



City of Broken Arrow
Minutes
Broken Arrow Municipal Authority

City Hall
220 S 1st Street
Broken Arrow OK
74012

Chairperson Craig Thurmond
Vice Chair Scott Eudey
Trustee Mike Lester
Trustee Johnnie Parks
Trustee Debra Wimpee

Tuesday, December 5, 2017

Council Chambers

1. Call to Order

Chairman Craig Thurmond called the meeting to order at approximately 7:21 p.m.

2. Roll Call

Present: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

3. Consideration of Consent Agenda

Chairman Thurmond asked if there were any items to remove from the Consent Agenda. There were none.

MOTION: A motion was made by Mike Lester, seconded by Debra Wimpee.

Move to approve the Consent Agenda

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

- A. 17-1714** **Approval of Broken Arrow Municipal Authority Meeting Minutes of November 21, 2017**
- B. 17-2935** **Acknowledgement of Submittal to the Oklahoma Department of Environmental Quality (DEQ) a Notice of Intent to Revise Technically Based Local Limits (TBLL) for the City of Broken Arrow and Regional Metropolitan Utility Authority (RMUA) Industrial Pretreatment Program**
- C. 17-2899** **Approval of and authorization to execute Amendment No. 3 to Agreement for Professional Consulting Services between the Broken Arrow Municipal Authority and HDR Engineering, Inc. for Rehabilitation of the Headworks at Lynn Lane Wastewater Treatment Plant - Screening Improvements (Project No. 165420) and Grit Removal Improvements (Project No. 165423)**
- D. 17-2946** **Ratification of Amendment No. 3 to Agreement for Professional Consultant Services with HDR Engineering, Inc. for on-call professional services at the Verdigris Water Treatment Plant**
- E. 17-2949** **Approval of and authorization to accept the proposal from Pencco, Inc. to conduct a 45-day chemical addition pilot program for odor control along the County Line sewer trunk line**
- F. 16-1600** **Approval of the Broken Arrow Municipal Authority Claims List for December 05, 2017**

4. Consideration of Items Removed from Consent Agenda

There were no items removed from the Consent Agenda. No action was required or taken.

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

There were no Public Hearings, Appeals, Presentations, Recognitions, or Awards.

6. General Authority Business

A. 17-2969

Consideration, discussion and possible implementation of a curbside recycling pilot program as proposed by the Citizen's Recycle Committee

General Services Director, Lee Zirk, stated on November 7, 2017 the Municipal Authority reviewed staff's recommendation concerning the Citizen's Recycle Committee recommendations. He stated at that time the Citizen's Recycle Committee recommended running two 1,000 home pilot projects to determine how recycling would work best in Broken Arrow. He reported the consultant indicated this would cost approximately \$445,000. He stated because of the cost, staff and the consultant recommended scaling the pilot program down to a single pilot project consisting of 500 homes. He stated after the Authority's discussion on the subject it was determined the proposal should be sent back to the Recycling Committee for its recommendation. He stated on November 20, 2017 the Citizen's Recycling Committee met with staff and the consultant and after considerable discussion decided two recycling pilots were needed; however, in cost consideration the committee determined the pilot programs should be reduced to 500 homes each, rather than 1,000 homes each. The consultant estimated this would cost approximately \$300,000. He stated staff had reviewed the General Services budget and determined that based upon savings with capital projects which had already been completed, and deferment of a project which would not affect operations, the dual pilot project with 500 homes each could be funded. He stated staff was prepared to move forward on the pilot project at the Authority's discretion. He stated he would be happy to answer any questions.

Chairman Thurmond asked if there were any questions. Trustee Lester asked if the pilot program's purpose was to see what issues, benefits, pitfalls, etc., may come up with implementation of each separate recycling program. Mr. Zirk responded in the affirmative. Mr. Zirk stated it was also a good indication of how the recycling program would work when implemented citywide, provided needed experience, and allowed improvement prior to citywide implementation. He explained the dual pilot would be conducted with a two cart system and with a one cart system, data would be collected, surveys would be conducted, and all available information would return to the Recycling Committee. He stated the Recycling Committee would in turn review all available information, weigh the pros and cons, and return to the Broken Arrow Municipal Authority (BAMA) with a citywide Recycling Program recommendation and report.

Trustee Lester asked if the citizens would also have another opportunity, following the pilot programs, to voice their opinions before the Authority regarding the recycling program. City Manager, Michael Spurgeon, responded in the affirmative; he stated should the Authority authorize staff to move forward, then staff would select the area designated for the pilots, acquire the necessary equipment, conduct the pilot programs, gather data, and present a report to the Authority with full transparency to the citizens of Broken Arrow. He stated there would be time for public input once the data had been collected and the report was released.

Trustee Lester stated he wanted to be certain residents understood this was not a final decision regarding what recycling program would be chosen, it was a decision to move forward to discover what the pros and cons of each proposed recycling program were. City Manager Spurgeon agreed with Trustee Lester; this was not the final decision, a final decision might not be made until the fall of 2018.

Trustee Parks stated as a member of the Citizen's Recycling Committee he felt the committee favored recycling, just as the citizens favored recycling, and recycling was going to be implemented; however, the question was how trash would be collected following recycling program implementation. He stated that was the purpose of the dual pilot program.

Chairman Thurmond stated he had received 46 emails in the past week, 42 were in favor of a recycling program and four were opposed due to concerns of being forced to recycle. He stated recycling was an option only; residents would have carts available for recycling, but would not be required to recycle. Mr. Zirk agreed; it was a voluntary program.

Chairman Thurmond stated several residents signed up to speak. He explained residents would have three minutes to speak, and asked residents to provide a name and address, and not to repeat what others have said. He stated the Authority would like to hear what the residents had to say.

Citizen, Rose McCurdy, stated her address was 2700 South Gardenia Place. She stated she was in favor of the current trash collection system. She stated she appreciated the ability to put her trash out in the morning and to come home to clean streets in the evening with the trash gone and no carts to be brought in. She stated when she was perusing the document for the goals of the city she found the goal was to encourage recycling. She stated she had reviewed the different ideas and options for the recycling program and she was in favor of the idea to discontinue bag distribution by the city, and possibly offer residents different colored bags for purchase to recycle. She stated she felt in this way the goal to encourage recycling would be accomplished and it would be accomplished without spending \$200,000 to \$400,000 on a pilot program. She stated if it were her money she would not spend her money in this manner. She stated she would like the Authority to consider this, as it was her money, the Authority's money, as well as the residents of Broken Arrow's money. She stated she felt the city could save money by not issuing trash bags and by offering recycling bags for purchase, while still encouraging recycling. She thanked the Authority for its time and for allowing her to speak.

Citizen, Gary O'Dell stated his address was 4008 South Maple Avenue. He stated he had lived at this address for 18 years and had been a resident of Broken Arrow since 1979. He stated in May 2016 the Sooner Poll indicated that 91% responded in favor of the current trash program in Broken Arrow. He stated he felt the residents of Broken Arrow liked the idea of recycling; in fact, he currently recycled his aluminum cans and brought his papers to the library. He stated recycling was not the issue; he felt if 91% of the population liked the current trash system a way to add recycling without changing the trash pickup system should be considered. He stated both pilot programs reduced trash pickup to once a week which was a change to the current trash system. He stated this change was the main issue he had with commencing a recycling program. He stated the citizens of Broken Arrow liked the trash program the way it was. He reported on August 16, 2016, Mr. Spurgeon stated the trash program should remain the way it was (this statement was recorded on the video of the meeting during which the Sooner Poll was reviewed) and now, one year later, the program was being altered by changing pickup from twice a week to once a week. He stated he was a realtor who often visited Tulsa and the homes there had two large crates, which smelled bad and had flies, visible on the sides of each home. He stated many residents of Broken Arrow did not have the space to store carts and did not like the look of carts. He stated residents liked the clean look of leaving the trash by the road in the morning and returning to a clean street. He stated Mr. Spurgeon indicated the free trash bags would not be issued any longer. Mr. O'Dell stated the bags were not free, the bags were paid for by the residents and he wanted to know where the \$500,000 would be going. He stated the pilot program up for vote at the meeting changed the trash system that 91% of residents approved of. He thanked the Authority for its time and work efforts.

Citizen, John Tribby, stated his address was 3317 West Fort Worth Street. He stated he loved his trash bag vouchers. He stated the City of Broken Arrow currently did not have trucks that

could pick up and dump containers, which was something to be considered. He asked how the project was to be supported, and who was to pay for recycling if trash pickup was to be eliminated. He stated he felt \$300,000 for a 500 home pilot program was excessive. He asked where recycling materials would be taken and sorted as recyclables had to be sorted and could not be dumped, and wondered if Broken Arrow would contract out for this, which was another cost item. He stated he wondered if one container was for trash and the other was for recycling material, would the recycling need be separated from the trash, and who was going to separate the two. He stated he was concerned Broken Arrow would become like California with a recycling inspector. He reported in the State of California an inspector would check inside recycling containers and if a non-recyclable was in the recycling bin a \$250 ticket was issued. He stated he did not want this to happen. He stated he wondered what the \$320,000 for the pilot program would cover, as it was a lot of money to spend on one item. He stated he was concerned about the money aspect. He indicated that Broken Arrow residents who desired curbside recycling pickup could contact several local companies for service; \$15 for setup which was for the container (not owned by the resident), and \$9 for two pickups per month; therefore, there were already viable options for residents who wanted to recycle. He stated he was not against recycling; he simply wanted a clearer understanding of how it was to be done and paid for. He cited that 91% of Broken Arrow residents liked the current trash collection program which he felt said it all. He stated 82.4% of residents indicated that a better recycling effort would be made if curbside pickup was available. He asked if residents were informed what would need to be done to implement curbside recycling. He stated residents who wanted to recycle had accepted the current program and should use present dump sites and there was currently a dump site at 300 South Elm Street in Broken Arrow. He stated how he had heard from residents that it was an inconvenience to bring recyclables to the dump site. He declared that the proposed recycling pilots and programs were an expensive inconvenience for Broken Arrow. He thanked the Authority.

Citizen, Jeff Butler, stated his address was 1029 North Kenwood Avenue. Mr. Butler stated he had the opportunity to see three different downtowns revitalized in his lifetime, Oceanside, CA, Midland, MI, and here in Broken Arrow. He stated he had watched Mike Lester work on the revitalization for 10-12 years and felt Mr. Lester had done an excellent job. He congratulated Debra Wimpee on her election. He stated "when you start talking trash, you start talking cash," and you were not talking the City's cash, you were talking the citizen's cash. He indicated that he was for recycling, but when you forced recycling upon citizens less and less could go into the trash, and then all of a sudden it could only go into certain containers. He stated recycling would result in an unknown cost to Broken Arrow citizens. He stated he highly recommended the Authority vote no on this item. He stated he felt the citizens would not like it, the Authority would not like it, and it would cost Broken Arrow and its citizens more money than understood or expected. He thanked the Authority.

Chairman Thurmond stated one other resident signed up in opposition, and there were two additional speakers.

Citizen, April Salisbury, stated she was speaking on behalf of Wes Smithwick who was at his daughter's graduation. She stated while these were her words Mr. Smithwick had read them and was in support of them. She stated when visiting with companies both foreign and US based who considered relocating or building in Broken Arrow she was always asked how the community of Broken Arrow addressed sustainability. She stated it was always an issue that came up and was a major focus for many companies. She stated when all things were equal this could be the one influencing component which could prevent a prospective business from choosing Broken Arrow due to the lack of active sustainability programs. She stated Broken Arrow had to start being proactive, for economic development and simply because it was the right thing to do. She stated the argument over whether to recycle should not be dependent upon the use of carts or plastic bags. She stated the cart or bag decision should be based upon economics. She stated the decision to recycle should be based upon what was right versus what

was wrong and should be about creating a sustainable future for the children and the community of Broken Arrow. She stated Mr. Smithwick had spoken before the Authority very passionately 18 months ago regarding this issue. She indicated that she agreed with Mr. Smithwick 100% and stated Mr. Smithwick and she herself hoped the Authority would vote yes on this item to enabling the city to move forward with this pilot and subsequently move forward with citywide curbside recycling. She thanked the Authority.

Citizen, Dawn Seing, stated her address was 219 West Dallas. She stated as a member of the Recycling Committee she wanted to inform the citizens of Broken Arrow that the pilot programs did not mandate recycling in any way; if a resident chose to place all recyclables in the trash bin to send to Covanta there would be no recourse. She explained the bags versus carts issue arose during the Committee's research stage, and it was discovered that the best practice method of curbside recycling was with the use of carts. She reported the committee toured the two recycling plants and the trash facilities in the area to better understand how trash and recycling processing was done. She explained the recycling plants would be required to purchase additional equipment in order to accommodate bag use while much of the recycling material would still be lost in the process. She stated the recycling plants requested the use of carts for these reasons; therefore, the decision to use carts for recycling was made. She explained at this juncture the committee considered, as the trucks would already be retrofitted to pick up recycling carts, whether it would be of benefit to use carts for trash as well or whether bag use should be continued. She reported the Committee took into consideration workers' compensation issues, the health and safety of the current sanitation employees, and how the proposed changes would affect the sanitation department. She stated best practice indicated carts would lower the number of workers' compensation complaints and would not eliminate any job positions. She stated once the recycling pilots were completed the Broken Arrow Recycling Committee would reconvene and review the surveys conducted to determine the varied preferences of residents, and would make a recommendation to the Authority to either move forward with one of the pilot methods, or possibly neither. She explained the pilot programs were simply to see if and what worked best within the unique community of Broken Arrow.

Trustee Parks stated Russell Peterson was the Chairman of the Broken Arrow Recycling Committee and asked if Mr. Peterson had any additional comments.

Citizen, Russell Peterson, stated his address was 107 West Commercial. Mr. Peterson stated the Broken Arrow Recycling Committee had been meeting to discuss recycling for over a year. He stated the reason for the two pilot programs was to study the possible impact of bags with a recycling cart versus two carts for trash and recycling. He stated the committee wanted to study each method independently to compare and determine which method residents preferred. He stated a great deal of time, effort and research had gone into the pilot program proposal and he hoped the Authority would approve the recommendation.

City Manager Spurgeon stated he wanted to clarify the two pilot programs would be 500 homes each, totaling 1000 homes. He stated code enforcement would never fine a citizen for placing recycling materials in a trash receptacle; he was responsible for code enforcement, and would never allow this. He stated the funds for the pilot program would come from the Utility Department and solid waste revenues. He explained funds had been approved by the Council and Utility Authority and provided for a single program, and if it was decided to conduct two pilots the City's Staff had found the additional necessary funds within the current budget. He stated he had lived in Broken Arrow for two years and Broken Arrow had a wonderful Solid Waste Service, probably the best he had experienced; however, the way Broken Arrow collected trash, in the long run, was not sustainable. He stated as customers it was hard to hear, but the Sanitation Department had difficulty finding enough drivers to run the 13 or 14 routes, and extreme difficulty finding enough workers to ride on the back of the truck and handle the trash bags; most were hired from temp agencies. He stated Broken Arrow needed to strongly

consider the pilot programs in so much as finding qualified drivers, and especially qualified trash collectors, was becoming increasingly difficult due to hard labor and scheduling; for example, Tuesday after Thanksgiving the trash collectors worked until 10 p.m. and on Monday until 9 p.m.; it was extremely difficult to find individuals willing to work a schedule such as this. He stated as a customer he loved the current trash service; however, as a City Manager responsible for operations and efficiency he felt it was important to conduct the pilot programs and allow the Recycling Committee to review the results and make recommendations to the Authority.

Trustee Parks stated he felt the citizens of Broken Arrow brought up good questions and the Committee had answers for said questions. He stated as far as the trash vouchers went, the City spent \$500,000 a year for trash bags which were in turn being burned at Covanta. He stated he felt this was a waste of the citizen's money and there were different, better ways to conduct sanitation processes and the Recycling Committee simply wanted to investigate to discover a better, more sustainable, process. He stated he felt it was important to allow the pilot programs to commence and following this the Committee and Council would be able to answer all questions. He stated it might not be as convenient as dropping a bag at the curb, however, the bags have gotten so expensive Broken Arrow would not be able to keep up with the cost. He stated the half million dollars could be better spent elsewhere in the budget.

Vice Chairman Eudey stated he also received many emails regarding the recycling program. He stated he was a stickler for answering all of his emails right away; however, he received so many emails regarding recycling he was unable to respond to all immediately, but would as soon as possible. He indicated that it was clear from the emails that the citizens of Broken Arrow felt very passionately about this topic. He stated the one thing he was sure of was "we don't know what we don't know." He stated the purpose of a pilot program was to allow the City to discover what could be, what should not be, what worked, and what did not work. He stated a pilot program would determine if a change should be made, and if so, what change worked best. He stated as a Council Member he was required to worry about the city budget, and he understood it was becoming more expensive and difficult to run the Sanitation Department. He stated he loved the trash system as it was, but he did not know how sustainable it was. He stated he mentions this because he was not pro-recycling, but ironically was appointed as Trustee of the Metropolitan Environmental Trust, and as a result he had come to understand the value of recycling. He stated his grandparents had worked very hard to build up an estate which would sustain his grandparents through their dotage. He stated during a recent visit with his 88-year-old grandmother who was darning socks, he asked her why as she could certainly afford new socks, to which she responded "well, we just don't need to waste anything." He stated the concept of recycling was true conservatism in one sense; things should not be thrown away and wasted when reuse and repurpose was possible. He stated on the other hand, citizens should not be required to recycle; however, having the option to recycle was important to the citizens of Broken Arrow (as seen in the Sooner Poll). He stated, therefore, he felt the City had an obligation to learn, to investigate, and to conduct the pilot programs to determine if recycling should be done, and if so, how. He stated once the pilot programs were completed, and the data was collected, then the Committee, the Authority, and the citizens of Broken Arrow would have the necessary knowledge to determine if, and what, recycling program would work for the Community. He explained the pilot program did not say "this is what will be done"; it said the City was diligent in using scarce resources to determine the best manner for implementation of a recycling program if at all possible. He stated his thought process in this was "we need to know what we don't know."

Trustee Lester stated he wanted to clarify, while no doubt \$300,000 was a lot of money, City Council and the Authority were charged with being prudent with the Community's money, but were also charged with looking toward the future and making certain the needs of citizens were met. He reported to accomplish this goal outside studies conducted for future water needs, future sewer needs, future trash needs, etc., were necessary as Broken Arrow did not have staff

knowledgeable enough to make these kinds of decisions without proper research. He stated Broken Arrow depended on those studies, consultants, and others outside the City, to provide guidance before important decisions were made. He stated this was certainly an area in which Broken Arrow needed guidance.

MOTION: A motion was made by Johnnie Parks, seconded by Debra Wimpee.

Move to direct staff to proceed with implementing the dual recycling pilot program as proposed by the Citizen's Recycle Committee

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

Chairman Thurmond stated a brief recess would be held to allow citizens to exit if so desired.

B. 17-2947

Consideration, discussion and possible approval of and authorization to execute a Consulting Services Agreement with Black & Veatch Management Consulting to update the water, wastewater and stormwater financial plans for the City of Broken Arrow and the Broken Arrow Municipal Authority

Utilities Director Anthony Daniel stated this item was a Consulting Services Agreement with Black & Veatch Management Consulting to update the water, sewer and stormwater financial plans for the next five years. He reported in 2015 the city entered into a contract with Black & Veatch who developed the model and provided the city proposed rates for the next five year plan. He stated it had been approximately one year now and it was time to revisit the rate scenario. He stated when the rate model was created there was a \$50 million dollar bond built in and now the City was considering a different approach; therefore, Black & Veatch would be helpful in reviewing and developing the projections for the next five years. He stated he would be happy to answer questions. There were none.

MOTION: A motion was made by Mike Lester, seconded by Johnnie Parks.

Move to approve and authorize the execution of a Consulting Services Agreement with Black & Veatch Management Consulting to update the water, wastewater and stormwater financial plans for the City of Broken Arrow and the Broken Arrow Municipal Authority

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

7. Executive Session

There was no Executive Session.

8. Adjournment

The meeting adjourned at approximately 7:59 p.m.

MOTION: A motion was made by Scott Eudey, seconded by Mike Lester.

Move to adjourn

The motion carried by the following vote:

Aye: 5 - Debra Wimpee, Johnnie Parks, Mike Lester, Scott Eudey, Craig Thurmond

Attest:

/Craig Thurmond _____
Chairman

/Lisa Blackford _____
Secretary