- P. [20-1243](#) Approval of and authorization to purchase equipment for Tyler Enterprise Resource Planning (ERP) Storage Area Network (SAN) Expansion
- Q. [20-1246](#) Approval of and authorization to purchase equipment for Storage Area Network Expansion
- R. [20-1225](#) Award the lowest responsible bid to R&L Construction, LLC and approval of and authorization to execute a construction contract for the Washington Street Improvements from Garnett Road to Olive Avenue; Reinforced Concrete Package (ST1616B)

- S. [20-1227](#) Approval of waiver of bidding requirements set forth in Article V, Section b. of the City of Broken Arrow Purchasing Manual and ratification of the purchase order issued to Advanced Workzone Services for the Washington Street Improvements from Garnett Road to Olive Avenue construction project (ST1616B)
- T. [20-1245](#) Approval of waiver of bidding requirements set forth in Article V, Section c. and Article XIV of the City of Broken Arrow Purchasing Manual and issuance of a purchase order for the purchase of storm drainage piping from DP Supply Co. for the Washington Street Improvements from Garnett Road to Olive Avenue construction project (ST1616B)
- U. [20-1233](#) Approval of waiver of bidding requirements set forth in Article V, Section c. and Article XIV of the City of Broken Arrow Purchasing Manual and issuance of a purchase order for the purchase of stormwater infrastructure materials from Nance Precast Concrete Products for the Washington Street Improvements from Garnett Road to Olive Avenue construction project ST1616B
- V. [20-1251](#) Approval of waiver of bidding requirements set forth in Article V, Section c. and Article XIV of the City of Broken Arrow Purchasing Manual and issuance of a purchase order for the purchase of PVC pipe for upcoming water line replacement projects
- W. [20-1224](#) Ratification of Change Order No. 4 for Contract No. 171703 Tiger Hill Soldier Pile wall to implement the approved Settlement Agreement between Stronghand LLC, Great American Insurance Company ("GAIC") and the City of Broken Arrow
- X. [20-1148](#) Approval of BAZ-2062 (Rezoning), DuPree Home, 0.66 acres, A-RE (Annexed Residential Estate) to RS-1 (Single-Family Residential), one-third mile west of Aspen Avenue (145th East Avenue), one-quarter mile south of Florence Street (111th Street)
- Y. [20-1151](#) Approval of PT11-102A, Conditional Final Plat, SoundMind Behavioral Health, 14.16 acres, 2 Lots, A-1 (Agricultural) to CG (Commercial General)/ (Planned Unit Development) PUD-279, one-half mile north of Tucson Street (121st Street) west of Aspen Avenue (145th East Avenue), north of the Creek Turnpike
- Z. [20-1174](#) Approval of PT16-100A, Conditional Final Plat, The Villas at Bel Lago II, 43 lots, 13.42 acres, A-1 to RS-3, northwest corner of Houston Street (81st Street) and 51st Street (Evans Road/225th E. Avenue)
- AA. [20-1176](#) Approval of PT19-108, Conditional Final Plat, Harvest Center, 40.03 acres, 1 Lot, A-1 to PUD-289/IL, one-half mile north of Houston Street (81st Street), one-quarter mile west of 23rd Street (County Line Road)

- AB.** [20-1206](#) Approval of PUD-319 (Planned Unit Development) and BAZ-2065 (Rezoning), City PUD, approximately 20 acres, one-half mile south of Florence Street (111th Street), east of Aspen Avenue (145th East Avenue), north of the Creek Turnpike
- AC.** [20-1149](#) Approval of a modification to Section 4.1(n) of the Land Subdivision Code for Glenn Zeiter, 1 lot, 0.66 acres, A-RE (Annexed Residential Estate) to RS-1 (Single-Family Residential), one-third mile west of Aspen Avenue (145th East Avenue), one-quarter mile south of Florence Street (111th Street)
- AD.** [20-1162](#) Accept the donation of public improvements at Broken Arrow Health and Rehab located at 1251 West Houston Street
- AE.** [20-1137](#) Accept the donation of public improvements at North Aspen Retail Center located at 2601 North Aspen Avenue
- AF.** [20-1154](#) Acceptance of a Temporary Construction Easement consisting of 0.0006 acres from The Korean Church of Tulsa, Inc., on property located at 13000 E 68th Street, Broken Arrow, Oklahoma, a tract of land that is part of Lot 1, Block 1 of Korean Church, located in the Southwest Quarter of Section 4, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the Olive Avenue Improvements, Kenosha to Albany, Parcel 9.A. (Project No. ST1710)
- AG.** [20-1126](#) Acceptance of a Temporary Construction Easement consisting of 0.02 acres from the J K Cameron Family, LP, on property located at 3550 W Tacoma Street, Broken Arrow, Oklahoma, a tract of land that is part of Lot 1, Block 1 of Cam-Par Business Park, located in the Northwest Quarter of Section 4, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the Olive Avenue Improvements, Kenosha to Albany, Parcel 17.A. (Project No. ST1710)
- AH.** [20-1188](#) Acceptance of a Temporary Construction Easement consisting of 0.02 acres from the Scissortail Crossing Apartments, LP, on property located at 2800 North 23rd Street, Broken Arrow, Oklahoma, a tract of land that is part of Lot 1, Block 1 of The Park at Albany, located in the Southwest Quarter of Section 31, Township 19 North, Range 15 East, Wagoner County, State of Oklahoma for the 23rd Street Roadway Improvements, Albany to Omaha, Parcel 8.1. (Project No. ST1931)
- AI.** [20-1150](#) Acceptance of a Utility Easement from Glenn Zeiter, on property located one-third mile west of Aspen Avenue (145th East Avenue), one-quarter mile south of Florence Street (111th Street), Tulsa County, State of Oklahoma, (Section 33, T18N, R14E)

- AJ. [20-1005](#) Acceptance of a Utility Easement from Nicholas Parker, on property located at the southeast corner of 1st Street and Fort Worth Street, Tulsa County, State of Oklahoma, (Section 11, T18N, R14E)
- AK. [20-1210](#) Ratification of the Claims List Check Register dated September 29, 2020

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Presentations, Recognitions, Awards

- A. [20-1235](#) Presentation and update by Broken Arrow Public Schools staff on the STEM (Science, Technology, Engineering and Math) Innovation Center
- B. [20-1226](#) Presentation and update by Parks and Recreation Director on the Community Garden project
- C. [20-1222](#) Presentation of a Proclamation declaring October 2020 as Manufacturing Month
- D. [20-1156](#) Presentation of a Proclamation recognizing the 60th anniversary of Boy Scout Troop 151 in the City of Broken Arrow, Oklahoma
- E. [20-1228](#) Presentation of a Proclamation declaring October as Breast Cancer Awareness Month in Broken Arrow, Oklahoma
- F. [20-1208](#) Approval of and authorization to execute a Proclamation declaring the month of October 2020 as Community Planning Month
- G. [20-1181](#) Presentation regarding update on the Washington Street Widening Project from Garnett Road to Olive Avenue
- H. [20-1218](#) Presentation and discussion regarding the COVID-19 Infection rate for Broken Arrow
- I. [20-1260](#) Presentation and update on the Hillside Drive concrete cantilevered retaining wall project
- J. [20-1236](#) Presentation of the City of Broken Arrow Traffic Calming Device Policy with respect to ongoing street habilitation projects in association with general obligation bond programs and street sales tax program

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. [20-1183](#) Consideration, discussion and possible action on an appeal to the Hearing Officers decision declaring 520 West Detroit Street, Broken Arrow, Oklahoma 74012; Lots 15 & 16, Block 23 Broken Arrow- Original Town, Tulsa County; as a dilapidated structure and a public nuisance and authorization to demolish the property. Violations: Title 11 O.S. § 22-111 and § 22-112; City Nuisance Code 15-1 C.15 and 15-4 and 15-1 D.10 a & b
- B. [20-1180](#) Consideration, discussion and possible approval of PUD-50E (Planned Unit Development), Sparky McGee Medicine in Brentwood Center, 0.53 acres, PUD-50D/CG to PUD-50E/CG, located south of Washington Street (91st Street), west of Aspen Avenue (145th East Avenue)
- C. [20-1199](#) Consideration, discussion, and possible approval of the appointment of Mindy Payne to the City of Broken Arrow Board of Adjustment for a three-year term to expire May 1, 2023
- D. [20-1202](#) Consideration, discussion, and possible approval of the appointment of Julea' Merriott to the City of Broken Arrow Planning Commission for the remainder of a three-year term to expire May 1, 2021
- E. [20-1209](#) Consideration, discussion and possible approval of changing the name of the Armed Forces Meeting Hall to the 'Broken Arrow Veteran's Center' (Project No. 176050A)
- F. [20-1175](#) Consideration, discussion, and possible approval of and authorization to execute an Agreement with the Muscogee Creek Nation and Mission 22 for partnering together for the War at Home Memorial (Project 206043)
- G. [20-1215](#) Consideration, discussion, and possible approval of the proposed list of projects for the 2018 General Obligation Bond Issue, Series 2020A and 2020B Sale
- H. [20-1253](#) Consideration, discussion, and possible approval of and authorization to execute a Property Transfer and Naming Rights Agreement with AVB Bank for the Center of Arts, Innovation and Creativity
- I. [20-1250](#) Consideration, discussion, and possible approval of a 2020 Veterans Day Parade and authorization for fee waivers for all associated City fees

10. Preview Ordinances - NONE

11. Ordinances

- A. [20-1186](#) Consideration, discussion, and possible adoption of Ordinance 3653, an Ordinance repealing and re-enacting Broken Arrow Code of Ordinances Chapter 11-Food and Food Establishments; repealing all ordinances or parts of ordinances in conflict herewith; and declaring an emergency

- B.** 20-1261 Consideration, discussion, and possible adoption of Ordinance No. 3654, an ordinance repealing Chapter 2 of the Broken Arrow Code, Article XVI, The Broken Arrow Elm and New Orleans Advisory Committee, Sections 2-230, 2-231, 2-232, 2-233 and 2-234; repealing all ordinances to the contrary; and declaring an emergency

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. A litigation, including potential intervention by the City of Broken Arrow, involving the case of Holliday Sand & Gravel Company, Inc. v. Tulsa County Board of Adjustment, Tulsa County District Court Case Number CV-2020-996, under 25 O.S. §307(B)(4)
2. A litigation, including defense thereof, involving the case of Jason Nicholson et al. v. Kevin Stitt et al., Okmulgee County District Court Case Number CJ-2020-94, 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